



## ON ESTABLISHING CATCH LIMITS FOR BIGEYE TUNA IN THE AREA OF IOTC COMPETENCE

SUBMITTED BY: JAPAN

### Explanatory Memorandum

#### Rev4

A sentence in explanatory memorandum is deleted (in green highlight), and correction on a typo in the catch limit table.

#### Rev 3

Changes from Rev 2 is in track change or in red character. Original para.7 is revived.

### 1. Background

In accordance with *Resolution. 22-03 on a management procedure for bigeye tuna in the IOTC area of competence*, the 25<sup>th</sup> Session of the IOTC Scientific Committee (SC25) recommended the calculated TAC of 80,583 t per year for 2024 and 2025, which requires a 15% catch reduction from the 2021 catch level.

SC25 also recommended that, given the average catch of BET in the past 5 years being above the calculated TAC for 2024 and 2025 and the lack of effective implementation of catch limits for other stocks, the Commission ensure effective implementation of the BET TAC, especially taking into consideration the current overfished and subject to overfishing status of the stock.

SC25 also noted that respecting the BET TAC is especially important when taking into consideration the multi-species nature of the Tropical tuna fisheries and the existing catch limit for YFT and TAC for SKJ.

Therefore, Japan proposes to establish catch limits in order to ensure the TAC recommended by the SC to be respected.

### 2. Basic Concepts

This proposal applies only in 2024 and 2025 (1<sup>st</sup> management cycle) as an interim measure until the allocation criteria being discussed by TCAC would enter into force hopefully from 2026. Nothing in this resolution shall ~~not~~ prejudice the outcome of TCAC.

This proposal is not on allocation of rights for catch amounts, but on catch limits. In other words, when a CPC (Contracting Parties and Cooperating Non-Contracting Parties) becomes subject to a catch limit, that CPC is obliged to restrict its catch below the catch limit.

Catch limits are established for CPCs whose recent 5-years average catches (2017-2021) were above 2,000 t (major harvesters), and they are subject to catch reduction. In 2021, catches by these major harvesters accounted 92% of all BET catch, thus reducing catches of major harvesters is of critical importance. On the other hands, other CPCs (small harvesters) are encouraged to maintain their catches at their recent level. When the catch of a small harvester either in 2024 or 2025 would be greater than 2,000 t, that CPC shall be subject to hard catch limit from the 2<sup>nd</sup> management cycle from 2026. If TCAC would be concluded and allocations can be implemented for the 2<sup>nd</sup> management cycle, these allocations shall prevail.

### 3. Factors to be considered in catch reduction

Reductions of ~~17~~18.7% for EUR because: Developed and catch>20 k tons.  
 Reductions of ~~15~~16.7% for Taiwan, Province of China because: Developed and catch>10 k tons.  
Reductions of 14.7% for Indonesia because catch >20 k tons but developing.  
 Reductions of ~~12~~12.7% for ~~Indonesia~~, Seychelles because catch >10 k tons but developing.  
 Reductions of ~~12~~13.7% for Japan and China for catch > 2000 tons.  
 Reductions of ~~6~~7.7% for Sri Lanka and Iran for catch>2000 tons but developing coastal states.

Adjustment of ~~+300~~-200 for Seychelles as SIDs

**Adjustment of +300 for Taiwan, China Japan for providing LL index**

Etc.

	5y-average	reduction	Provisional Catch Limit	Ajustment	Final Catch Limit		Prop.E
IDN	21,576	12%	18,987		<b>18,987</b>	<b>-432</b>	19,419
SYC(PS)	7,974	12%	7,017		<b>7,017</b>	701	11,375
SYC(LL)	5,408	12%	4,759	300	<b>5,059</b>		
EU	20,922	17%	17,365		<b>17,365</b>	628	16,738
TWN	13,430	15%	11,416	300	<b>11,716</b>	<b>-372</b>	12,087
<del>LKA</del>	<del>5,170</del>	<del>6%</del>	<del>4,860</del>		<del>4,860</del>	<del>207</del>	<del>4,653</del>
CHN	3,806	12%	3,349	500	<b>3,849</b>	424	3,425
JPN	3,921	12%	3,451	300	<b>3,751</b>	222	3,529
IRN	2,280	6%	2,144		<b>2,144</b>	91	2,052
			73,348		<b>74,748</b>	1,470	73,278
		Small Harvester	<b>7,257</b>		<b>7,257</b>		7,257
		Total	80,605		<b>82,005</b>		

