

RESOLUTION 06/05

ON THE LIMITATION OF FISHING CAPACITY, IN TERMS OF NUMBER OF VESSELS, OF IOTC CONTRACTING PARTIES AND CO-OPERATING NON CONTRACTING PARTIES

The Indian Ocean Tuna Commission (IOTC),

RECOGNISING that the Scientific Committee has expressed concerns on the status of the main tuna stocks in the IOTC Area;

TAKING NOTE in particular of the Scientific Committee's recommendation that a reduction in catches of bigeye tuna by all gears, eventually to the level of MSY, be started as soon as possible and that fishing effort should be reduced or, at least, that it should not increase further;

CONSCIOUS of the further Scientific Committee recommendation that management measures focused on controlling and/or reducing effort in the fishery targeting swordfish in the south west Indian Ocean be implemented;

AWARE that the issue of excess fishing capacity is of worldwide concern and is the subject of an International Plan of Action developed by the United Nations Food and Agriculture Organization;

NOTING that FAO International Plan of Action for the Management of the Fishing Capacity (IPOA) stipulates in its Objectives and Principles that States and Regional Fisheries Organisations confronted with an overcapacity problem which is undermining the achievement of long-term sustainability outcomes, should endeavour initially to limit at the present level and progressively reduce the fishing capacity applied to affected fisheries;

UNDERSTANDING that excess fishing capacity in a region makes it more difficult for Governments to agree on and implement effective conservation and management measures for the fisheries of that region;

RECALLING *Resolution 01/04 on Limitation of Fishing Effort of non-Members of IOTC whose Vessels Fish Bigeye Tuna* adopted at the 2001 meeting;

RECALLING *Resolution 03/01 on the limitation of Fishing Capacity of Contracting Parties and Cooperating Non-Contracting Parties* adopted at the 2003 meeting;

RECALLING *Resolution 05/01 on conservation and management measures for big-eye tuna* adopted at the 2005 meeting;

RECALLING *Resolution 05/04 concerning the registration and exchange of information on vessels, fishing for tropical tunas and swordfish in the IOTC area of competence* adopted at the 2005 meeting;

BELIEVING that it is important to limit fishing capacity in the IOTC area in order to help ensure that the tuna fisheries in the region are conducted at a sustainable level;

SEEKING TO ADDRESS the problem of excess capacity in the tuna purse-seine and longline fleets operating in the IOTC area by limiting capacity to a level which, in harmony with other agreed management measures and projected and actual levels of catch, will ensure that tuna and swordfish fisheries in the region are conducted at sustainable levels,

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

1. Contracting Parties and Cooperating Non-Contracting Parties (hereafter named CPCs) shall limit the number of their vessels, by gear type, of 24 m overall length and over, and under 24 metres if they fish outside their EEZ, fishing for tropical tunas in the IOTC Area, to the number of their vessels notified to IOTC for 2006 in accordance with IOTC Resolution 05/04 *Concerning Registration And Exchange Of*

Information On Vessels, Including Flag Of Convenience Vessels, Fishing For Tropical Tunas and swordfish in the IOTC Area Of Competence.^{1,2}

2. This limitation of number of vessels shall be commensurate with the corresponding overall tonnage expressed in GRT (Gross Registered Tonnage) or in GT (Gross Tonnage) and, where vessels are replaced, the overall tonnage shall not be exceeded.
3. In notifying their vessels fishing for tropical tunas in the area in 2006, the CPCs shall verify the effective presence and fishing activities of their vessels in the IOTC area in 2006, through their VMS records, catch reports, port calls, or other means. The IOTC Secretariat shall have access to such information upon request.
4. In relation to paragraph 1, the Commission takes note of the interests of the Coastal States, in particular small island Developing States and Territories within the IOTC Area whose economies depend largely on fisheries, and recognises their rights and obligations in accordance with paragraph 3 and 4 of IOTC Resolution 03/01 *On the limitation of Fishing Capacity of Contracting Parties and Cooperating Non-Contracting Parties* and paragraph 4 of Resolution 05/01 *On Conservation and Management Measures for Bigeye Tuna*. In the application of the Fleet Development Plans, each CPC should implement a reasonable programme for the phasing-in of the increase of its fleet.
5. Within the period of application of this Resolution, CPCs may change the number of their vessels, by gear type, provided that they can demonstrate to the Commission, under the advice of the Scientific Committee, that the change in the number of vessels, by gear type, does not lead to an increase of fishing effort on the fish stocks involved.
6. CPCs shall ensure that where there is a proposed transfer of capacity to their fleet that the vessels to be transferred are on the IOTC Record of Vessels or on the Record of vessels of other Tuna Regional Fisheries Organisations. No vessels on an IUU vessels list of any Regional Fisheries Management Organisation may be transferred.
7. This Resolution is applicable during the years 2007, 2008 and 2009. The Commission shall review its implementation at the 2009 IOTC Session.
8. With regard to the swordfish fisheries, the CPCs take the commitment to adopt at the 2007 IOTC Annual Session a similar capacity limitation for vessels of 24 metres overall length or over, and vessels under 24 metres when they fish in international waters in the IOTC Area.
9. The provisions of this Resolution will not prejudice future discussions on quota allocation for tuna and tuna-like species, taking into account, *inter alia*, legitimate aspirations of the Coastal States to develop their fishing capacity.

¹ The Commission will take into account authorizations to construct vessels currently under administrative process, on-going and already authorized constructions in the year 2006, and the development programmes already notified to the Commission

² Acknowledging that the catch levels and vessels presence in 2006 of certain Members is not representative of their historical presence, and consequently that these Members may increase the number of vessels present during the period of application of the Resolution to a maximum level operating in a season or year since 2000.