

## OUTCOMES OF THE 20<sup>th</sup> SESSION OF THE COMMISSION

PREPARED BY: IOTC SECRETARIAT, 16 NOVEMBER 2015

### PURPOSE

To inform the Scientific Committee (SC) of the decisions and requests made by the Commission at its 20<sup>th</sup> Session, held from 23 to 27 April 2015, specifically relating to the IOTC science process.

### BACKGROUND

At the 20<sup>th</sup> Session, the Commission **CONSIDERED** and **ADOPTED** 12 proposals as Conservation and Management Measures (consisting of 12 Resolutions and 0 Recommendations<sup>1</sup>), as detailed below:

#### Resolutions

- Resolution 16/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock*
- Resolution 16/02 *On harvest control rules for skipjack tuna in the IOTC area of competence*
- Resolution 16/03 *On the second performance review follow-up*
- Resolution 16/04 *On the implementation of a Pilot Project in view of Promoting the Regional Observer Scheme of IOTC*
- Resolution 16/05 *On vessels without nationality*
- Resolution 16/06 *On measures applicable in case of non-fulfilment of reporting obligations in the IOTC*
- Resolution 16/07 *On the use of artificial lights to attract fish*
- Resolution 16/08 *On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids*
- Resolution 16/09 *On establishing a Technical Committee on Management Procedures*
- Resolution 16/10 *To promote the implementation of IOTC Conservation and Management Measures*
- Resolution 16/11 *On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing*
- Resolution 16/12 *Working Party on the Implementation of Conservation and Management Measures (WPICMM)*

Pursuant to Article IX.4 of the IOTC Agreement, the above mentioned Conservation and Management Measures shall become binding on Members, 120 days from the date of the notification communicated by the Secretariat in IOTC Circular 2016–054 (i.e., **27 September 2016**).

The updated *Compendium of Active Conservation and Management Measures for the Indian Ocean Tuna Commission* may be downloaded from the IOTC website at the following link, dated 27 September 2016:

English: <http://iotc.org/cmms>

French: <http://iotc.org/fr/mcgs>

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<sup>1</sup> Provisional until approval of the final version of the S20 report

Below is a brief description of the new or revised CMMs adopted at the 20<sup>th</sup> Session of the Commission, which have most relevance to the IOTC science process:

**1) *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock***

The Commission **ADOPTED** Resolution 16/01 *On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock*. This Resolution introduces a scheme for reduction of catches of yellowfin (from 2014 levels), by fishery, for all fishing vessels targeting tuna and tuna like species in the Indian Ocean of 24 meters overall length and over, and those under 24 meters if they fish outside the EEZ of their flag State, within the IOTC area of competence. The Commission **AGREED** that the provisions of paragraph 7 of Resolution 15/08 are now superseded by paragraph 3b of this resolution, which limits the number of Fish Aggregating Devices (FADs) at no more than 425 active instrumented buoys and that 850 instrumented buoys may be acquired annually per vessel.

**2) *On harvest control rules for skipjack tuna in the IOTC area of competence***

The Commission **ADOPTED** Resolution 16/02 *On harvest control rules for skipjack tuna in the IOTC area of competence*. This Resolution for a Harvest Control Rule (HCR) for IO SKJ draws on SC recommendations, including the new guidance on reference points in cases where MSY-based reference points are difficult to estimate. This Resolution introduces a new point as safety limit for the Harvest Control Rule being fixed at 0.10.B0. In addition, it uses the biomass limit reference point of 20% of the unfished level (BLIM = 0.2B0) and the target biomass reference point of 40% of the unfished level (BTARG = 0.4B0), consistent with the SC advice that reference points based on depletion level should be used for stocks where MSY-based reference points cannot be robustly estimated.

