POSITION for the 26th session of the IOTC

WWF POSITION for the 26th S**ession of the Indian Ocean Tuna** Commission

WWF Ocean Practice IOTC-2022-S26-NGO

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As the second-most productive ocean, the Indian Ocean supports the second-largest tuna fishery in the world, with over 1 million tonnes caught, essential for sustenance of millions of people. Despite the vital importance of this fishery, overfishing continues to occur, as the Indian Ocean Tuna Commission determined that three out of the four key species of tuna (albacore, bigeye, and yellowfin) are fished above their biological limits. Neritic tunas, which are found in coastal waters represent 36% of the total tuna catch and remain largely data deficient. WWF is deeply concerned about the failure of Contracting Parties and Cooperating Non-Contracting Parties (CPCs) to respond to long-term sustainability calls by several stakeholders (NGOs, markets and retailers) to arrest overfishing. These stakeholders are also asking IOTC CPCs to improve data acquisition and sustain tuna fisheries to improve food security, livelihoods and income generation for coastal states, while implementing their own Resolution 12/01[1] and international commitments, such as the SDGs Agenda 2030.

WWF urges all CPCs as a matter of urgency to be compliant to IOTC resolutions and adopt the amendments in appendix V of the IOTC rules of procedure for an improved and transparent compliance mechanism allowing for accountability (see WWF CoC position statement). In addition, recognising the state of tuna stocks in the Indian Ocean, CPCs must adopt the following priorities at the 26th session of the Commission in May 2022:

- **A multi-annual (at least three years) rebuilding plan for the stock of Indian Ocean yellowfin tuna in the IOTC area of competence, aiming to achieve an overall 30% reduction from 2020 levels, ensuring that overall yellowfin catches are capped in the lower MSY range (286,000 - 302,000 metric tonnes).**
- **Mandatory use of electronically tracked, non-entangling and biodegradable FADs, to reduce the environmental impact of FADs including juvenile mortality of yellowfin tuna from industrial fishing and a dFAD area closure.**
- **A management procedure for tropical tuna species and address deficiencies to strengthen harvest strategies and move towards a multi-species tropical tuna management measure by 2025.**
- **Regulate and improve data reporting on driftnet fishery (less or equal to 2.5 km) in the Indian Ocean, allow for transition (phase out) and/or convert to fishing gears that reduce impact on ecosystems and marine megafauna.**
- **Ensure human and labour rights and safety for crew, and adopt measures for safety and security of human observers on large-scale tuna industrial vessels.**
- **Strengthening the science on bycatch mitigation and improving the conservation and management of endangered, threatened and protected (ETP) species while applying the precautionary approach.**

[1] On the implementation of the precautionary approach for management of tuna stocks. IOTC CPCs have committed to international instruments (UNFSA, UNCLOS, among others) and have a shared responsibility to manage highly migratory species and shared stocks responsibly.

Detailed WWF Position

1. **Adopt a multi-year (at least three years) rebuilding plan** for the Indian Ocean yellowfin tuna stock in the IOTC area of competence, aiming to achieve an overall 30% reduction from 2020 levels to end overfishing by 2023 and 2030, ensuring that yellowfin catches are capped in the lower MSY range (302,000 - 339,000 metric tonnes)

Indian Ocean yellowfin tuna has been overfished since 2014. The first rebuilding plan was adopted in 2016 and has since remained ineffective due to non-compliance and increased catches reported from exempted countries. From 2016-2020 average catches (434,383 mt) were determined to be above the estimated MSY level (403,000 mt).

In 2021, an interim measure on Indian Ocean yellowfin tuna was adopted, which now supersedes previous plans (19/01, 18/01, 17/01, and 16/01). The Resolution 21/01 provides a robust framework on catch reductions and proposes an overall total allowable catch for each CPC, however, this measure was weakened with formal objections submitted by six CPCs (India, Indonesia, Somalia, Oman, Iran, and Madagascar). While some CPCs have managed to achieve the reduction targets, those reductions were unfortunately offset by increases in catches by CPCs exempted from catch reduction or limits for yellowfin tuna.

