
**ON A BAN ON DISCARDS OF BIGEYE TUNA, SKIPJACK TUNA,
YELLOWFIN TUNA, AND NON-TARGETED SPECIES CAUGHT BY PURSE
SEINE VESSELS IN THE IOTC AREA OF COMPETENCE**

SUBMITTED BY: SEYCHELLES 21 APRIL 2017

Explanatory Memorandum

The international community has recognized both ethical concerns and policy regarding discards, related biodiversity and endangered species in several international instruments and statements. This resolution aims to intensify the efforts to improve the retention of tuna species and non-targeted incidental by-catches and subsequently reduce discard in the IOTC area.

The level of discards in world's tuna purse seine fisheries total 145,000T on a yearly basis. The yearly discard level varies by Ocean, discards rates amount to 6.9% in the IATTC area, 4.1% in the Atlantic area, 5.9% in the SPC area and 5 % in the Indian Ocean (FAO Discard database).

Discard in general (tuna and non-targeted species) in the purse seine fishery and is not well known or documented in the Indian Ocean; it is therefore not possible to fully address and solve the problem of non-reporting of by-catch and discards as this type of information is provided on a voluntary basis, and impacts the quality stock assessment of tropical tuna fisheries; irresponsible discards practices, driven by economic interest, do occurs in the Indian Ocean; discarding has a negative effect both on the economy of fishery system and the health of marine ecosystems; discards are a loss to the ecosystem and to the future of the fisheries (reduce catch option in the future); discards of non targeted species is impacting biodiversity and the functioning of the marine ecosystem.

With regards to its mandates, the IOTC has clear moral, economic and environmental imperatives to address bycatch and discard issues. Through National Observer Programme, major focus is being given to collection of information on bycatch and discards, however it will take a while before this data is readily available to the scientific community. Without reliable discards data and without knowledge about the impact of discards practices on the fishery system and the ecosystem it becomes urgent and important for the IOTC to enhance the precautionary and ecosystem approach for the management of discards in the tropical tuna fishery in the Indian Ocean.

This proposal is basically turning section 3 of resolution 15-06, which currently serves as a recommendation, and making it binding, hence prohibiting the discard of non targeted bycatch species (other tunas, rainbow runner, dolphinfish, triggerfish, billfish, wahoo, and barracuda) in addition to skipjack tuna, yellowfin tuna and bigeye tuna.

Seychelles Proposal for a review on the RESOLUTION 15/06

RESOLUTION 17/XX
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The Indian Ocean Tuna Commission (IOTC),

RECOGNISING the need for action to ensure the achievement of IOTC objectives to conserve and manage bigeye tuna, skipjack tuna and yellowfin tuna in the IOTC area of competence;

RECOGNISING that the international community has recognised both ethical concerns and policy regarding discards of species in several international instruments and statements, including United Nations General Assembly resolutions (A/RES/49/118 (1994); A/RES/50/25 (1996); A/RES/51/36 (1996); A/RES/52/29 (1997); A/RES/53/33 (1998); A/RES/55/8 (2000); and A/RES/57/142 (2002)), United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea (UNCLOS) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (United Nations Fish Stocks Agreement); The Rome Consensus on World Fisheries adopted by the FAO Ministerial Conference on Fisheries, Rome, 14–15 March 1995; the Code of Conduct for Responsible Fisheries, the FAO International Plan of Action (IPOA) on sharks; the Convention on Biological Diversity (CBD);

RECALLING that the United Nations Fish Stocks Agreement 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, and provides that “*States should minimize ... discards, ..., catch of non target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species ...*”;

RECALLING that The Rome Consensus on World Fisheries adopted by the FAO Ministerial Conference on Fisheries, Rome, 14–15 March 1995, provides that “*States should...reduce bycatches, fish discards...*”;

RECALLING that the FAO Code of Conduct for Responsible Fisheries provides that “*States should take appropriate measures to minimize waste, discards...collect information on discards ...; ... take account of discards (in the precautionary approach) ...; develop technologies that minimize discards ...; use of selective gear to minimize discards*”;

RECALLING that the Commission adopted Resolution 12/01 *on the implementation of the precautionary approach*;

CONCERNED about the morally unacceptable waste and the impact of unsustainable fishing practices upon the oceanic environment, represented by the discarding of tunas and non-target species in the purse seine fishery for tunas in the Indian Ocean;

CONSIDERING the important volume of tuna and non-targeted species discarded in the purse seine fishery for tunas in the Indian Ocean;

[CONSIDERING the Millennium Development Goals, particularly Goal Number 2 aims to End hunger, achieve food security and improved nutrition and promote sustainable agriculture](#)”.

