

RESOLUTION 07/05
LIMITATION OF FISHING CAPACITY OF IOTC CONTRACTING PARTIES AND
COOPERATING NON-CONTRACTING PARTIES IN TERMS OF NUMBER OF LONGLINE
VESSELS TARGETING SWORDFISH AND ALBACORE

The Indian Ocean Tuna Commission (IOTC),

RECOGNISING that the Scientific Committee has expressed concerns on the status of the swordfish stock in the IOTC Area;

TAKING NOTE in particular of the Scientific Committee's recommendation that a reduction in catches of swordfish by longline gear, 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;

TAKING NOTE of the significant quantities of swordfish by-catch present in the longline fisheries targeting albacore;

CONSCIOUS of the further Scientific Committee recommendation that management measures focused on controlling and/or reducing effort in the fishery targeting swordfish in the Indian Ocean, and, in particular, 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 Management 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 Sixth Session;

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

RECALLING *Resolution 05/01 on conservation and management measures for bigeye tuna* adopted at the Ninth Session;

RECALLING *Resolution 07/04 concerning the registration and exchange of information on vessels, fishing for tunas and swordfish in the IOTC area of competence* adopted at the 11th Session;

RECALLING *Resolution 06/05 on limitation of fishing capacity, in terms of number of vessels, of IOTC Contracting Parties and Cooperating non-Contracting Parties* adopted at the Tenth Session;

BELIEVING that it is important to limit fishing capacity in the IOTC Area of Competence in order to ensure that the tuna and tuna-like fisheries in the region are conducted at a sustainable level;

SEEKING TO ADDRESS the problem of excess capacity in the purse-seine and longline fleets operating in the IOTC Area of Competence 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 swordfish and albacore in the IOTC Area of Competence, to the number of their vessels notified to IOTC for 2007 in accordance with IOTC *Resolution 07/04 Concerning Registration And Exchange Of Information On Vessels, Fishing For Tunas and swordfish in the IOTC Area Of Competence*¹

2. This limitation of number of vessels shall be commensurate with the corresponding overall tonnage expressed in GT (Gross Tonnage) and, where vessels are replaced, the overall tonnage shall not be exceeded.

3. In notifying their vessels fishing for swordfish in the area in 2007, the CPCs shall verify the effective presence and fishing activities of their vessels in the IOTC Area of Competence in 2007, 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*. In particular the coastal states not targeting swordfish will continue to explore the resources in their EEZs and develop their capacity in accordance with their Fleet Development Plans, which include a reasonable programme for the phasing-in of the increase of their 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 either 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 or where they are directly limiting catches using individual transferable quotas under a comprehensive national management plan which has been provided to the Commission.

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 Management Organisations. No vessels on the List of IUU Vessels of any Regional Fisheries Management Organisation may be transferred.

7. CPCs with less than ten active vessels targeting albacore in 2007 in the Area of Competence, are allowed to introduce a Fleet Development Plan to the Compliance Committee for review in 2008 at the 12th IOTC plenary Session. These Fleet Development Plans will be reviewed in 2009 by the Commission, in light of the Scientific Committee recommendations on the status of the albacore stock.

8. This Resolution is applicable during the years 2008, 2009 and 2010. The Commission shall review its implementation at the 2010 Session.

9. CPCs shall provide the Secretary, by 30 April 2008, with complete data on the presence of their active vessels targeted by this Resolution in the IOTC Area of Competence during the year 2007.

¹ The Commission will take into account authorisation to construct vessels currently under administrative process, ongoing and already authorised constructions in the year 2007, and the Fleet Development Plans already notified to the Commission