



ON AN INTERIM PLAN FOR REBUILDING THE INDIAN OCEAN YELLOWFIN TUNA STOCK IN THE IOTC AREA OF COMPETENCE

SUBMITTED BY: European Union

Explanatory memorandum

This proposal aims to strengthen the effectiveness of the Resolution 18/01 by addressing several issues and in particular, the respect of the catch limits established therein. Currently, catch limitations established by Resolution 18/01, have not been met and catches have increased by 3% from 2014/2015 levels. Worryingly, current catches are above the MSY level of 403000 Mt as currently estimated by the IOTC Scientific Committee (SC).

At its last meeting held in Seychelles on 3–7 December 2018, the SC emphasized that the Commission should ensure that any revision of the management measure would effectively achieve any prescribed catch reduction to ensure the effectiveness of the management measure to revert the stock towards sustainable levels.

In fact, the SC confirmed that the yellowfin tuna stock is overfished and subject to overfishing and that, as a precautionary measure, catches must be reduced to end overfishing and allow the spawning stock biomass (SSB) to recover to SSB_{MSY} .

This revision also aims to strengthen monitoring and compliance, to increase transparency and to introduce a payback mechanism.

The main elements of the revision are:

- An improved catch limitation mechanism to be applied to all active fishing vessels, other than those carrying out subsistence fisheries. A fair approach is proposed for all different type of fishing gears;
- An enhanced catches monitoring and reporting mechanism
- Mandatory inspections for yellowfin landings
- Further reduction in the number of active instrumented buoys (FADs)
- A payback mechanism in case of non-respect of the prescribed reductions.

Keywords: Yellowfin tuna, Kobe Process, MSY, Precautionary Approach

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

CONSIDERING the objectives of the Commission to maintain stocks in perpetuity and with high probability, at levels not less than those capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including the special requirements of developing States in the IOTC area of competence;

BEING MINDFUL of Article XVI of the IOTC Agreement regarding the rights of Coastal States and of Article 87 and 116 of the UN Convention of the Law of the Sea regarding the right to fish on the high seas;

RECOGNISING the special requirements of the developing States, particularly Small Island developing States in Article 24, of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA);

RECALLING that Article 5, of UNFSA entitles the conservation and management of highly migratory fish stocks are based on best scientific evidence available and with special reference to [Resolution 15/10](#) for a stock where the assessed status places it within the red quadrant, and with an aim to end overfishing with a high probability and to rebuild the biomass of the stock in as short time as possible;

FURTHER RECALLING that Article 6, of UNFSA, requires the States to be cautious during the application of precautionary approach when information is uncertain, unreliable or inadequate and this should not be a reason for postponing or failing to take conservation and management measures;

CONSIDERING the recommendations adopted by the KOBE II, held in San Sebastian, Spain, June 23 – July 3 2009; implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis and such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States;

FURTHER CONSIDERING the recommendations adopted by the KOBE III, held in La Jolla, California, 12- 14 July 2011; considering the status of the stocks, each RFMO should consider a scheme for reduction of overcapacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular Small Island Developing States, territories, and States with small and vulnerable economies; and Transfer of capacity from developed fishing members to developing coastal fishing members within its area of competence where appropriate;

FURTHER CONSIDERING the report by International Council for the Exploration of Sea and FAO Working Group on Fishing Technology and Fish Behaviour (2006), Gillnets are considered to be one of the least catch controllable and least environmentally sustainable gears;

ACKNOWLEDGING THAT the catch limitations based on 2014/2015 levels, as prescribed by the interim plan for the rebuilding the yellowfin stock (Resolution 18/01), have not been met and catches have increased by 3% from those levels and current catches are above MSY level of 403000 Mt as currently estimated by the Scientific Committee

NOTING THAT the 21st IOTC Scientific Committee (Seychelles, 3–7 December 2018) confirmed that the yellowfin tuna stock is overfished and subject to overfishing and that, as a precautionary measure, catches must be reduced to end overfishing and allow the spawning stock biomass (SSB) to recover to SSB_{MSY}.

