



**ON CONSERVATION AND MANAGEMENT OF SKIPJACK TUNA
IN THE IOTC AREA OF COMPETENCE**

SUBMITTED BY: MALDIVES

About this Revision

Changes in this version of the proposal are highlighted in yellow

Explanatory memorandum

The Resolution 16/02, On Harvest Control Rules for Skipjack Tuna in the IOTC Area of Competence was adopted in the aim of maintaining the Indian Ocean Tuna Commission skipjack tuna stock in perpetuity, at levels not less than those capable of producing maximum sustainable yield (MSY). The Resolution prescribes a pre-agreed harvest control rule (HCR) to maintain the skipjack tuna stock at, or above, the target reference point (TRP) and well above the limit reference point (LRP), as specified in Resolution 15/10. The Resolution has since been modified and superseded by the Resolution 21/02.

In 2020, based on the outcome of the stock assessment the Scientific Committee advised the Commission that the current exploitation rate is just below the target. Also, the models estimate that the spawning biomass remains above its SB_{MSY} and the fishing mortality remains below E_{MSY} with very high probability. The catch limit calculated applying the HCR specified in Resolution 21/02 (Resolution 16/02) is 513,572t for the period 2021- 2023. The SC noted that this catch limit is higher than for the previous period. This is attributed to the new stock assessment which estimates a higher productivity of the stock and a higher stock level relative to the target reference point, possibly due to skipjack life history characteristics and favourable environmental conditions. Thus, it is likely that the recent catches that have exceeded the limits established for the period 2018-2020 have been sustained by favourable environmental conditions. Therefore, the Commission needs to ensure that catches of skipjack tuna during this period do not exceed the agreed limit.

The aim of this proposal is to introduce a methodology to maintain the catches of skipjack tuna **at or below 513,572t as prescribed by the Harvest Control Rule for skipjack tuna and as advised by the Scientific Committee in conformity with Resolution 21/02.** The Resolution also takes into account the development status, the aspirations of developing coastal States in particular least developing countries (LDCS) and small island developing states (SIDS) and the recommendations of the Joint tuna working group (KOBÉ).

RESOLUTION 22/XX
ON CONSERVATION AND MANAGEMENT FOR SKIPJACK TUNA IN THE IOTC AREA OF
COMPETENCE

Keywords: Skipjack tuna, Harvest Control Rule, MSY, Precautionary Approach

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 and Article 56(1) of the United Nations Convention on the Law of the Sea regarding the rights of Coastal States

BEING ALSO MINDFUL of Article 87 and 116 of the United Nations Convention of the Law of the Sea regarding the right to fish on the high seas by all States;

RECOGNISING the special requirements of the developing States, particularly Small Island Developing States in Article 24(2b) and 25, 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);

FURTHER RECOGNISING the need to ensure that conservation and management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, Article 24(2c) of UNFSA;

RECALLING that Article 5, of the UNFSA, requires coastal States and States fishing on the high seas to ensure that the measures they adopt to ensure the long-term sustainability of highly migratory fish stocks are based on the best scientific evidence available.

FURTHER RECALLING that Article 6, of UNFSA and IOTC Resolution 12/01 “*On the implementation of the precautionary approach*”, requires the States to be cautious in 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 Second Joint Meeting of the Tuna Regional Fisheries Management Organisations (RFMOs), held in San Sebastian, Spain, June 23 – July 3 2009 (KOBÉ II) that each tuna RFMO consider 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 Third Joint Meeting of Tuna RFMOs, held in La Jolla, California, 12- 14 July 2011(KOBÉ III); 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 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.2b of the IOTC Agreement describes the functions and responsibilities of the Commission in relation to encouraging, recommending and coordinating research and development activities and other activities covered by the Agreement, having due regard to the needs of Members in the region that are developing countries, in relation to the conservation and management and optimum utilization of stocks covered by the Agreement and encouraging development of fisheries based on such stocks;

FURTHER NOTING THAT Article V.2d requires the Commission to keep under review the economic and social aspects of the fisheries based on the stocks covered by the 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 that Resolution 21/03 requires CPCs to develop and adopt Conservation and Management Measure(s) to ensure catches of skipjack tuna are maintained at or below the overall catch limit established by the HCR and to apply fishing mortality reductions with due consideration to the aspirations and special requirements of Developing Coastal States and Small Island Developing States;

~~FURTHER CONSIDERING the management advice of the 24th session of the IOTC Scientific Committee to ensure that catches do not exceed the limit established by the Harvest Control Rule (HCR) for the period 2021–2023 which is at 513,572t.~~

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

Application

1. This resolution shall apply to all CPCs fishing for tuna and tuna-like species within the IOTC Area of Competence.
2. This resolution will be effective from 1st January 2023. The measures contained within this Resolution shall be reviewed when the Scientific Committee develops and advises the Commission on a new catch limit under the Harvest Control Rule.
3. Nothing in this resolution shall pre-empt or prejudice future allocation of fishing opportunities.