Also in 2021, the IOTC scientific committee undertook a new stock assessment which estimated spawning biomass of yellowfin tuna in 2020 to be 87% of the level that supports the MSY (SB2020/SBMSY = 0.87). Current fishing mortality is estimated to be 32% higher than that of FMSY (F2020/FMSY = 1.32). This means that Target Reference Point (TRP) and Limit Reference Points (LRPs) have been breached and overfishing continues to occur. Based on the latest assessment, MSY was estimated at 439,000 (lower range), and advised to achieve drastic reductions from 2020 levels by providing several scenarios based on projections.

WWF is concerned with the level of management on yellowfin tuna in the Indian Ocean, and believes that a long-term rebuilding plan must be adopted at its 26 session of the Commission, rather than negotiating a new or amended version every year. This is especially important considering the time it takes for several CPCs to implement and translate the adopted resolutions in national legislation. For this purpose, WWF recommends the following:

- CPCs must reduce the overall catches of yellowfin tuna by 30% from 2020 levels.
- CPCs must agree to a catch limit of lower MSY, in the range between 302,000 - 339,000 mt.
- CPCs must agree to adopt a multi-annual, at least a three-year, rebuilding plan which is updated with the new stock assessment every three years.
- WWF urges all CPCs to set the reduction targets on the basis of fairness, equity and transparency to avoid disproportionate sharing of the burden of over-catch from 2016-2020.
- All CPCs must ensure that over-catch scenarios are duly taken into account based on interim measures agreed in 2019 and 2018.

WWF believes that agreeing and adopting an overall 30% catch reduction for yellowfin tuna in the Indian Ocea, would allow for a 67% (~70%) probability of SSB>SSBmsy by 2030, furthermore, with 30% catch reduction, there is a 69% probability of F<Fmsy by 2030, and 70% probability of F<Fmsy by 2023. The target reference points should be managed and maintained at or above the TRP with a greater probability of 50%. With a 30% reduction, overfishing will be ending by 2023, the stock will recover to the TRP with 70% probability by 2030, and there is 0% risk that the stock will breach the limit reference point. In addition to the above recommendations, WWF believes there are several parts of the rebuilding plan that need to be taken into consideration including the following:

- WWF calls for 100% scientific observer programs to be adopted for large-scale industrial vessels (electronic/and or human) to improve the data on yellowfin tuna and complement the rebuilding plan.
- WWF recommends that CPCs endorse the Terms of References (ToRs) and workplan by the IOTC ad-hoc FAD working group and accelerate the work on establishing/developing electronic monitoring reporting standards.
- WWF encourages the CPCs to expedite the adoption of alternate data collection mechanisms for small-scale fisheries/artisanal vessels targeting tuna within their Economic Exclusive Zones (EEZs) to improve data collection and reporting to IOTC on yellowfin tuna.
- Ensure large-scale driftnets are regulated in the IOTC area of competence (i.e. reduced to no longer than 2.5 km in length) and conservation and management measures (CMMs) are adopted to reduce their footprint on tropical tunas and ETPs.
- Adopt comprehensive harvest strategies by expediting the process on management procedures to set biological target reference points for stock management for tuna and tuna like species (from MSY to SSB).

WWF reiterates that the road to recovery for Indian Ocean yellowfin tuna will require dramatic reductions over a period of two generations (10 years). If no action is taken, these reduction targets will dramatically increase year after year. WWF encourages all CPCs to work collaboratively and be willing to make compromises for the long-term sustainability of the stocks, securing livelihoods and ensuring food security for millions of people in the Indian Ocean.

2. **Reduce the environmental impact of FADs** through the mandatory use of electronically tracked, non-entangling and biodegradable FADs, reduce environmental **impact, including juvenile mortality of yellowfin tuna,** from industrial fishing, and a dFAD area closure.

The Indian Ocean region lacks effective management of FADs in terms of effort and verification. The FAD measures are currently included in Resolution 19/02, and its outcomes are to be reviewed by the Commission in 2022. It is critical for the CPCs to assess the effectiveness of the FAD measures under Resolution 19/02, ensuring that all provisions have been implemented and are viable in improving stock health. WWF urges all CPCs to develop strengthened conservation and management measures for FADs aiming to reduce the negative ecological impact on habitats and high fishing mortality of juvenile yellowfin tuna. The Indian Ocean FAD-associated purse seine fishery has a very high percentage of juvenile yellowfin tuna catch (around 25%[2]) compared to the global average (around 16%) for all other purse seine FAD-based fisheries.