CONSIDERING THAT the Scientific Committee emphasizes that the Commission should ensure that any revision of the management measure could effectively achieve any prescribed catch reduction to ensure the effectiveness of the management measure

ACKNOWLEDGING that, although the results of projections provided in the K2SM must be taken with caution due to several sources of uncertainties, there is a high risk of continuing to violate the MSY-based reference points if catches remain at around current levels (≈409,000 t in 2017).

TAKING NOTE that a workplan to address the different sources of uncertainties is underway by the Scientific Committee in 2019-2020. FURTHER CONSIDERING the recommendations of the 18th Scientific Committee held in Bali, Indonesia, 23–27 November 2015 that the catches of yellowfin tuna have to be reduced by 20% of the 2014 levels to recover the stocks to levels above the interim target reference points with 50% probability by 2024;

NOTING THAT the new yellowfin tuna stock assessment produced at the 19th Scientific Committee held in Seychelles mentions: “The stock status determination did not change in 2016, but does give a somewhat more optimistic estimate of stock status than the 2015 assessment, as a direct result of the use of more reliable information on catch rates of longline fisheries and updated catch up to 2015” and that “Maximum Sustainable Yield (MSY): estimate for the whole Indian Ocean is estimated at 422,000 t with a range between 406,000–444,000 t” and “the 2011–2015 average catches (390,185 t) were below the estimated MSY level;”

FURTHER NOTING that the estimated probability of the Indian Ocean yellowfin tuna stock to be in the red zone of the Kobe plot has decreased from 94% based on 2015 stock assessment to 67.6% based on the 2016 stock assessment and considering other applicable measures within Resolution 16/01 [superseded by Resolution 17/01, then by Resolution 18/01], particularly the 23% reduction in the limit on the number of FADs deployed by tuna purse seiners from 550 to 425 per vessel per year, effective from 1st January 2017, and the supply vessel limitation could help this progressive improvement of the yellowfin tuna stock status;

NOTING THAT supply vessels contribute to the increase in effort and capacity of purse seiners and that the number of supply vessels has increased significantly over the years; FURTHER CONSIDERING the discussions of the Working Party on Tropical Tuna held in Montpellier, France, 23–28 October 2015 on the limitations and the uncertainties in the stock assessment models due to the unavailability of standardized yellowfin tuna CPUE data;

FURTHER CONSIDERING the call by the United Nations General Assembly Resolution 70/75 upon the States to increase the reliance on scientific advice in developing, adopting and implementing conservation and management measures and to take into account the special requirements of developing States, including Small Island Developing States (SIDS) as highlighted in the SIDS Accelerated Modalities of Action (SAMOA) Pathway;

NOTING THAT Article V (2)(b) of the Agreement for the Establishment of the Indian Ocean Tuna Commission give full recognition to the special interests and needs of Members in the region that are developing countries, in relation to the conservation and management and optimum utilization of stocks covered by this Agreement and encouraging development of fisheries based on such stocks;

FURTHER NOTING THAT Article V(2)(d) requires the Commission to keep under review the economic and social aspects of the fisheries based on the stocks covered by this Agreement bearing in mind, in particular, the interests of developing coastal States. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, especially Small Island Developing States;

RECOGNIZING FURTHER the interactions that occur between the fisheries for yellowfin, skipjack and bigeye tuna;

CONSIDERING paragraph 12 of Resolution 16/01 [superseded by Resolution 17/01, then by Resolution 18/01] that allows the Commission to review this Interim Plan before 2019;

