
PROCEDURES ON A FISH AGGREGATING DEVICES (FADS) MANAGEMENT PLAN, INCLUDING MORE DETAILED SPECIFICATIONS OF CATCH REPORTING FROM FAD SETS, AND THE DEVELOPMENT OF IMPROVED FAD DESIGNS TO REDUCE THE INCIDENCE OF ENTANGLEMENT OF NON-TARGET SPECIES

SUBMITTED BY: EUROPEAN UNION, 05 APRIL 2013

Explanatory Memorandum

The objective of the IOTC Agreement is to ensure, through appropriate management, the conservation and optimum utilization of stocks covered by it and encouraging sustainable development of fisheries based on such stocks and minimizing the catches of non-target species. Therefore, in order to ensure sustainability of fishing operations for stocks under the IOTC competence, all gears deployed to target these resources should be managed.

In 2012 IOTC adopted a new conservation measure with regards to Fish Aggregating Devices (FADs), Resolution 12/08, requiring all CPCs fishing on FADs to submit Management Plans for their use by purse seiners and bait boat vessels.

Likewise, the IOTC in 2012 adopted Resolution 12/04 on the Conservation of Marine Turtles, which establishes that the Commission at its annual session in 2013 shall consider the recommendations of the Scientific Committee as regards the development of improved FAD designs to reduce the incidence of entanglement of marine turtles, including the use of biodegradable materials, together with socio-economic considerations, with a view to adopting further measures to mitigate interactions with marine turtles in fisheries covered by the IOTC Agreement.

In the Report of the Fifteenth Session of the IOTC Scientific Committee, the Scientific Committee advised the Commission that only non-entangling FADs, both drifting and anchored, should be designed and deployed to prevent the entanglement of sharks, marine turtles and other species.

Likewise, a call upon States, either individually, collectively or through regional fisheries management organizations and arrangements was included in the United Nations General Assembly Resolution 67/79 on sustainable fisheries to collect the necessary data in order to evaluate and closely monitor the use of large-scale fish aggregating devices and others, as appropriate, and their effects on tuna resources and tuna behaviour and associated and dependent species, to improve management procedures to monitor the number, type and use of such devices and to mitigate possible negative effects on the ecosystem, including on juveniles and the incidental by-catch of non-target species, particularly sharks and turtles.

Considering the advice of the Scientific Committee and the call made in UNGA Resolution 67/79, the European Union is proposing a new resolution, by way of an amendment to Resolution 12/08, which aims to include principles for the design and deployment of FADs to reduce the entanglement of sharks, marine turtles or any other species as well as the inclusion in the suggested Guidelines for Preparation for FAD Management Plans for each CPC of more detailed specifications of catch reporting from FAD sets.

RESOLUTION 1312/XX08

PROCEDURES ON A FISH AGGREGATING DEVICES (FADs) MANAGEMENT PLAN, INCLUDING MORE DETAILED SPECIFICATIONS OF CATCH REPORTING FROM FAD SETS, AND THE DEVELOPMENT OF IMPROVED FAD DESIGNS TO REDUCE THE INCIDENCE OF ENTANGLEMENT OF NON-TARGET SPECIES

The Indian Ocean Tuna Commission (IOTC),

BEARING IN MIND that the Agreement for the implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) encourages coastal States and fishing States on the high seas to collect and share, in a timely manner, complete and accurate data concerning fishing activities on, inter alia, vessel position, catch of target and non-target species and fishing effort;

MINDFUL of the call upon States, either individually, collectively or through regional fisheries management organizations and arrangements in the United Nations General Assembly Resolution 67/79 on Sustainable fisheries to collect the necessary data in order to evaluate and closely monitor the use of large-scale fish aggregating devices and others, as appropriate, and their effects on tuna resources and tuna behaviour and associated and dependent species, to improve management procedures to monitor the number, type and use of such devices and to mitigate possible negative effects on the ecosystem, including on juveniles and the incidental by-catch of non-target species, particularly sharks and turtles;

NOTING that the United Nations Food and Agricultural Organization (FAO) Code of Conduct for Responsible Fishing provides that States should compile fishery-related and other supporting scientific data relating to fish stocks covered by subregional or regional fisheries management organisations and provide them in a timely manner to the organisation;

RECOGNIZING that all gears deployed to target resources under IOTC competence should be managed to ensure sustainability of fishing operations;

AWARE that the Commission is committed to adopt conservation measures to reduce juvenile bigeye and yellowfin tuna mortalities from fishing effort on Fish Aggregating Devices (FADs);

AWARE that the availability of adequate information is fundamental to carrying out the objectives of the IOTC Agreement laid down in its Article V;

NOTING that the Scientific Committee advised the Commission to conduct an investigation of the feasibility and impacts of a temporary FAD closure as well as other measures in the context of Indian Ocean fisheries and stocks;

RECALLING that Resolution 12/04 established that the Commission at its annual session in 2013 should consider the recommendations of the Scientific Committee as regards the development of improved FAD designs to reduce the incidence of entanglement of marine turtles, including the use of biodegradable materials, together with socio-economic considerations, with a view to adopting further measures to mitigate interactions with marine turtles in fisheries covered by the IOTC Agreement;