	5y-average	Reduction rate	Provisional Catch Limit	Ajustment	Final Catch Limit
IDN	21,576	14.7%	18,405	<b>200</b>	<b>18,605</b>
SYC	13,382	12.7%	11,682	<b>200</b>	<b>11,882</b>
EU	20,922	18.7%	17,010		<b>17,010</b>
TWN	13,430	16.7%	11,188	300	<b>11,488</b>
LKA	5,170	7.7%	4,772		<b>4,772</b>
CHN	3,806	13.7%	3,285	500	<b>3,785</b>
JPN	3,921	13.7%	3,384	300	<b>3,684</b>
IRN	2,280	7.7%	2,105		<b>2,105</b>
					<b>73,330</b>
			Small Harvester		<b>7,257</b>
			Total		<b>80,587</b>
				<b>TAC : 80,583 ton</b>	

Indicative Figure for Small Harvesters (i.e., average catch from 2017-2021)

MUS	1,769
KOR	1,515
COM	1,356
BGD	515
IND	857
MYS	240
ZAF	219

MDV	468
KEN	65
MOZ	45
MDG	54
AUS	39
TZA	1
OMN	87
PHL	26
GBR	2
Total	7,257

Catch data come from “IOTC-DATASETS-2023-01-23-NC-SCI\_1950-2021”.

### 3. Other Elements

#### - **Overharvest and Underharvest**

In order to reflect annual fluctuation of catches and to mitigate the impact of catch reduction to some extent, the catch limits for 2024 and 2025 will be managed as a block. For example, a CPC subject to catch limit may catch beyond its catch limit in 2024, however the excess amount shall be deducted from its catch limit in 2025. On the other hand, if a CPC catch less than its catch limit in 2024, the underage can be added to its catch limit in 2025.

Any underage from the 2024-2025 block cannot be carried over to the 2nd management cycle from 2026.

Any overage from the 2024-2025 block shall be paid back from the catch limits/allocations for the 2nd management cycle from 2026.

#### - **Prohibition of chartering arrangement with CPCs that lodge an objection**

*Resolution. 19/07 on Vessel Chartering in the IOTC Area of Competence* prohibits chartering arrangements that undermine IOTC Conservation and Management Measures (para. 2). In accordance with this provision, CPCs shall not conclude chartering arrangements with objecting CPCs as below.

- i. Flag CPCs shall prohibit chartering arrangements with CPCs that are objecting to this Resolution. This is to prevent a loophole where a CPC increases BET catches outside the application of this Resolution.
- ii. CPCs shall prohibit chartering arrangements with flag CPCs that are objecting to this Resolution. This is not to provide fishing opportunities to objecting flag CPCs and increase BET catches outside this Resolution.

Similarly, export of fishing vessels to CPCs that are objecting to this Resolution shall be prohibited in order to prevent “flag of convenience” fishing operations.

#### - **Impact analysis by the Scientific Committee**

Catch reductions under this proposal partially considers the differing impact of fleets. However, it would be preferable if the extent of catch reductions for each fleet were differentiated based on quantitative impact analysis. In addition, reduction of catch by fleets that have negative impact on the productivity of the stock will increase MSY in the future. By increasing the level of MSY, it would become possible to mitigate the socio-economic impact on CPCs associated with catch reduction in the future. For these reasons, this proposal requests the SC to conduct an impact analysis by fleet on BET stock, including an analysis on the contribution to increased MSY by replacing FADs fishery with free-school fishery.

**RESOLUTION 23/XX**  
**ON ESTABLISHING CATCH LIMITS FOR BIGEYE TUNA IN THE AREA OF IOTC**  
**COMPETENCE**

**Keywords:** bigeye tuna, catch limits, management procedure

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

~~HAVING RECALLING~~ the responsibility of IOTC for the conservation and optimum utilization of tuna and tuna-like species in the ~~Indian Ocean~~ IOTC area of competence;

RECOGNISING the need for action to ensure the achievement of IOTC objectives to conserve and manage tuna resources in the IOTC area of competence;

