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**ON MEASURES COMPLEMENTING RESOLUTION 21/01  
ON AN INTERIM PLAN FOR REBUILDING THE INDIAN OCEAN YELLOWFIN TUNA STOCK**  
SUBMITTED BY: EUROPEAN UNION

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**Explanatory Memorandum**

This proposal is intended to complement Resolution 21/01 on *An interim plan for rebuilding the Indian Ocean Yellowfin Tuna stock* by establishing a process that would prepare its future revision at the IOTC annual meeting of 2023.

Resolution 21/01, by implementing an important level of catch reduction, has represented a first answer to the management advice provided by the IOTC Scientific Committee at its 23<sup>rd</sup> session. The Resolution has entered into force only on the 1<sup>st</sup> of January 2022, CPC and their stakeholders will thus need some time to adapt and assess its overall impact on the stock.

At the same time, some factual elements seem to call for a possible future revision of the Resolution: in particular, the objections to the rebuilding plan (which might limit its long-term effectiveness) and the recent stock assessment conducted by Scientific Committee, which indicates that the stock is overfished and subject to overfishing and recommends further catch reductions. Nonetheless, the probability to be in the red zone of the Kobe plot is lower than estimated in previous assessments, the spawning biomass is closer to the target and the Scientific Committee has noted that areas of uncertainty of the assessment require follow-up investigation and independent expert advice to improve confidence.

Against the described background, this Resolution propose to create sub-commission on yellowfin tuna which would be mandated to prepare the ground for a future revision of the Resolution by addressing – ahead of the 2023 annual meeting – some of most difficult and controversial issues taking also into account the intersessional follow-up investigations and independent expert advice. Meanwhile, the validity of Resolution 21/01 would be confirmed until next year.

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**RESOLUTION 22/XX**  
**ON MEASURES COMPLEMENTING RESOLUTION 21/01 ON AN INTERIM PLAN FOR REBUILDING**  
**THE INDIAN OCEAN YELLOWFIN TUNA STOCK**

**The Indian Ocean Tuna Commission (IOTC),**

NOTING Article V, paragraph 2(c), of the IOTC Agreement is to adopt, in accordance with Article IX and on the basis of scientific evidence, Conservation and Management Measures to ensure the conservation of the stocks covered by the Agreement;

RECOGNISING that Resolution 21/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock* has provided a first answer to the management advice of the 23rd session of the Scientific Committee, which - while waiting for the finalisation of the yellowfin tuna stock assessment – recommended catches to be reduced to a level at least below the CMSY estimate (403, 000MT);

CONSIDERING that the persisting number of objections to the rebuilding plan might limit its long term effectiveness on the recovery of the stock

CONSIDERING the stock assessment conducted in 2021 by the 24th session of the Scientific Committee confirmed that the stock is overfished and subject to overfishing and because the productivity of the stock was estimated lower than in previous assessments, recommended further catch reductions to achieve the target.

FURTHER CONSIDERING that the Scientific Committee noted that areas of uncertainty of the assessment require follow-up investigation and independent peer review to improve the level of confidence.

ACKNOWLEDGING that Resolution 21/01 is of application only since the 1st of January 2022 and CPC and stakeholders will need some time to adapt and to assess its overall impact on the stock

RECOGNISING the ongoing discussions on allocation and the need to avoid prejudicing future decision of the Commission;

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

**Provisions complementing Resolution 21/01**

1. Resolution 21/01 shall be reviewed at the IOTC annual meeting of 2023 with the objective to integrate the scientific advice provided by the 24th session of the Scientific Committee in 2021.
2. In order to support the Commission in its revision process, the Scientific Committee is requested to present no later than end of February 2023 an independent peer review of the yellowfin tuna stock assessment.

The terms of reference for the independent peer review are specified in Annex 6c of the report of the 24th Scientific Committee and the logistics of the process shall be reviewed to meet the timeline identified by paragraph 1 and 2 of this resolution.

3. Pursuant to Article XII.2 of the Agreement, the Commission establishes a temporary sub-commission on yellowfin tuna (SCYFT) to deal with status of this stock and proper implementation of the required catch limits.
4. The terms of reference of the SCYFT are those specified in Annex I.
5. The SCYFT will meet at least once and no later than the second week of March 2023 to allow its conclusions to be considered at the Commission annual meeting of 2023.
6. The Secretariat, after consulting the Heads of Delegation of the IOTC CPC, will define the most suitable date(s) and take the necessary arrangements to convene the SCYFT.
7. The mandate of the SCYFT will expire on the last day of the Commission annual meeting of 2023 unless explicitly renewed by the Commission itself.

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**ANNEX I**  
**TERMS OF REFERENCE FOR A SUB-COMMISSION ON YELLOWFIN TUNA**

1. The procedures of the Sub-Commission on Yellowfin Tuna (SCYFT) shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.
2. Conclusions of the SCYFT shall be taken by consensus.

**Objectives:**

3. The objective of the SCYFT is:
  - (a) to discuss the results of the independent peer review of the latest yellowfin tuna stock assessment;
  - (b) to propose concrete actions on the basis of the scientific advices as provided by the 25th session of the Scientific Committee in 2021 and the result of the independent peer review;
  - (c) to address the objections that undermine the effectiveness of the current IOTC rebuilding plan for yellowfin tuna;
  - (d) to report to the Commission on its findings and, if appropriate, to propose additional conservation and management measures on yellowfin tuna;
  - (e) to consider any matter referred to it by the Commission with respect to yellowfin tuna.

**Composition:**

4. The SCYFT shall be open to Members of the Commission which are coastal States lying on the migratory path of the stock concerned in the sub-commission or are States whose vessels participate in the fisheries of this stock.

**Mandate:**

5. The mandate of the SCYFT cover the following aspects:
  - (a) to examine the scientific advice as provided by the 25th session of the Scientific Committee in 2021 on the basis of yellowfin tuna stock assessment and its independent peer review;
  - (b) to analyse possible data and scientific gaps and instructing the IOTC Scientific Committee on how to address these issues
  - (c) to recommend to the Commission a way to implement catch limits that enable the Commission to act on the basis of the advice of the Scientific Committee and would ensure the participation of all involved CPCs to the rebuilding plan;
  - (d) to propose actions to address deficiencies in implementation of the existing measures including issues linked to reporting;

(e) to propose actions to address the objections raised to the current rebuilding plan for yellowfin tuna with the aim to ensure the full effectiveness of the plan;

(f) to develop a dissuasive mechanism to avoid repetitive situation of non-compliance with particular respect to overshooting the catch limits;

(g) to cover other tasks as assigned by the Commission.