**3) *On the second performance review follow-up***

The Commission **ADOPTED** Resolution 16/03 *On the second performance review follow-up*. This Resolution endorses the Panel review recommendations and establishes mechanisms to enable the deliberation of these recommendations, including the creation of a Technical Committee on the Performance Review to address all recommendations of the Performance Review Panel Report in an appropriate formation.

**4) *On the implementation of a Pilot Project in view of Promoting the Regional Observer Scheme of IOTC***

The Commission **ADOPTED** Resolution 16/04 *On the implementation of a pilot project in view of promoting the Regional Observer Scheme of IOTC*. This Resolution creates a pilot project aiming to enhance the implementation of the Resolution 11/04 on a Regional Observer Scheme and to raise the level of compliance to the implementation of Resolutions 15/01 and 15/02, respectively on the recording of size frequency and catch and effort data by fishing vessels in the IOTC area of competence and on mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating non-Contracting parties (CPCs).

**5) *On vessels without nationality***

The Commission **ADOPTED** Resolution 16/05 *Vessels without nationality*. The Resolution has two main objectives: First, the Resolution makes it clear that vessels without nationality that are fishing in the IOTC Area of Competence are engaged in IUU fishing. A vessel without nationality is not subject to the regulation of any flag State regulation and is, by definition, unregulated. Secondly, the Resolution encourages Members and CNCs to take effective action against vessels without nationality.

**6) *On measures applicable in case of non-fulfilment of reporting obligations in the IOTC***

The Commission **ADOPTED** Resolution 16/06 *On measures applicable in case of non-fulfilment of reporting obligations in the IOTC*, which requires CPCs to include information in their Annual Reports (Report of Implementation) on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches.

**7) *On the use of artificial lights to attract fish***

The Commission **ADOPTED** Resolution 16/07 *On the use of artificial lights to attract fish*. This Resolution prohibits fishing vessels and other vessels including support, supply and auxiliary vessels flying the flag of an IOTC a CPC

from using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters.

**8) *On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids***

The Commission **ADOPTED** Resolution 16/08 *On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids*. This Resolution prohibits the use of aircrafts and unmanned aerial vehicles as fishing aids on flagged fishing vessels, support and supply vessels CPCs.

**9) *On establishing a Technical Committee on Management Procedures***

The Commission **ADOPTED** Resolution 16/09 *On establishing a technical committee on management procedures dialogue*. This Resolution aims at enhancing the dialogue and mutual understanding between the Scientific Committee and the Commission on matters relating to management procedures, and the decision making response of the Commission in relation to management procedures, The Resolution addresses the priorities identified in Resolutions 14/03 *On enhancing the dialogue between fisheries scientists and managers*, and 15/10 *On target and limit reference points and a decision framework or any subsequent resolutions addressing Management Strategy Evaluation and Management Procedures*. This Resolution supersedes Resolution 14/03 *On enhancing the dialogue between fisheries scientists and managers*.

**10) *To promote implementation of IOTC Conservation and management measures***

The Commission **ADOPTED** Resolution 16/10 *To promote implementation of IOTC Conservation and managements measures*. This Resolution clarifies the timing of proposals submission to the Commission. This Resolution also mandates that the Commission shall maintain a special fund for capacity building in order to ensure compliance with CMMs adopted by the IOTC. This Resolution supersedes 12/10 *To promote implementation of conservation and management measures* already adopted by IOTC.

**11) *On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing***

The Commission **ADOPTED** Resolution 16/11 *On the port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing*. The objective of this amendment to Resolution 10/11 is to ensure the gradual uptake leading to full utilization of the e-PSM application by all CPCs.

**12) *Working Party on the Implementation of Conservation and Management Measures (WPICMM)***

The Commission **ADOPTED** Resolution 16/12 *Working Party on the Implementation of Conservation and Management Measures (WPICMM)*. This Resolution establishes a Working Party on the Implementation of Conservation and Management Measures (WPICMM), to (i.) alleviate the technical discussions, workload and time pressures on the Compliance Committee, and permit it to focus on higher level compliance implementation strategies in its work for the Commission, (ii.) enhance the technical capacity of Contracting Party (Member) and Cooperating Non-Contracting Party (CNCP) (collectively termed CPCs) to understand and implement IOTC Conservation and Management Measures (CMMs), and (iii.) prioritise implementation issues and develop operational standards for use by CPCs.