WWF recommends the CPCs ensure that all FAD measures adopted are complementary to stock rebuilding of yellowfin tuna and must ensure the following:

- Reduce the use of drifting FADs, using a precautionary approach and agreeing to adopt a FAD limit of 100 operational FADs per fishing vessel at any given time.
- CPCs must monitor the impacts on other tuna, and evaluate implications on stock health (i.e. how SSB is impacted by high fishing mortality on juvenile yellowfin tuna) due to excessive use of FADs that could lead to further overfishing of yellowfin tuna.
- CPCs shall ensure full transparency of dFAD operations, including submission of all data transmitted by operational buoys to an independent third party in near real-time, including verification and ownership, numbers, position from deployment until retrieval, species composition recorded by its size and weight, and reporting by set data.

[2] Is it good or bad to fish with FADs? What are the real impacts of the use of drifting FADs on pelagic marine ecosystems? Laurent Dagorn, Kim N. Holland, Victor Restrepo & Gala Moreno. FISH and FISHERIES, 2013, 14, 391–415

- To minimise their impacts on ETP species and broader ghost fishing impacts, no netting should be permitted in dFAD designs and all the materials used in the construction of dFADs should be fully biodegradable by the end of 2022, and ensure that 100% of all FADs deployed be retrieved.
- All CPCs must aim to agree to FAD closures in the high seas for at least a four-month period.

WWF calls on CPCs to ensure that an improved FAD management proposal is adopted, which takes into account the above priorities. WWF is seriously concerned with the current management of FADs in the Indian Ocean and the impact it has on ecosystems and co-dependent stocks.

3. **Adopt a management procedure for tropical tuna species** and address deficiencies to strengthen harvest control rules and move towards a **multi-species tropical tuna management measure by 2025.**

The discussions on management procedures for tropical tuna species have been ongoing for years, but have not been adopted. The yellowfin tuna management proposal has been superseded by the discussions around the interim rebuilding plan and due to Covid-19, has not progressed. The skipjack tuna has a harvest strategy (Resolution 16/02) and in 2020 was assessed by the IOTC using the stock synthesis model with data up to 2019, which did not change drastically from its previous assessment undertaken in 2017. According to the stock assessment by IOTC, skipjack tuna stock is determined to be i) above the adopted biomass target reference point ii) not overfished and iii) not subject to overfishing.

A total allowable catch limit was adopted based on the harvest strategies for 470,000 tonnes for the period of 2018-2020. This catch limit was breached for all three years and the catch for skipjack remained higher than the agreed limit and the harvest control rules were not triggered. In 2020, the IOTC Scientific Committee determined a new catch limit for 2021-2023 (513,572 mt). This catch limit is higher than previously agreed, considering that the stock sustained due to favourable environmental conditions. However, the skipjack catches need to remain below the agreed TAC, otherwise the measure will not have any weight, and remain paper-based. Furthermore, the impact of increased catches of skipjack have an impact on juvenile yellowfin tuna catches, which school together with mature skipjack tuna, and the species are caught together. WWF is very concerned about the continuous overshooting of the TAC by CPCs, and recommends the following:

- Address the deficiencies in the harvest control rules (Resolution 16/02) to **avoid continued overshooting of skipjack catches.**
- Ensure effective measures are in place and harvest control rules (HCR) are triggered to avoid continued over-catch of skipjack to the total allowable catch (TAC) for 2021-2023 at 513,572 mt.
- Determine the environmental impacts of overshooting of skipjack TAC and assess the extraordinary circumstances for evaluating a TAC based on HCR.
- Close monitoring is needed. Any decisions for skipjack must complement efforts to rebuild yellowfin tuna stocks, through the adoption of a multi-species management reference point where the impact of a fishery (all gears combined) cannot decrease co-dependent stocks to below MSY.
- Accelerate the process of an ecosystem-based harvest strategy approach for all tropical tuna with a drastic reduction of fishing effort, area closures, gear type provision, and evaluate the effects of spatial/seasonal closures.
- **Adopt a bigeye tuna management procedure with robust harvest control rules.**

Moreover, the international community has reiterated the urgent need to further integrate ecosystem approaches into fisheries conservation and management addressing bycatch, habitat destruction and overfishing[3]. In IOTC, a tropical tuna CMM is essential to address the unsustainable race to fish where there is no mitigating impact on the other tropical tuna species.

