

## RESOLUTION 12/01 ON THE IMPLEMENTATION OF THE PRECAUTIONARY APPROACH

### The Indian Ocean Tuna Commission (IOTC),

RECALLING that Article 5, paragraph c, of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA), establishes the application of the precautionary approach as a general principle for sound fisheries management;

FURTHER RECALLING that Article 6, and Annex II, of UNFSA provide guidelines for the implementation of the precautionary approach, including the adoption of provisional reference points when information for establishing reference points is absent or poor;

NOTING that Article 7.5 of the FAO Code of Conduct for Responsible Fisheries also recommends the implementation of the precautionary approach, *inter alia*, on the basis of stock-based target and limit reference points;

NOTING that recommendations 37 and 38 of the Performance Review Panel, adopted by the Commission as Resolution 09/01, indicate that pending the amendment or replacement of the IOTC Agreement to incorporate modern fisheries management principles, the Commission should implement the precautionary approach as set forth in the UNFSA;

MINDFUL that Paragraph 29.6 of the FAO Guidelines for the Eco-labelling of Fish and Fishery Products from Marine Capture Fisheries, revision 1, 2009, and other eco-certification initiatives highlight the implementation of the precautionary approach as an important criterion to assess the sustainability of a fishery;

RECALLING the time–area closure adopted by the Commission towards the conservation of tropical tuna stocks, described in Resolution 10/01;

RECALLING that the IOTC Scientific Committee has initiated a process of management strategy evaluation to focus the provision of scientific advice on the information needs of the Commission;

RECOGNISING the need to ensure the sustainability of fisheries for tunas and tuna-like species for food security, livelihoods, economic development, multispecies interactions and environmental impacts in its decisions;

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

1. To apply the precautionary approach, in accordance with relevant internationally agreed standards, in particular with the guidelines set forth in the UNFSA, and to ensure the sustainable utilization of fisheries resources as set forth in Article V of the IOTC Agreement.
2. In applying the precautionary approach, the Commission shall adopt, after due consideration of the advice supplied by the Scientific Committee,
  - a) stock-specific reference points (including, but not necessarily limited to, target and limit reference points<sup>1</sup>), relative to fishing mortality and biomass, and
  - b) associated harvest control rules<sup>2</sup>, that is, management actions to be taken as the reference points for stock status are approached or if they are breached

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<sup>1</sup> Target Reference Points corresponds to a state of a fishery and / or a resource which is considered desirable; Limit Reference Points indicates the limit beyond which the state of a fishery and / or a resource is not considered desirable. Source: <http://www.fao.org/fi/glossary> (accessed 25 April 2012).



Reference points and harvest control rules shall be determined so that, according to the best available science, the risk of a negative impact on the sustainability of Indian Ocean resources of tuna and tuna-like species is minimized.

3. In the determination of appropriate reference points and harvest control rules, consideration must be given to major uncertainties, including the uncertainty about the status of the stocks relative to the reference points, uncertainty about biological, environmental and socio-economic events and the effects of fishing activities on non-target and associated or dependent species.
4. If an unanticipated event, such as a natural phenomenon has a significant adverse impact on the status of a stock or its associated environment, the Commission shall adopt conservation and management measures on an emergency basis to ensure that fishing activity does not exacerbate such adverse impacts.
5. Initially and as an interim measure, the Commission may adopt provisional reference points and harvest control rules, taking into account the advice of the Scientific Committee; such measures would remain current until such time as the Commission chooses to update them.
6. Instruct the Scientific Committee to assess, through the management strategy evaluation process, the performance of reference points, including any interim reference points, and of potential harvest control rules to be applied as the status of the stocks approaches the reference points.
7. After completion of the management strategy evaluation, the Scientific Committee should provide the Commission with recommended reference points for all major stocks, and cast future advice on the status of the stocks relative to the adopted reference points, on the basis of the best available scientific evidence.
8. The Scientific Committee will report on the progress of the management strategy evaluation process at the Commission Session in 2014, with a view to confirming or updating any interim reference points and associated harvest control rules.

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<sup>2</sup> Harvest Control Rule: A rule that describes how harvest is intended to be controlled by management in relation to the state of some indicator of stock status. Source: <http://www.fao.org/fi/glossary> (accessed 25 April 2012).