

RESOLUTION 03/02

ON CRITERIA FOR ATTAINING THE STATUS OF CO-OPERATING NON- CONTRACTING PARTY

THE INDIAN OCEAN TUNA COMMISSION (IOTC),

NOTING the imperative international responsibility concerning the conservation of the resources of tunas and tuna-like species in the Indian Ocean for the needs of present and future generations;

NOTING that the sustainability can be ensured only if all the Parties which fish for these species cooperate with the Commission, which is the competent international body for the conservation and management of these species within its area of competence;

BEARING IN MIND that the United Nations Conference on Straddling Stocks and Highly Migratory Fish Stocks has underlined the importance of ensuring the conservation and optimum utilisation of highly migratory species through the action of regional fishery bodies such as the IOTC;

RECALLING the resolution of the Third Session of the IOTC concerning the registration and exchange of information on vessels, including those flying flags of convenience, which fish for tropical tunas in the area of competence;

RECALLING ALSO the resolution of the Third Session of the IOTC on cooperation with non-Contracting Parties;

ADOPTS, in conformity with the provisions of Article IX, paragraph 1, of the IOTC Agreement, that:

1. Each year, the Secretary shall contact all non-Contracting Parties known to be fishing in the IOTC Area for species under IOTC competence to urge them to become a Contracting Party to IOTC or attain the status of a Co-operating non-Contracting Party. In doing so, the Secretary shall provide a copy of all relevant Recommendations and Resolutions adopted by the Commission.
2. Any non-Contracting Party requesting the status of a co-operating non-Contracting Party shall apply to the Secretary. Requests must be received by the Executive Secretary no later than ninety (90) days in advance of an Annual Session of the Commission, to be considered at that meeting.
3. Non-Contracting Parties requesting the status of Co-operating non-Contracting Party shall provide the following information in order to have this status considered by the Commission:
 - a) where available, data on its historical fisheries in the IOTC Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;
 - b) all the data that Contracting Parties have to submit to IOTC based on the resolutions adopted by IOTC;
 - c) details on current fishing presence in the IOTC Area, number of vessels and vessel characteristics and;
 - d) information on any research programmes it may have conducted in the IOTC Area and the information and the results of this research.
4. An applicant for Co-operating non-Contracting Party shall also:
 - a) confirm its commitment to respect the Commission's conservation and management measures and;

- b) inform IOTC of the measures it takes to ensure compliance by its vessels of IOTC conservation and management measures
- 5. The Compliance Committee shall be responsible for reviewing requests for co-operating status and for recommending to the Commission whether or not an applicant should receive co-operating status. In this review, the Compliance Committee shall also consider information regarding the applicant available from other RFMOs as well as data submission of the applicant. Caution shall be used so as not to introduce into the IOTC Area the excessive fishing capacity of other regions or IUU fishing activities by granting cooperating status to the applicant.
- 6. Co-operating non-Contracting Parties status shall be annually reviewed and renewed unless revoked by the Commission due to non-compliance with IOTC conservation and management measures.
- 7. The *Resolution by IOTC on the Status of Cooperating non-Contracting Parties*, adopted at the 1999 Commission meeting, is substituted by this Resolution.