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

1. This resolution shall apply to all active fishing vessels targeting tuna and tuna like species in the Indian Ocean regardless of their length and area of operation, other than those carrying out subsistence fishery.¹ 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.
2. Each CPC shall, by 15 February of each year, notify to the Executive Secretary the list of active vessels flying their flag, which have fished for yellowfin tuna in the IOTC **Convention** area. The Executive Secretary shall report each year these lists of vessels to the Compliance Committee and to the SC.
- ~~1.3.~~ The CPCs shall ensure that vessels flying their flag will reduce their catch of yellowfin tuna as follows:
- ~~2.4.~~ Purse seine:
- a) CPCs whose purse seine catches of yellowfin reported for 2014 were above 5000 MT shall reduce their purse seine catches of yellowfin tuna by 15 % from the 2014 levels.
- CPCs whose catches reached or exceeded 5000 MT in any year after 2014 shall reduce their purse seine catches of yellowfin tuna by 10% from the 2017 levels.
- All other CPCs shall not increase their purse seine catches by more than 10% with respect to their average catches of the period 2014-2017.
- b) The number of Fish Aggregating Devices (FADs) as defined in Resolution ~~15/18/08~~ ~~[superseded by Resolution 17/08, then by Resolution 18/08]~~, paragraph 7 will be no more than ~~350-325~~ active instrumented buoys and ~~700-650~~ acquired annually instrumented buoys per purse seine vessel per year.
- c) Supply vessels²: Supply vessels shall be gradually reduced by 31st December 2022 as specified below in (i), (ii), (iii) and (iv). Flag States shall submit plans for reducing the use of supply vessel to the Scientific Committee no later than 31st December 2017.
- i. From 1st of January 2018 to 31st December 2019: 1 supply vessel in support of not less than 2 purse seiners, all of the same flag State.³
- ii. From 1st of January 2020 to 31st December 2022: 2 supply vessels in support of not less than 5 purse seiners, all of the same flag State.²
- iii. No CPC is allowed to register any new or additional supply vessel on the IOTC Record of Authorized Vessels after 31st December 2017.
- iv. Any further reduction as from 2022 shall be determined by the Commission in light of the advice of the Scientific Committee.
- d) A single purse seine vessel shall not be supported by more than one single supply vessel of the same flag State at any point in time.
- e) Complementary to Resolution ~~185/08~~ ~~[superseded by Resolution 17/08, then by Resolution 18/08]~~ on *“Procedures on FADs Management Plan including a limitation on the number of FADs, more detailed*

¹ A subsistence fishery is a fishery where the fish caught are consumed directly by the families of the fishers rather than being bought by middle-(wo)men and sold at the next larger market, per the FAO Guidelines for the routine collection of capture fishery data. FAO Fisheries Technical Paper. No. 382. Rome, FAO. 1999. 113p. DEFINITION PROVIDED IN RESOLUTION 16/02 ON HARVEST CONTROL RULES FOR SKIPJACK TUNA IN THE IOTC AREA OF COMPETENCE]

² For the purpose of this Resolution, the term “supply vessel” includes “support vessel”.

³ The subparagraphs (i) and (ii) shall not apply to flag States which use only one supply vessel.

specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species” and to [Resolution 15/02](#) “Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs)”, CPC/flag States shall report annually before the 1st of January for the coming year of operations which Purse seiners are served by each supply vessel. This information will be published on IOTC website so as to be accessible to all CPCs and is mandatory. In the light of assessments made available by the Working Group (WG) on dFADs and the Scientific Committee, the Commission shall update, if necessary the above limits in point b) and c).

~~3.5.~~ Gillnet: CPCs whose Gillnet catches of yellowfin reported for 2014 were above 2000 MT ~~to shall~~ reduce their Gillnet catches of yellowfin by 10 % from the 2014 levels.

CPCs whose catches reached or exceeded 2000MT in any year after 2014 shall reduce their gillnet catches of yellowfin tuna by 10% from the 2017 levels.

All other CPCs shall not increase their catches by more than 10% with respect to their average catches of the period 2014-2017.

~~4.6.~~ Longline: CPCs whose Longline catches of yellowfin reported for 2014 were above ~~5000-3000~~ MT ~~to shall~~ reduce their Longline catches of yellowfin by 10 % from the 2014 levels.

CPCs whose catches reached or exceeded 3000 MT in any year after 2014 shall reduce their longline catches of yellowfin tuna by 10% from the 2017 levels.

All other CPCs shall not increase their catches by more than 10% with respect to their average catches of the period 2014-2017.

~~5.7.~~ CPCs’ other gears: CPCs whose catches of yellowfin from other gears reported for 2014 were above ~~5000-2000~~ MT ~~to shall~~ reduce their other gear catches of yellowfin by ~~5-10~~ % from the 2014 levels.