## DISCUSSION

The Commission considered the following proposals as Conservation and Management Measures, but consensus could not be reached and the proposals were either withdrawn or deferred until the next Session.

**1) *On the conservation and management of neritic tunas in the IOTC Area of Competence***

The Commission **CONSIDERED** a proposal on the conservation and management of neritic tunas in the IOTC Area of Competence (IOTC–2016–S20–Prop E), and while there was some support from CPCs, agreement could not be reached on the proposal, which was subsequently deferred until the next meeting of the Commission.

**2) *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence***

The Commission **CONSIDERED** a proposal to strengthen the current resolution on establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of competence (IOTC–2016–S20–Prop O). Despite revisions to the proposal, based on feedback received during the meeting, agreement could not be reached and the proposal was deferred until the next meeting of the Commission.

**3) *Concerning the conservation of sharks caught in association with fisheries managed by the IOTC***

The Commission **CONSIDERED** two proposals concerning the conservation of sharks caught in association with fisheries managed by the IOTC (IOTC–2016–S20–Prop C, & IOTC–2016–S20–Prop D), but agreement could not be reached and the proposals were deferred and withdrawn. For the Resolution regarding size data, some CPCs considered that some elements of the proposals were in contradiction to the recommendations of the Scientific Committee. However, CPCs should explore with the IOTC Secretariat practical arrangements to better reflect compliance, when it is not feasible for some CPC, notably due to legal constraints, to report all catch data. With regard to the Resolution on shark finning, some CPCs highlighted that finning has no relationship with stock management of sharks, that fishermen use their carcasses in totality and cut fins would create practical implementation and safety problems.

**4) *Transshipment in the IOTC area of competence by large-scale tuna fishing vessels and carrier vessels***

The Commission **CONSIDERED** a proposal to revise the current resolution on at-sea transshipments in the IOTC Area of competence by large-scale tuna longline fishing vessels and carrier vessels (IOTC–2016–S20–Prop Q), but agreement could not be reached and the proposal was withdrawn.

**5) *Limiting fishing capacity in the IOTC area of competence***

The Commission **CONSIDERED** a proposal on limiting the fishing capacity in the IOTC area of competence (IOTC–2016–S20–Prop S), but agreement could not be reached and the proposal was withdrawn. Some CPCs considered that the details of the proposal should be discussed more fully during the next meeting of the Technical Committee on Allocation Criteria (TCAC).

**6) *On the limitation of the use of supply vessels***

The Commission **CONSIDERED** a proposal on the limitation of the use of supply vessels (IOTC–2016–S20–Prop R), but agreement could not be reached and the proposal was withdrawn. Some CPCs felt that the proposal lacked any evidence supported by the Scientific Committee, while other CPCs preferred that discussions on the limitations on fishing capacity should not be focused on only one fishing gear. However, the limitation of the use of supply vessels was included in the adopted Resolution 16/01.

**7) *Procedures on a fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, 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 Commission **CONSIDERED** a proposal on limiting the maximum number of instrumented buoys active and followed by any purse seine vessel (IOTC–2016–S20–Prop M and IOTC–2016–S20–Prop L merged), but agreement could not be reached and the proposal was withdrawn. Some CPCs expressed concern that the proposal lacked scientific evidence, and felt that the proposal should first be discussed by the Working Party on FADs, and then by the Scientific Committee. However, the limitation of the number of FADs was included in the adopted Resolution 16/01.