NOTING that the Scientific Committee advised the Commission that only non-entangling FADs, both drifting and anchored, should be designed and deployed to prevent the entanglement of sharks, marine turtles and other species;

RECALLING that the objective of the IOTC Agreement is to ensure, through appropriate management, the conservation and optimum utilization of stocks covered by the mentioned Agreement and encouraging sustainable development of fisheries based on such stocks and minimizing the level of bycatches;

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

1. CPCs having vessels fishing on Fish Aggregating Devices (FADs) shall submit, to the Commission, by the end of 2013, Management Plans for the use of FADs by their purse seiners and bait boat vessels. The Plans

shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans for each CPC (Annex I). For the purposes of this Resolution, the term Fish Aggregation Device (FAD) means drifting or anchored floating or submerged objects deployed by fishermen for the purpose of aggregating target tuna species.

2. The Management Plans shall include initiatives or surveys to investigate, and to the extent possible minimize the capture of small bigeye and yellowfin tuna and non-target species associated with fishing on FADs. To reduce the entanglement of sharks, marine turtles or any other species, the design and deployment of FADs shall be based on the principles set out in Annex II, which will be applied gradually from 2014.
3. These Plans shall be analysed by the Compliance Committee at its 2014 session. The information provided in these Plans will be submitted to the Commission, consistent with the IOTC standards for the provision of catch and effort data and will be made available for analysis to the Scientific Committee on the aggregation level set by Resolution 10/02, and under the confidentiality rules set by Resolution 12/02.
4. From 2015 on, CPCs shall submit to the Commission, 60 days before the Annual Meeting, a report on the management of FADs, including ~~any~~ reviews of the initially submitted Management Plans, and including reviews of the application of the principles set out in Annex II.
5. The Scientific Committee will analyse the information, when available, and provide scientific advice on additional FAD management options for consideration by the Commission in 2015, including recommendations on the exclusive use of biodegradable materials in new and improved FADs and the phasing out of FAD designs that do not prevent the entanglement of sharks, marine turtles and other species.
- ~~5-6.~~ Resolution 12/08 Procedures on a fish aggregating devices (FADs) management plan is superseded by this Resolution.

Annex I

GUIDELINES FOR PREPARATION OF FISH AGGREGATING DEVICE (FAD) MANAGEMENT PLANS

To support obligations in respect of the FAD Management Plan (FAD–MP) to be submitted to the IOTC Secretariat by CPCs with fleets fishing in the IOTC area of competence, associated to FAD (anchored or drifting), FAD–MP should include:

- An objective
- Scope:

Description of its application with respect to:

- Vessel-types and support and tender vessels
- FAD types (anchored (AFAD) AND drifting (DFAD))
- FAD numbers and/or FADs beacons numbers to be deployed (per FAD type)
- reporting procedures for AFAD and DFAD deployment
- catch reporting from FAD sets (consistent with the ~~IOTC's~~ Standards for the provision of Catch and Effort Data set out in Resolution 12/03) [reference to be updated if 12/03 is superseded by a new Resolution], including:
 - a) Any visit in a FAD.
 - b) For each visit on a FAD, whether followed or not by a set, the,
 - i. position,
 - ii. date,
 - iii. FAD identifier (i.e., FAD Marking or beacon ID or any information allowing to identify the owner),
 - iv. FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD),
 - v. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure),
 - vi. type of the visit (deployment, hauling, retrieving, loss, intervention on electronic equipment).
 - c) If the visit is followed by a set, the results of the set in terms of catch and bycatch.
- distance between AFADs
- incidental bycatch reduction and utilization policy
- consideration of interaction with other gear types
- plans for monitoring and retrieval of lost FADs
- statement or policy on “FAD ownership”
- Institutional arrangements for management of the FAD Management Plans:
 - Institutional responsibilities
 - application processes for FAD and /or FAD beacons deployment approval
 - Obligations of vessel owners and masters in respect of FAD and /or FAD beacons deployment and use
 - FAD and/or FADs beacons replacement policy
 - reporting obligations

- observer acceptance obligations
- FAD construction specifications and requirements
 - FAD design characteristics (a description)
 - FAD markings and identifiers, including FADs beacons
 - Lighting requirements
 - radar reflectors
 - visible distance
 - radio buoys (requirement for serial numbers)
 - satellite transceivers (requirement for serial numbers)
- Applicable areas
 - Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc
- Applicable period for the FAD–MP
- Means for monitoring and reviewing implementation of the FAD–MP

Annex II

PRINCIPLES FOR DESIGN AND DEPLOYMENT OF FADS

1. The surface structure of the FAD should not be covered, or only covered with non-meshed material.
2. If a sub-surface component is used, it should not be made from netting but from non-meshed materials such as ropes or canvas sheets.
3. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials (such as hessian canvas, hemp ropes, etc.) for drifting FADs should be promoted.