Catch limits

4. CPCs whose reported catches of skipjack tuna in 2020 were above 50,000t shall reduce their catches of skipjack tuna by **1420%** of the catch in 2020, except:
 - a. If those CPCs are Coastal Developing States, they shall reduce their catches of skipjack tuna by **910%** of the catch in 2020;
 - b. If those CPCs are Small Island Developing States or Least Developed States, they shall reduce their catches of skipjack tuna by **54%** of the catch in 2020.
5. CPCs whose reported catches of skipjack tuna in 2020 were between 20,000t and 50,000t shall reduce their catches of skipjack tuna by 10% of the catch in 2020, except:
 - a. If those CPCs are Coastal Developing States, they shall reduce their catches of skipjack tuna by 5% of the catch in 2020;
 - b. If those CPCs are Small Island Developing States or Least Developed States, they shall reduce their catches of skipjack tuna by 2% of the catch in 2020.
6. CPCs whose reported catches of skipjack tuna in 2020 were between 10,000t and 20,000t shall reduce their catches of skipjack tuna by 5% of the catch in 2020, except:
 - a. If those CPCs are Coastal Developing States, they shall reduce their catches of skipjack tuna by 2% of the catch in 2020;
 - b. If those CPCs are Small Island Developing States or Least Developed States, they shall reduce their catches of skipjack tuna by 1% of the catch in 2020.
7. CPCs whose reported catches of skipjack tuna in 2020 were between 5,000t and 10,000t shall **not exceed their catches from their average catch in 2019 – 2020 or their catch in 2020. reduce their catches of skipjack tuna by 3% of the catch in 2020, except:**
 - ~~a. If those CPCs are Coastal Developing States, they shall reduce their catches of skipjack tuna by 2% of the catch in 2020;~~
 - ~~b. If those CPCs are Small Island Developing States or Least Developed States, they shall reduce their catches of skipjack tuna by 1% of the average catch in 2019 – 2020 or the catch in 2020~~
8. CPCs whose reported catch in 2020 were below **5,000t, shall limit their catches to 4,000t or to their catches in 2020. These CPCs shall endeavour that their collective catch of skipjack tuna from the IOTC Area of Competence does not exceed 24,000t not exceed their catches above 800t or catch in 2020, whichever is higher.**
 - 8bis. **Catch limits determined by paragraphs 4, 5, 6, 7 and 8 shall be based on the best scientific estimates of national catch¹ as agreed by the Scientific Committee and published by the IOTC Secretariat.**
 - 8ter. **In applying catch reductions in paragraphs from 4,5,6,7 and 8, the catches of Taiwan, Province of China shall be segregated and its catch reduction shall be in the category of Distant Water Fishing CPC.**

¹ Catch limits for Indonesia will be calculated based on the catches presented in the National Report of Indonesia, until the best scientific estimates of national catches are revised and endorsed by the Scientific Committee following the ongoing exercise to revise the catch data. Indonesia will consistently work to revise the catch estimates and should provide evidence in this regard to the Commission.

8qua. For CPCs that submit revised national catch statistics and those that are endorsed by the Scientific Committee, a revised catch limit based on the new catches shall be set forth. The IOTC Executive Secretary shall circulate information about such revisions to all CPCs as and when they are incorporated into the database of best scientific estimates of national catches.

8qui. Following new stock assessments for skipjack tuna and the setting of new overall catch limits through the Harvest Control Rule, catch limits determined by paragraph 4, 5, 6, 7 and 8 shall be scaled relative to the change in current overall catch limit of 513,572 t.

Over catch of annual limit

9. If over catch of an annual limit for a given CPC listed in paragraphs 4 – 8 occurs, catch limits for that CPC shall be deducted as follows:
 - a. 100% of over catch shall be deducted over the following two year's limit, unless;
 - b. Over-catch for that CPC has occurred in two or more consecutive years, in which case 125% of the over-catch shall be deducted over the following two years limit.
10. CPCs that are subject to catch reductions due to over-catch shall inform the Commission via the IOTC Compliance Committee, of corrective actions taken by the CPC to adhere to the prescribed catch levels, in their implementation report.

Administration

11. The tropical tuna data submitted by CPCs in accordance 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)*" shall be reviewed by the Secretariat and discussed by the Scientific Committee for possible inconsistencies. In such cases, the Scientific Committee shall provide the rationale of the detected inconsistencies and justify the choice of the best solution available with regard to the scientific analysis to be carried out. Data used for catch limit calculations shall be based on the data reviewed, including possible estimates, by the Secretariat.
12. The IOTC Secretariat under the advice of the Scientific Committee shall prepare a table of allocated catch limits disaggregated as per the conditions set out in paragraphs 4 – 8 for the following year, in December of the current year.
13. For the purposes of the implementation of this resolution, each CPC shall, by 15 February of the following year, notify the Executive Secretary of the list of vessels, which have fished for skipjack tuna in the IOTC area of competence for the preceding year.
14. The IOTC Secretariat shall report each year lists of vessels mentioned in paragraph 13 to the IOTC Compliance Committee and to the IOTC Scientific Committee in the form of aggregated statistics concerning fishing fleets' capacity metrics.
15. CPCs shall monitor the skipjack 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.

15bis. The Commission shall review this measure at its annual session in 2025, or before if there is reason and/or evidence to suggest that the Skipjack tuna stock is at risk of breaching the LRP.

15ter. This Resolution will enter into force on the 1st of January 2023, only provided that there is no objection from any of the CPC with a determined catch limit of 5000 t and over.