CPCs whose catches reached or exceeded 2000MT in any year after 2014 shall reduce their catches of yellowfin tuna by 10% from the 2017 levels.

All other CPCs shall not increase their catches by more than 10% with respect to their average catches of the period 2014-2017.

8. Flag States will determine appropriate methods for achieving these catch reductions, which could include capacity reductions, effort limits, *etc.*, and will report to the IOTC Secretariat in their Implementation Report, the measures they have taken.

~~6.9.~~ CPCs shall report the monthly catches of their flagged vessels to the Secretariat within 15 days of the end of the month using templates prepared by the IOTC Secretariat. The confidentiality rules set out in Resolution 12/02 *Data confidentiality Policy and Procedures* (or any subsequent superseding Resolution) for fine-scale data shall apply.

The Executive Secretary shall circulate monthly catches, aggregated by flag State, to all Members and CNCPs on a monthly basis.

When a CPC reaches 70% of its catch limit, the Executive Secretary shall inform that CPC, with a copy to all other CPCs. The concerned CPC shall close the fishery for its flagged vessels when the total catch of its flagged vessels is equivalent to 100% of its catch limit. Such CPC shall notify promptly the Executive Secretary of the date of the closure.

10. All landings of yellowfin tuna shall be controlled by the relevant control authorities and a percentage shall be inspected based on a risk assessment system involving quota, fleet size and fishing effort. Full details of this control system adopted by each CPC shall be notified to the IOTC Secretariat no later than 1 January 2020.
- 7.11. CPCs shall monitor the yellowfin tuna catches from their vessels in conformity with Resolution 15/01 “On the recording of catch and effort data by fishing vessels in the IOTC area of competence” and Resolution 15/02 “Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non Contracting Parties (CPCs)” and will provide a summary of most-recent yellowfin catches for the consideration of the IOTC Compliance Committee.
12. Each year, the Compliance Committee shall evaluate the level of compliance with the reporting obligations and catch limits deriving from this Resolution and shall make recommendations to the Commission accordingly.
13. Any CPC that have not respected the catch reductions established in paragraph 4, 5, 6 and 7 in a given year, shall implement, in the following year, an additional reduction corresponding to the over-harvest.
- 8.14. The Scientific Committee via its Working Party on Tropical Tunas, shall in 2019~~8~~, conduct a new assessment of the status of the Yellowfin stock using all available data.
- 9.15. The Scientific Committee via its Working Party on Tropical Tunas shall in 2019-undertake an evaluation of the effectiveness of the measures detailed in this Resolution, taking into account all sources of fishing mortality and identify catch limits by gear type to ensure not violating, with a level of probability ranging from 50 to 90% the reference points stipulated by Resolution 15/10 over a range of time (from 5-10 with increments of three years).
- In addition, the Scientific Committee shall~~and discuss and identify, if feasible,~~ possible alternatives management measures aiming at eliminating overfishing, and returning and maintaining biomass levels at the Commission’s target level. ~~After consideration of the results of this evaluation, the Commission shall take corrective measures accordingly.~~
- 10.16. The Commission shall, based on the improved ~~artisanal~~ fishery data and the assessment of the state and impact of the ~~artisanal-various~~ fishery on the yellowfin stocks, ~~take consider whether additional appropriate~~ measures on the management of the artisanal yellowfin tuna fishery are needed, at its Commission meeting in 2020~~18~~.
- 11.17. The measures contained within this Resolution shall be considered as interim measure and will be reviewed by the Commission no later than at its annual Session in 2019-2020 taking into account the advice of the Scientific Committee referred to in paragraph 15 and the result of the 2019 yellowfin tuna stock assessment.
- 12.18. The provisions of paragraphs ~~3~~, 4, 5, 6 and ~~6-7~~ shall be applicable to Small Island Developing States, Least Developed Countries and Small Vulnerable Economies on catches of yellowfin reported for 2014 or 2015.
- 13.19. Nothing in this resolution shall pre-empt or prejudice future allocation.
- 14.20. This Resolution supersedes IOTC Resolution ~~17~~18/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock.*