[3] See last Resolution adopted by the General Assembly on 10 December 2019. 74/18. Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations

- Support the science to adopt **multi-species tropical tuna management measures** by 2025 where the impact of a fishery (all gears combined) **cannot decrease co-dependent stocks to below MSY and/or biological limits.**

4. **Regulate and improve data reporting on driftnet fishery (less or equal to 2.5 km) in the Indian Ocean, allow for transition (phase out) and/or conversion to fishing gears that reduce impact on ecosystems and marine megafauna.**

The United Nations General Assembly (UNGA) Resolution 46/215 called for a global moratorium on large-scale high seas driftnet fishing in 1992. Since then, UNGA regulations have been translated into an IOTC resolution 12/12 and further superseded by resolution 17/07, which both prohibits the use of large-scale driftnets on the high seas and in the IOTC area of competence. However, some countries still use large-scale driftnets in both EEZ and high seas to target tuna. Based on the IOTC resolution 17/07, which came into effect on 1 January 2022, WWF calls for urgent action from developing coastal states using large-scale driftnets to show their commitment to change and to ensure that there are support systems in place for implementing the UNGA and IOTC resolutions through the national program or legislation. Moreover, WWF urges the following:

- All CPCs fishing primarily with large-scale driftnets reduce their net lengths to 2.5 km or less and ensure data collection and reporting to IOTC is improved significantly.
- Phase out or convert gillnet fishing vessels to other gears, considering the huge ecological impact of these gears, and fast track the implementation of Resolution 17/07, "On the Prohibition to use large-scale driftnets in the IOTC."
- IOTC undertake a socio-economic study to determine the main drivers of the fishery, its economic implications and gear selectivity, building a strong rationale and justification to transition the driftnet fisheries.
- All CPCs engaged in catching large pelagics using gillnets/driftnets, including tuna, be encouraged to have a time closure on the use of gillnets for at least two month, from 0000 hours, 1 June until 0000 hours, 30 July of each year.
- WWF encourages CPCs engaged in catch of tuna primarily with drift gillnets to work alongside other CPCs and IOTC secretariat among other key stakeholders to transform gillnets and collectively work on proposing a new CMM regulating gillnets in the IOTC area of competence while adopting best practices for reduced bycatch.

5. **Ensure human and labour rights and safety for crew, and adopt measures for safety and security of human observers on large-scale, industrial tuna vessels.**

Data acquisition and validity are key for developing effective fisheries management. It is essential that observers be deployed to gather quality data to ensure long-term sustainability of tuna stocks. In addition to ensuring that fishing takes place legally and sustainably, observers have an obligation to report illegal activities. The very nature of their responsibilities leaves them at risk of intimidation and abuse. WWF welcomes the international recognition of the dangerous nature of these crucial jobs at sea.

Yet increasing instances of fisheries observer deaths, as well as violations of fishing crew welfare, have been reported to authorities and NGOs in recent years. WWF is disturbed by this trend and takes these reports very seriously. Considering the COVID-19 pandemic poses serious risk to human and crew health and safety, WWF calls on CPCs to:

Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.

- Ensure there is transparency by vessel operators and fishery managers providing 100% transparency and accountable reports that include all aspects of fishing of public resources in general, and investigations into human and labour rights violation in particular.
- Ensure licensing authorities must keep accurate records and register vessels and crew, undertaking due diligence to prevent such incidents which violate human and labour rights.
- Adopt the Conservation and Management Measure for Observer Safety and Security similar to WCPFC (CMM 2017-01 and, building on the Resolution 2018-01) and develop Labour Standards for Crew on Fishing Vessels, establishing a formal and binding CMM on crew welfare.
- Propose and adopt a new resolution for Contracting Parties to ratify and effectively/fully implement relevant conventions, such as the ILO 188, and take other measures to ensure safe and decent working and living conditions on board vessels.
- Adopt a binding measure that ensures the safety of human observers on board tuna fishing, supply and carrier vessels.