MINDFUL of Article XVI of the IOTC Agreement regarding the rights of ~~coastal States~~ and of Articles 87 and 116 of the United Nations Convention on the Law of the Sea (UNCLOS) regarding the right of all States to fish on the high seas subject to their treaty obligations, the rights and duties as well as the interests of coastal States provided for, *inter alia*, in Article 64 UNCLOS and the provisions of Section 2 of Part VII of UNCLOS

;

RECOGNISING the special requirements of developing States, particularly Small Island developing States, in Article 24 of the ~~IOTC~~ Agreement for the Implementation of the Provisions of the United Nations 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 (UNFSA);

RECOGNIZING *Resolution 22/03 on a management procedure for bigeye tuna in the IOTC area of competence*, which introduced a Management Procedure (MP) for bigeye tuna ~~as the first case for the first time~~ in the IOTC;

RECOGNIZING ~~that~~ the 25th Session of the IOTC Scientific Committee (SC25) recommended a total allowable catch (TAC) of 80,583 t of bigeye tuna per year for 2024 and 2025, which requires a 15% catch reduction from the 2021 catch level, in accordance with the MP adopted by Resolution 22/03;

CONCERNED by the latest stock assessment on bigeye tuna conducted in 2022 which determined ~~that~~ the stock ~~being is~~ overfished and subject to overfishing with ~~the~~ a probability of 79%;

RECOGNIZING that the recommended TAC of 80,583 t, ~~ie., which is~~ 15% below the 2021 catch, is the pre-set maximum decrease under the MP, and ~~that~~ the stock status is more pessimistic than implied by that 15% decrease of TAC ~~implies~~;

FURTHER RECOGNIZING the recommendation by SC 25 that the Commission ensure effective implementation of the bigeye tuna TAC, especially taking into consideration the current status of the stock as overfished and subject to overfishing ~~status of the stock~~;

FURTHER RECOGNIZING that SC25 noted that respecting the bigeye tuna TAC is especially important when taking into consideration the multi-species nature of ~~the T~~ tropical tuna fisheries and the existing catch limit for ~~YFT~~ yellowfin tuna and ~~the~~ TAC for ~~SKJ~~ skipjack tuna;

NOTING that Resolution 22/03 stipulates that “the Commission shall adopt the TAC based on the outcome of the MP, unless the Scientific Committee identifies exceptional circumstances that require consideration of alternate management actions to be taken by the Commission”;

NOTING that *Resolution 05/01 on conservation and management measures for bigeye tuna* obliges ~~ate~~ CPCs to limit their catches ~~es~~ to their ‘recent’ levels;

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

## TAC and Catch Limits

1. The Total Allowable Catch (TAC) for bigeye tuna shall be 80,583 t in 2024 and 2025 in accordance with the Management Plan (MP) established by Resolution 22/03 *on a management procedure for bigeye tuna in the IOTC area of competence*.

2. The annual catch limits as shown in the table below shall be applied in 2024 and 2025.

	Catch Limit (t)
Indonesia	18,98718,605
Seychelles	12,07611,882
EU	17,36517,010
Sri Lanka	4,8604,772
Japan	3,7513,684
China	3,8493,785
Iran	2,1442,105

3. The Commission shall request Taiwan, Province of China to limit their annual bigeye tuna catch in the Area of IOTC competence to 11,71611,488 t in 2024 and 2025.

4. Contracting Parties and Cooperating Non-Contracting Parties (CPCs) specifically referred to in the table in paragraph 2 may apply a two-year management period to manage their catch limits for 2024 and 2025 in totality. Any underage ~~or overage~~ of the 2024 catch limit may be added to ~~shall be deducted from~~ the catch limit in 2025. ~~Any overage of the 2024 catch limit shall be deducted from the catch limit in 2025.~~ However, these CPCs are encouraged to ~~keep~~ contain their catch in 2024 below the annual catch limits. These CPCs shall ~~provide~~ submit a compliance table using with the template in Annex 1 which includes current catches, balance, and adjusted catch limit to the IOTC Compliance Committee, which shall to be reviewed in the compliance tables Compliance Committee.

5. Any overages from the 2024-2025 management period shall be deducted from the catch limit for the management period commencing from 2026. Any underage from the 2024-2025 management period shall not be added to the catch limit for the management period commencing ~~from~~ in 2026.

