

## Procrastination ◀

/prə(ʊ),krɑstɪˈneɪʃ(ə)n/

noun

the action of delaying or postponing something

"your first tip is to avoid procrastination"

"the response by IOTC parties to the proliferation of dFADs is a perfect example of procrastination"

synonyms: dithering, delaying tactics, dilatoriness, stalling, temporizing, hesitation, vacillation

## Greenpeace statement to the 21<sup>st</sup> Session of the Indian Ocean Tuna Commission

Yogyakarta, Indonesia, 22–26 May 2017

### 1. Introduction

Procrastination is the action of delaying or postponing something. Procrastinating describes quite accurately the way that parties to the IOTC have responded to some of the main challenges before this Commission, and in particular the continuous increase in fishing capacity, notably the proliferation of drifting fish aggregating devices (dFADs) and their support vessels in Indian Ocean (IO) tuna fisheries. Over the last decades, the largest tuna companies operating in the region have embarked on a race to build an industry based on a massive supply of cheap fish resulting in over-capacity and over-investment in both the catching and processing sectors, and little regard for the marine environment or the interest of small-scale operators using selective gear. These developments have been accompanied by the use of delaying tactics, such as demands for more information before agreeing to adopt measures, or the adoption of inadequate measures which could never address the fundamental issues at stake.

In Greenpeace's view, priority issues for this IOTC meeting remain largely the same as those of previous sessions of the Commission. Greenpeace notes with concern that IOTC parties continue to fail to:

- adopt conservation and management measures which keep fishing capacity and effort within sustainable limits, so as to end the current situation in which tuna companies have few constraints to decide the amount and type of capacity they put on the water;
- take into account the multispecies nature of tuna fisheries and prevent damage in the first place, rather than react to conservation problems when they are identified, notably in relation to associated and dependent species, non-target species and marine ecosystems.

We would like to remind IOTC parties of the recommendations contained in the unanimously agreed outcome of the 2016 UN Fish Stocks Agreement Resumed Review Conference, and in particular, UNFSA parties commitment to:

- apply the guidelines in annex II to the Agreement, in particular to set target and limit reference points, develop management strategy evaluation, and improve data collection;
- reaffirm the commitment to urgently reduce the capacity of the world's fishing fleets to levels commensurate with the sustainability of fish stocks;
- develop capacity assessment and capacity management plans which take into account all of the factors that contribute to fishing capacity, including, but not limited to, engine power, fishing gear technology, fish detection technology and storage space.

Rather than repeat the concerns from last year's Greenpeace briefing to the 20<sup>th</sup> Session, and those clearly outlined in other NGO submissions to this 21<sup>st</sup> Session, Greenpeace would like to focus attention on two key issues that continue to undermine any significant progress in managing fisheries at IOTC: the continuous increase in fishing capacity, notably the proliferation of dFADs and their support vessels, and the significant problems enabled by the uncontrolled and increasing use of transshipment by longliners in IO tuna fisheries.

## **2. Overcapacity, fish aggregating devices and supply vessels**

Some of the very countries that committed to a freeze of their large-scale tuna purse seine capacity under the Kobe process are those that have since allowed their fishing industries to multiply dFADs use and build new supply vessels, both to seed more dFADs and to expand their fish-searching capabilities.

The proliferation of dFADs has been of great concern to the Commission for over a decade. However, recent opportunities to at least avoid the problem getting worse, such as a proposal to freeze dFAD numbers presented by Mauritius in 2014, were dismissed by members of this Commission known to use the highest dFAD numbers. It has taken years for the IOTC to start compiling basic information on the use of dFADs. Unfortunately, the high limits on dFADs numbers adopted by the Commission in 2015 were based on the needs of a limited number of companies who are largely responsible for the current situation, rather than on any sense of precaution. It is not surprising that such levels were reviewed downwards again in 2016 and that at this 21<sup>st</sup> Session there are proposals to review them again.

Not only have dFAD numbers greatly increased, but so have supply vessels. In 2012, when there were discussions at IOTC about measures to deal with the proliferation of dFADs, there were nine supply vessels supporting the IO purse seine fleets. There are now twenty-three such vessels, fifteen of which are operated by just three companies, flagged to only two IOTC parties.

Today, we still don't know how many dFAD tracking buoys there are, and when and where they are seeded; the main definitions needed for the management of dFADs are still in discussion; there is absolutely no transparency on the use of dFADs, with most of the information being confidential; and there is so far no mechanism to address the regular abandonment of dFADs, which include electronic equipment, in our oceans. The IO yellowfin tuna population is overfished and subject to overfishing and the yield which could be sustainably obtained from the IO bigeye tuna population has been reduced due to the large juvenile catches in dFADs fisheries.

