



21 March 2023

IOTC CIRCULAR 2023-20

Dear Madam / Sir

OBJECTION FROM PHILIPPINES TO IOTC RESOLUTION 23/02

Please find attached a communication from Philippines regarding its objection, in accordance to Article IX (5) of the IOTC Agreement, to [Resolution 23-02](#) *On Management of Drifting Fish Aggregating Devices (DFADs) in the IOTC area of competence*, which was adopted at the 6th Special Session of the IOTC.

Given a previous objection, an extension period of 60 days has already been applied to the date when Resolution 23/02 will come into force. Thus, Resolution 23/02 will come into force on 8 August 2023, unless a total of more than one-third of the members also object, before this time. Philippines' objection is the sixth to be received.

The relevant paragraphs (5, 6 and 7) of Article IX on the ensuing process are reproduced herein for your reference.

5. Any Member of the Commission may, within 120 days from the date specified or within such other period as may be specified by the Commission under paragraph 4, object to a conservation and management measure adopted under paragraph 1. A Member of the Commission which has objected to a measure shall not be bound thereby. Any other Member of the Commission may similarly object within a further period of 60 days from the expiry of the 120-day period. A Member of the Commission may also withdraw its objection at any time and become bound by the measure immediately if the measure is already in effect or at such time as it may come into effect under this article.

6. If objections to a measure adopted under paragraph 1 are made by more than one-third of the Members of the Commission, the other Members shall not be bound by that measure; but this shall not preclude any or all of them from giving effect thereto.

7. The Secretary shall notify each Member of the Commission immediately upon receipt of each objection or withdrawal of objection.

Yours sincerely

Christopher O'Brien
Executive Secretary

Attachment:

- letter from Philippines

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Somalia, South Africa, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom, Yemen. **Cooperating Non-Contracting Parties:** Liberia. **Intergovernmental Organisations, Non-Governmental Organisations.** Chairperson IOTC. **Copy to:** FAO Headquarters, FAO Representatives to CPCs.

This message has been transmitted by email only



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March 17, 2023

DR. CHRISTOPHER O'BRIEN
Executive Secretary
Indian Ocean Tuna Commission
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Providence,
PO Box 1011
Victoria, Seychelles
IOTC-Secretariat@fao.org

SUBJECT : Objection to Resolution 23/02, following Article IX(5) of the IOTC Agreement

Dear Dr. O'Brien,

This refers to Indian Ocean Tuna Commission Resolution 2023/02 on Management of Drifting Fish Aggregating Devices (DFADs) in the IOTC area of competence, which was adopted at the 6th Special Session of the IOTC.

The Philippines is of the view that Resolution 23/02 should be reconsidered due to the lack of scientific basis, in accordance with Article V (2c) of the Agreement for the Establishment of the Indian Ocean Tuna Commission and to muster a consensus among CPCs.

"(c) to adopt, in accordance with Article IX and on the basis of scientific evidence, conservation and management measures, to ensure the conservation of the stocks covered by this Agreement and to promote the objective of their optimum utilization throughout the Area"

Therefore, the Philippines hereby notify the Commission of its objection to Resolution 23/02, following Article IX(5) of the Agreement.

Very truly yours,


ATTY. DEMOSTHENES R. ESCOTO
Director

Bureau of Fisheries and
Aquatic Resources
(Central Office)



In replying pls cite this code

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