6. Improve conservation and management of endangered, threatened and protected (ETP) species

WWF is committed to the protection and conservation of sharks and rays, sea turtles, seabirds and marine mammals, and recognizes the urgent support for proposals to improve the protection and recovery of these key species. WWF supports the measures currently adopted by IOTC for sharks, however, the pace of management improvements is behind that required to address alarming declines in pelagic shark and ray populations in the Indian Ocean. WWF urges all CPCs to prioritize ETP species conservation and management, and expedite the adoption of mitigation measures, in addition to the following:

For sharks and rays

- Develop recovery plans for shark species in dire need of attention, such as scalloped hammerhead, oceanic whitetip and short-fin mako, which have progressively shown signs of decline in abundance and class size. Given the perilous state of some of these sharks and rays, the IOTC Parties should proceed with developing recovery plans for the most threatened species even if IOTC has not yet been able to undertake a stock assessment. The FAO Code of Conduct for Responsible Fisheries and CBD Aichi Target 6 state that recovery plans should be put into place for depleted species.
- Continue to work with interested and affected parties to implement improved practices to ensure live and uninjured release of sharks and rays in all fisheries and calls on the Scientific Committee to hold a workshop for best practice for new and innovative release techniques that can be implemented by fishing vessels.
- Continue the bycatch working group within the Kobe joint tRFMO process in order to develop and share approaches across tRFMOs to evaluate the implementation and effectiveness of bycatch CMMs.

For sea turtles

- Improve data collection and reporting for sea turtles and implement the Scientific Committee advice on reporting sea turtles at the species level by making amendments to IOTC resolution 12/04.

For seabirds

- Encourage Contracting Parties to amend the Resolution 12/06 on seabird conservation to include hook-shielding devices as a possible mitigation measure and require that all seabirds are identified to species level.

For cetaceans

WWF is concerned about the state of marine mammals in the Indian Ocean, as inaction is resulting in ongoing declines in cetacean populations. It is estimated that over 100,000 (individuals) cetaceans may be caught in the Indian Ocean tuna fisheries each year. WWF urges CPCs to:

- Report sighting data from observer or equivalent data collection programmes to ensure that any interactions with cetaceans are reported to the IOTC.

- Work with the International Whaling Commission Bycatch Mitigation Initiative to develop and implement bycatch prevention and mitigation options for small and large cetaceans that may interact with tuna vessels.

Conclusion

WWF remains concerned about the state of tropical and neritic tuna management in the Indian Ocean, however, there have been efforts made at the Commission meeting in 2021 to develop a robust interim rebuilding plan for yellowfin tuna, in addition to endorsing the SC recommendations to undertake a feasibility study on alternate data collection methods for small-scale fisheries (vessels less than 24 m) to clearly articulate data collection methods for artisanal/SSF vessels. While there are some positive movements within the IOTC, there is a great deal of urgency to reduce fishing mortality. For this purpose, all CPCs must come together with clear commitments at the 26th annual session.

WWF is committed to support the developing coastal states in improving data collection, reducing impact of fisheries on ETP species, phasing out gillnets, and ensuring overall health of the ocean is improved through a robust recovery/rebuilding plan for yellowfin tuna, which are ultimately managed at a biological limit.

Considering the current state of play, WWF urges that all these rules of the game be developed through a management procedure ahead of time, rather than being subjective and adopted on an ad-hoc basis. WWF recommends advancing science in order to move towards a multi-species management approach by 2025.

WWF is ready to support coastal states in facilitating projects for improved data collection from small-scale fisheries, in addition to providing capacity building and tools for developing training courses for improving species identification by operators/skippers and crew to improve conservation and management of ETP species leading to improved handling, release and reporting. WWF is committed to the long-term sustainability of ocean resources and securing its vitality for food security, ocean resilience, ecosystem health and means of income generation and jobs for coastal communities.

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