## **3. Transshipment: overcapacity, IUU fishing, and human rights abuses**

Transshipment provides an easy access point for illegal fishing vessels to unload their illegal catches into the supply chain, away from coast guards and port authorities. This can make it impossible to track a shipment of fish back to the vessel which caught it and to detect fraud. Through transshipment, entire fleets, longline fleets in particular, manage to operate out of sight, hide fish caught illegally, and to fish without taking breaks to return to port, significantly reducing operating costs and increasing fishing effort. In the worst situations, transshipment enables slavery at sea as crews can be kept at sea for months or even years at a time without getting back to a port, making it difficult – if not impossible – to report on, or to escape from, physical abuse, poor working conditions, violence, and even murder on board fishing vessels.

In particular, transshipment at sea facilitates:

1. IUU fishing and lack of compliance with existing fisheries regulations. We note that:
  - i. monitoring, control and surveillance (MCS) measures applicable to certain fleets for which transshipment is a critical part of their operation, longliners in particular, are insufficient, hence their fishing activities are not being properly monitored. For

example, independent observer coverage required for these fleets is very low (typically 5%, and widely not complied with);

- ii. transshipment results in poor data collection and lack of traceability;
  - iii. current penalties and sanctions following non-compliance are totally insufficient to eliminate the incentive to transship illegally;
  - iv. transshipment allows vessels to avoid regular inspections at port;
  - v. compliance with certain important conservation measures, such as shark finning measures, could greatly benefit from a ban/moratorium on transshipment by making non-compliance more difficult;
2. Overcapacity, and hence overfishing, in some segments of the tuna industry. Transshipment allows vessels, together with re-supplying and bunkering operations, to maximize time at sea, increasing the number of days spent fishing by a given vessel.
  3. Poor working conditions, human rights abuse, and lack of safety of observers. Transshipment allows fishers to be kept at sea for long periods of time, sometimes in sub-standard vessels where they have no way to report abuse or escape and lack the opportunity to raise the alarm when bad things happen. Similarly, observers who experience or witness abuse are put in a dangerous situation themselves.
  4. Prevents more equitable sharing of benefits from these fisheries, particularly to developing coastal States. Transshipments reduce and even eliminate the reliance of industrial fleets on local port services and local processing facilities, minimizing economic return to coastal States.

Despite a number of years spent trying to address these issues, it is clear that the current conditions under which transshipment is allowed in tuna RFMOs are failing to ensure that the loophole transshipment represents is effectively closed. Recent data made available to IOTC, indicates some fleets have greatly increased the use of this practice.<sup>1</sup> The International Transport Workers' Federation has recently called for a moratorium on transshipment.<sup>2</sup> The IOTC must catch up. Market players like Nestle and Mars, who don't want to be tainted with stories of slave labour and piracy, are refusing to accept fish from suppliers that allow transshipment.

#### 4. Greenpeace priorities

Greenpeace calls on IOTC parties to:

##### Fishing capacity

- develop a framework to manage fishing capacity that moves beyond vessel numbers and tonnage and accounts for all elements that contribute to fishing capacity and effort, and sets effective rules to keep both capacity and effort within sustainable and precautionary limits;
- address the impacts of dFADs moving beyond the current attempts to support the needs of the most industrialized fishing fleets and agree on a drastic reduction in the number of dFADs buoys allowed;
- limit fishing effort in tropical tuna fisheries by agreeing on a precautionary limit on dFAD sets that limits the mortality of juvenile tuna, particularly of bigeye and yellowfin tuna, or introduce catch limits of bigeye and yellowfin tuna in the purse seine fleet. A precautionary limit on

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1 "A total of 1,215 transshipment operations have been observed, in which 62,756 metric tons of fish were transhipped. In comparison to 2015, the numbers of deployments approved in 2016 has almost doubled, and the numbers of transshipments observed as well." IOTC Secretariat. Report on Establishing a Programme for Transshipment by Large-Scale Fishing Vessels. IOTC-2017-CoC14-04a [E]

2 See <http://www.itfglobal.org/en/news-events/press-releases/2017/may/itf-calls-for-tuna-transshipment-moratorium/>.

dFAD sets would also prevent re-deployment of fishing capacity and effort associated to a dFAD time/area closure;

- adopt provisions making it mandatory for any fleet using dFADs to provide access to the raw data from the dFAD buoys to the IOTC Scientific Committee, including historical information.

## **Transshipments**

- put in place a moratorium on at-sea transshipments until measures are put in place which address the issues identified in the previous section of this document. This should include, and is not limited to, stronger limits on which vessels are permitted to transship, mandatory observers on both fishing and carrier vessels involved in transshipment, real-time reporting, and strong consequences for non-compliance.

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