



ON THE PROMOTION OF THE IMPLEMENTATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES

SUBMITTED BY: South Africa

Explanatory memorandum

The proposed Resolution would merge and supersede Resolution 14/01 *On the removal of obsolete Conservation and Management Measures* and Resolution 16/10 *To promote the implementation of IOTC Conservation and Management Measures*. Provisions in these Resolutions that have expired (for example the Special Fund for Capacity Building in Resolution 16/10) are removed, and drafting has been improved.

Additionally, the proposed Resolution would revoke the following CMMs which have become obsolete:

- 1) Resolution 01/03 *Establishing a scheme to promote compliance by Non-Contracting Party vessels with Resolutions established by IOTC*

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| WPICMM02 RECOMMENDATION | Eliminate the resolution. ¹ |
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- 2) Resolution 99/02 *Calling for actions against fishing activities by large scale flag of convenience longline vessels*

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| WPICMM02 RECOMMENDATION | Eliminate this resolution. ² |
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- 3) Resolution 16/05 *On vessels without nationality*

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| WPICMM02 RECOMMENDATION | eliminate ³ |
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¹ IOTC–2019–WPICMM02–05b-Add1, page 7.

² IOTC–2019–WPICMM02–05b-Add1, page 8.

³ IOTC–2019–WPICMM02–05b-Add1, page 3.

RESOLUTION 24/XX**ON THE PROMOTION OF THE IMPLEMENTATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES****The Indian Ocean Tuna Commission (IOTC),**

RECOGNISING the desirability of improving the coherence, interpretation and accessibility of its Conservation and Management Measures (CMMs);

CONCERNED that IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs), particularly developing CPCs, seem to find difficulties in implementing CMMs already adopted by the IOTC;

NOTING that among other things the major reasons for this situation seemed to be based on: lack of human and financial capacity to implement CMMs; frequent addition of new CMMs and modifications to existing CMMs; complicated structure of CMMs; and the duplication of CMMs on one subject;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, the following:

Use of Terms**1. For the purpose of this Resolution:**

- a) “CMMs” means Conservation and Management Measures adopted by the Commission under Article IX of the IOTC Agreement.
- b) “Contracting Parties” means Contracting Parties of the IOTC Agreement.

Arrangements concerning the Submission of CMM Proposals

~~1.2.~~ To further improve coordination in the development process of proposals for new and/or revised CMMs to be considered at the annual Sessions of the Commission, Contracting Parties are encouraged to submit to the IOTC Executive Secretary a provisional title, Contracting Party sponsorship and a focal point for the proposal (including the email address of the focal point), a minimum of 60 days prior to each annual Session of the Commission. This will enable all Contracting Parties to identify proposals that are being developed by other Contracting Parties, and, as appropriate, cooperate in the development of proposals prior to the annual Session of the Commission in which they are to be discussed.

~~2.3.~~ Where possible, Contracting Parties shall, as far as possible, avoid duplication of CMM proposals on the same subject shall be avoided and endeavour to reach consensus be reached on contentious matters in CMM proposals intersessionally, thereby improving efficiency of discussions during the annual Sessions of the Commission.

~~3.4.~~ Contracting Parties shall submit their CMM proposals to the IOTC Executive Secretary at least 30 days before the annual Session of the Commission meeting. Except for proposals based on recommendations of the IOTC Compliance Committee and the IOTC Standing Committee on Administration and Finance, proposals received after the deadline shall be considered by the Commission only if agreed by the Commission.

Streamlining of CMMs

~~4.5.~~ The Commission shall consider endeavour to streamlining streamline existing conservation and management measures CMMs by:

- a) ~~abolishing revoking~~ outdated or otherwise obsolete conservation and management measures CMMs and incorporating key elements that remain to be fully implemented into a new or existing ~~conservation and management measures CMMs~~;
- b) combining multiple ~~conservation and management measures CMMs~~ into a single ~~conservation and management measure CMM~~ with multiple sections relating to a single broad subject area.

Removal of Obsolete CMMs

~~5.6.~~ The following ~~Conservation and Management Measure~~CMMs previously adopted by the Commission shall be revoked since they are considered to have been fulfilled or are obsolete, ~~as they have been replaced without being superseded or are no longer relevant to the conservation and management of tuna and tuna-like species in the IOTC area of competence:~~

- (a) Resolution 01/03 *Establishing a scheme to promote compliance by Non-Contracting Party vessels with Resolutions established by IOTC.*
- (b) Resolution 99/02 *Calling for actions against fishing activities by large scale flag of convenience longline vessels.*
- (c) Resolution 16/05 *On vessels without nationality.*

Final Provisions

~~6. — This Resolution shall enter into force immediately.~~

- 7. This Resolution supersedes Resolution 14/01 *On the removal of obsolete Conservation and Management Measures* and Resolution 16/10 *To promote the implementation of IOTC Conservation and Management Measures.*