

Original: English

**PROPOSAL FOR CONSIDERATION AT THE
24TH REGULAR MEETING OF THE INTERNATIONAL COMMISSION
FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT)**

(Proposed by Canada, the European Union, and the United Kingdom Overseas Territories)

One of the main attributes of the precautionary approach to fisheries management and conservation is the necessity for caution to be exercised in the face of scientific uncertainty. Not using the absence of adequate scientific information as a reason to postpone or fail to take action is another key element of this approach. The precautionary approach has been incorporated into international instruments, and a body of relevant standards, practices and procedures exist at the national, regional and international level to implement this approach.

Portions of the ICCAT Convention reflect certain aspects of the precautionary approach, such as the reliance on scientific information as set out in Article VIII of the Convention which authorizes the Commission to make recommendations, on the basis of scientific advice, for the maintenance of tuna and tuna-like fishes in the Convention area at levels which will permit the maximum sustainable catch. Article 4.1 charges the Commission with undertaking research on the abundance, biometry and ecology of the fishes exploited in tuna fishing in the Convention area.

The Commission has applied certain aspects of a precautionary approach, as reflected in ICCAT Resolution [11-17] on the use of best available scientific advice and Recommendation [11-13] on the principles of decision-making. Canada sees merit in the Commission continuing to do so. In order to support the Commission's efforts in this regard, and taking into consideration the benefits to the Commission of setting out more distinctly certain elements of a precautionary approach, Canada proposes the following draft recommendation.

**DRAFT RECOMMENDATION BY ICCAT CONCERNING THE USE OF A
PRECAUTIONARY APPROACH IN IMPLEMENTING ICCAT CONSERVATION
AND MANAGEMENT MEASURES**

NOTING that the 1995 UN Fish Stocks Agreement has set out elements of a precautionary approach to the conservation and management of straddling and highly migratory fish stocks in order to protect the living marine resources and preserve the marine environment;

FURTHER NOTING the general principles and Article 6.5 of the 1995 FAO International Code of Conduct for Responsible Fisheries, which urges States and subregional and regional fisheries management organizations to apply a precautionary approach to conservation, management and exploitation of living aquatic resources in order to protect them and preserve the aquatic environment;

RECALLING that the ICCAT Convention does not prevent the Commission from applying a precautionary approach when making management and conservation decisions;

FURTHER RECALLING that ICCAT has taken decisions, such as ICCAT Resolutions 09-12, 11-14, and 11-17 as well as Recommendations 11-09, 11-13, 11-15 and 12-05 that apply elements of a precautionary approach;

TAKING INTO ACCOUNT the discussions taking place within the Convention Amendment Working Group on the incorporation of a precautionary approach in the proposed amendments to the ICCAT Convention; and

NOTING that this recommendation is without prejudice to any discussions or decisions made by the Working Group in this regard;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. When making recommendations pursuant to Article VIII of the Convention, the Commission shall apply a precautionary approach, in accordance with relevant international standards.
2. In applying a precautionary approach, the Commission shall *inter alia*:
 - a) use the best available scientific advice;
 - b) exercise caution when scientific information is uncertain, unreliable or inadequate;
 - c) determine, on the basis of the best scientific information available, stock specific reference points, in particular limit reference points, and the action to be taken if exceeded; and
 - d) not use the absence of adequate scientific information as a reason to postpone or not to take conservation and management action in relation to the species under its mandate.
3. In applying a precautionary approach, the Commission shall take measures to ensure that when limit reference points are approached, they will not be exceeded. In the event that they are exceeded, the Commission shall without delay take action to restore the stocks to levels above the identified reference points.