6. The ~~Contracting Parties and Cooperating Non-Contracting Parties (CPCs)~~ specifically referred to in the table in paragraph 2, may transfer up to a maximum of 20% of their initial catch limits to another CPC subject to prior authorization by the Commission. Both CPCs shall provide information to the IOTC Secretariat in terms of the quantity to be transferred. The IOTC Secretariat shall disseminate this information to all CPCs without delay. The absence of explicit objection to such transfer within 2 weeks from the dissemination by the IOTC Secretariat shall be considered as an authorization by the Commission.

7. CPCs that are not specifically referred to ~~included~~ in the table of paragraph 2 are encouraged to maintain catch ~~and effort~~ at their recent 5-years average levels (2017-2021).

8. If a CPC subject to paragraph 7 catches more than 2,000 t either in 2024 or 2025, the Commission shall consider establishing a binding catch limit applicable to that CPC from the management period commencing ~~from~~ in 2026, if an allocation scheme has not yet been agreed and implemented by the Commission.

9. Nothing in this Resolution shall pre-empt or prejudice the future allocation of fishing opportunities.

## Chartering Agreements and Export of Fishing Vessels

10. CPCs shall not ~~grant their~~ provide its consent as a flag CPC to a chartering agreement with CPCs that object to this Resolution in accordance with Article IX, paragraph 5 ~~(5)~~ of the IOTC Agreement.

11. CPCs shall not ~~grant their~~ ~~provide its~~ consent as a chartering CPC to a chartering agreement with flag CPCs that object to this Resolution in accordance with Article IX, ~~paragraph 5-(5)~~ of the IOTC Agreement.
12. CPCs shall not export their flagged authorized fishing vessels to CPCs that object to this Resolution in accordance with Article IX, ~~paragraph 5-(5)~~ of the IOTC Agreement.

### Scientific Work

13. The IOTC Scientific Committee shall conduct a comparative analysis of the contribution of all fishing gears to the mortality of bigeye tuna, which shall include both absolute and relative contributions to mortality.
14. The IOTC Scientific Committee shall develop a table in Annex 2 that quantifies the expected impact on maximum sustainable yield (MSY) and SSB<sub>msy</sub> for bigeye tuna resulting from replacing fishing mortality/catches of any major fishing gear/fishery (e.g., Longline, DFAD fisheries, AFAD fisheries, Purse seine on~~with~~ free school fishery, other fisheries) for consideration by the Commission at its 2025 Session. The IOTC Scientific Committee~~SC~~ shall also provide advice on FADs management options, ~~inter alia~~including on, limits on FADs sets, that may be necessary to achieve ~~such a~~ replacement of fishing mortality of FAD fisheries with free school fisheries. ~~This~~ ~~Such~~ analysis shall be conducted for ~~d~~DFADs and ~~a~~AFADs fleets separately.

### Final Provisions

15. This Resolution supersedes Resolution 05/01 *on conservation and management measures for bigeye tuna*.

## Template of Compliance Table

Year	Initial catch limit		Current catches		Balance		Adjusted catch limit	
	2024	2025	2024	2025	2024	2025	2024	2025

## Example of Compliance Table

Year	Initial catch limit		Current catches		Balance		Adjusted catch limit	
	2024	2025	2024	2025	2024	2025	2024	2025
	3,000	3,000	3,100	3,500	400	-100	3,500	3,400

CPC with a catch limit of 3,000 t for 2024 and 2025.

The CPC received a transfer of 500 t from another CPC in 2024. ~~Thus,~~ its adjusted catch limit for 2024 ~~is~~ became 3,500 t.

The CPC caught 3,100 t in 2024. ~~Thus, the~~ balance for 2024 is 400, and the balance in 2024 is carried over to/ paid back from the catch limit in 2025. ~~Accordingly, the thus~~

adjusted catch limit for 2025 is 3,400 t (3,000 + 400). The CPC caught 3,500 t in 2025. ~~Thus,~~ the balance for 2025 is -100, and this over harvest shall be paid back in the 2<sup>nd</sup> management cycle commencing ~~from~~ in 2026.

Indicative output table for the impact analysis on MSY and SSBmsy for bigeye tuna resulting from replacing fishing mortality of FAD fisher~~ies~~y with free school fishery.

Treatment	Percent change in MSY	Percent change in <u>SS</u> Bmsy	Necessary FADs control measure(s)
10% replacement	<i>XX%</i>	<i>YY%</i>	<i>ZZ%</i> reduction of FADs set Limit on FADs set: <i>AA sets</i>
20% replacement			
50% replacement			
100% replacement			