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

RETENTION OF TUNA SPECIES



1. Contracting Parties and Cooperating Non-Contracting Parties shall require all purse seine vessels to retain on board and then land all bigeye tuna, skipjack tuna, and yellowfin tuna caught, except fish considered unfit for human consumption.

RETENTION OF NON-TARGETED SPECIES

2. Contracting Parties and Cooperating Non-Contracting Parties shall require all purse seine vessels to retain on board and then land all non-targeted species as far as the vessel can ensure appropriate fishing operation (including but not limited to other tunas, rainbow runner, dolphinfish, triggerfish, billfish, wahoo, and barracuda) except fish considered unfit for human consumption (as defined in paragraph 3 b) i).
3. Procedures for the implementation of full retention requirements include:

- a) No bigeye tuna, skipjack tuna, ~~and/or~~ yellowfin tuna and non-targeted species referred to in paragraph 2 caught by purse seine vessels may be discarded after the point in the set when the net is fully pursed and more than one half of the net has been retrieved. If equipment malfunctions affect the process of pursing and retrieving the net in such a way that this rule cannot be complied with, the crew must make efforts to release the ~~tuna~~ tunas and the non-targeted species as soon as possible.
- b) The following two exceptions to the above rule shall apply:
 - i. Where it is determined by the captain of the vessel that tuna (bigeye tuna, skipjack tuna or yellowfin tuna) and the non-targeted species as listed in Para 2 caught are unfit for human consumption, the following definitions shall be applied:
 - "unfit for human consumption" are fish that:
 - is meshed or crushed in the purse seine; or
 - is damaged due to depredation; or
 - has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch, and efforts to release the fish alive;
 - "unfit for human consumption" does not include fish that:
 - is considered undesirable in terms of size, marketability, or species composition; or
 - is spoiled or contaminated as the result of an act or omission of the crew of the fishing vessel.
 - ii. Where the captain of a vessel determines that tuna (bigeye tuna, skipjack tuna or yellowfin tuna) ~~was~~ and the non-targeted species as listed in Para 2 were caught during the final set of a trip and there is insufficient storage capacity to accommodate all tuna (bigeye tuna, skipjack tuna or yellowfin tuna) and the non-targeted species caught in that set. This fish may only be discarded if:
 - the captain and crew attempt to release the tuna (bigeye tuna, skipjack tuna or yellowfin tuna) and the non-targeted species alive as soon as possible; and
 - no further fishing is undertaken after the discard until the tuna (bigeye tuna, skipjack tuna, and/or yellowfin tuna) and the non-targeted species on board the vessel has been landed or transhipped.

RETENTION OF SPECIES OTHER THAN THOSE SPECIFIED UNDER PARA 2, A)

1. ~~Contracting Parties and Cooperating Non-Contracting Parties should encourage all purse seine vessels to retain on board and then land all non-targeted species as far as the vessel can ensure appropriate fishing operation (including but not limited to other tunas, rainbow runner, dolphinfish, triggerfish, billfish, wahoo, and barracuda) except fish considered unfit for human consumption (as defined in paragraph 2 b) i). A single exception shall be the final set of a trip,~~



~~when there may be insufficient storage capacity remaining to accommodate all the non-targeted fish caught in that set.~~

IMPLEMENTATION

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4. The IOTC Scientific Committee, the IOTC Working Party on Tropical Tunas, and the IOTC Working Party on Ecosystems and Bycatch shall annually:

- a) review the information available on bycatch (retained and discarded) by purse seine vessels; and
- b) provide advice to the Commission on options to sustainably manage discards in purse seine fisheries.

5. This Resolution shall enter into force on ~~1 November 2015~~^{1st January 2018} and will be revised, according to the advice of the IOTC Scientific Committee resulting from the review of the IOTC Working Party on Tropical Tunas (for bigeye tuna, skipjack tuna and yellowfin tuna) and of the IOTC Working Party on Ecosystems and Bycatch (for non-target species).

6. This Resolution supersedes Resolution ~~13/11/06~~ *On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna and a recommendation for non-targeted species caught by purse seine vessels in the IOTC area of competence.*