**8) *On the conservation and management of IOTC species***

The Commission **CONSIDERED** a proposal on the conservation and management of IOTC species (IOTC–2016–S20–Prop G), which detailed two options with the main objective of decreasing the fishing pressure on Yellowfin Tuna (*Thunnus albacares*), and which will also benefit the status of the following overfished stocks: Striped Marlin (*Tetrapturus audax*), Black Marlin (*Makaira indica*), Blue Marlin (*Makaira nigricans*), Indo-Pacific Sailfish (*Istiophorus platypterus*), Longtail Tuna (*Thunnus tonggol*) and Narrow-based Spanish Mackerel (*Scomberomorus Commerson*) in the IOTC Area of competence. Following discussions with CPCs, the proposal was split into three individual proposals with catch reduction measures specific to the following species: Prop-G-A (Yellowfin tuna), Prop-G-B (billfish species), and Prop-G-C (neritic tunas). The proposal to reduce catches of Yellowfin tuna (Prop-A) was eventually withdrawn, in favour of the adoption of (IOTC-2016-S20-PropF) that included some principles of this proposal; while the proposals for Prop-G-B and Prop-G-C, were deferred until

the next meeting of the Commission, despite the Scientific Committee recommendations to decrease the current level of catches of some of these species.

### Requests from the Commission

Finally, at the 20<sup>th</sup> Session of the Commission, Members made several comments regarding the recommendations made by the Scientific Committee, which participants are asked to **NOTE** (extracts from the S20 *draft* report):

- 1) The Commission **CONSIDERED** the list of recommendations made by the SC18 (Appendix VI) from its 2015 report (IOTC-2015-SC18-R) that related specifically to the Commission. The Commission **ENDORSED** the list of recommendations as its own, while taking into account the range of issues outlined in this Report (S20) and incorporated within Conservation and Management Measures adopted during the Session and as adopted for implementation as detailed in the approved annual budget and Program of Work (S20 draft Report, para. 13).

#### *Harvest strategies*

- 2) The Commission **NOTED** the substantial work underway to develop management procedures and harvest strategies for IOTC stocks and **REQUESTED** the SC to develop a work plan reflecting key elements to be agreed and developed, including roles and responsibilities of each of the Commission, Scientific Committee, Compliance Committee and other subsidiary bodies, and also including decision points on these elements for the Commission (S20 draft Report, para. 15).
- 3) The Commission **NOTED** the progress towards development of harvest strategies for key stocks, including the adoption of limit and target reference points for a number of stocks, and **REQUESTED** that the SC provide advice to the 21<sup>st</sup> Session of the IOTC on the feasibility of reporting stock status in relation to the agreed limit reference points (S20 draft Report, para. 16).

#### *Sharks*

- 4) The Commission **NOTED** the standing of catch statistics for the main species of sharks, by major fisheries (gears), and **EXPRESSED** concern over the lack of information submitted by CPCs on total catches, discards, catch and effort and size data of sharks in the IOTC database, despite their mandatory reporting status (S20 draft Report, para. 31).
- 5) The Commission strongly **ENCOURAGED** CPCs comply with IOTC data requirements as requested per Resolution 15/01 and 15/02, given the gaps in available information in the IOTC database and the importance of basic fishery data in order to assess the status of stocks and for the provision of sound management advice (S20 draft Report, para 32).

### *Report of the 20<sup>th</sup> Session of the IOTC*

The report of the 20<sup>th</sup> Session of the Indian Ocean Tuna Commission is in the process of being adopted and will be available on the IOTC website in due course.

### RECOMMENDATION/S

That the Scientific Committee:

- 1) **NOTE** paper IOTC–2016–SC19–03 which outlined the main outcomes of the 20<sup>th</sup> Session of the Commission, specifically related to the IOTC science process and **AGREE** to consider how best to provide the Commission with the information it has requested, throughout the course of the current SC meeting.
- 2) **NOTE** the 12 Conservation and Management Measures (CMMs) adopted at the 20<sup>th</sup> Session of the Commission (consisting of 12 Resolutions and 0 Recommendation).