



04 August 2023

IOTC CIRCULAR 2023-48

Dear Madam / Sir

OBJECTION FROM THAILAND TO IOTC RESOLUTION 23/02

Please find attached a communication from Thailand 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. The objection from Thailand is now the eleventh 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

Paul de Bruyn
Executive Secretary

Attachment:

- letter from Thailand

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



No. 0511.3/ 4754

Department of Fisheries
Kaset Klung, Chatuchak
Phahonyothin Road,
Bangkok 10900 Thailand

3 August B.E. 2566 (2023)

Dear Mr. Paul de Bruyn,

Subject: Objection of IOTC Resolution 23/02 On the Management of Drifting Fish Aggregating Devices (DFADs) in the IOTC Area of Competence

Reference is made to the IOTC Resolution 23/02 on the Management of Drifting Fish Aggregating Devices (DFADs) in the IOTC Area of Competence, which was adopted at the 6th Special Session of the IOTC in February 2023.

Nevertheless, we have acknowledged the objections of several CPCs to the enforcement of this Conservation and Management Measure (CMM). That is because of the divergent views of IOTC members, including Thailand, on the key points in this CMM whether the appropriate number of FADs limit and the duration of FADs closure, the coverage types of fishing gears of enforcement or the insufficient scientific data and etc. With those several objections, we foresee the ineffectiveness of the enforcement of this CMM.

Therefore, Thailand has the view that the review of this CMM in order to accommodate those key points and minimize most concerns might be a most necessary solution in this antagonistic situation as it will lead the consensus and effectiveness of the agreed CMM.

In this connection, according to Article IX (5) of the IOTC Agreement, Department of Fisheries, Thailand hereby objects to Conservation and Management Measure, IOTC Resolution 23/02 on the Management of Drifting Fish Aggregating Devices (DFADs) in the IOTC Area of Competence.

Please be assured of our full cooperation.

Yours sincerely,

(Mr. Chalermchai Suwannarak)

Director-General

Mr. Paul de Bruyn
Executive Secretary, Indian Ocean Tuna Commission
IOTC Secretariat Le Chantier Mall (2nd floor)
PO Box 1011, Victoria, Seychelles.
Phone: +248 4225 494 Fax: +248 4224 36
E-mail: iotc-secretariat@fao.org

Fishing Operation and Fleets Management Division
E-mail: overc.dof@gmail.com