

ON AN INTERIM YELLOWFIN TUNA REBUILDING PLAN

SUBMITTED BY: Pakistan, South Africa and Iran

Explanatory Memorandum

The proposed Resolution pursues the following aims:

Yellowfin tuna in the IOTC area of competence has been overfished for almost a decade. Despite the adoption of four different interim stock rebuilding plans, catches of yellowfin tuna in 2022 were higher than they were in 2015 when it was discovered that the stock was overfished and subject to overfishing. Total yellowfin tuna catches have remained above the estimated Maximum Sustainable Yield (MSY) since 2012. Without a significant reduction in overall catch, the Indian Ocean yellowfin tuna stock will inevitably experience further decline, with dire impacts on countless coastal communities that depend on healthy fish stocks for food security and livelihoods.

The last stock assessment for yellowfin tuna was undertaken in 2021 and showed that, if catches are reduced to <70% of 2020 levels, there is a 67% probability of being above SBMSY in 2030. This would equate to a catch limit of 301,669 MT, based on the 2020 catch total of 430,956 MT, as published in the Report of the 24th Session of the IOTC Scientific Committee, following the stock assessment. It also showed that, if catches are reduced to <78% of 2020 levels, there is a 50% probability of being above SBMSY in 2030. This would equate to a catch limit of 336,146 MT, based on the catch levels in the same 2021 IOTC Scientific Committee report. In order for likely stock recovery to occur by 2030, a 30% reduction in catches from 2020 levels is needed. Given that catches in 2021 and 2022 have remained well above this limit, it is likely that stock health has declined further since the 2021 assessment. Because catches in 2021 and 2022 exceeded the levels required to recover the stock, the Report of the 26th Session of the IOTC Scientific Committee noted that the catch reductions now required to recover the stock by 2030 may be higher than estimated by the K2SM.

The following dataset was used in the development of this proposal:

- Best scientific estimates of nominal retained catch data for IOTC species (used for stock assessment purposes and fully disaggregated by species and gear). Accessed via: <https://iotc.org/data/datasets/latest/NC/SCI>

A number of issues were pending with respect to the catch data of some members and have accordingly been taken into account in drafting this proposal:

- Catch data for Indonesia for the years 2014-2016 has been taken from the paper submitted to WPDCS19,¹ using the general methodology for re-estimation agreed by the IOTC Working Party on Data Collection and Statistics (WPDCS19) and endorsed by the IOTC Scientific Committee (SC26). Given that the catch data as such has not been endorsed by the IOTC WPDCS and IOTC Scientific Committee yet, the catch limit calculated for Indonesia is tentative and subject to change in accordance with the final endorsed catch data.
- Once the Secretariat has validated Oman's recent yellowfin tuna catch data, it may be necessary to adjust Oman's catch data from 2014-2016 and update its annual yellowfin tuna catch limit under this proposal accordingly.
- No yellowfin tuna catch data is currently reported to the IOTC by Yemen and only FAO catch estimates are available. When accurate yellowfin tuna catch data is reported by Yemen and endorsed by the IOTC WPDCS and IOTC

¹ <https://iotc.org/documents/WPDCS/19/21>

Scientific Committee. It may be necessary to update its annual yellowfin tuna catch limit under this proposal accordingly.

- Somalia will receive a catch limit of 2000 MT until its catch data is available.

Based on the calculations conducted in accordance with the rules contained in this proposal and the available catch data, this proposal would result in the following annual catch limits in 2025:

CPC	C/DW	DEV STATUS	CATCH LIMIT
Australia	CS	DD	2,000
Bangladesh	CS	LDC	3,500
China	DWFN	DG	10,367
Comoros	CS	SIDS	5,279
European Union	REIO	DD	44,652
France (OT)	CS	DD	500
India	CS	DG	17,458
Indonesia	CS	DG	33,318
Iran	CS	DG	39,500
Japan	DWFN	DD	2,000
Kenya	CS	DG	4,500
Korea, Republic of	DWFN	DD	5,219
Madagascar	CS	LDC	3,000
Malaysia	CS	DG	1,000
Maldives	CS	SIDS	44,018
Mauritius	CS	SIDS	9,513
Mozambique	CS	LDC	3,000
Oman	CS	DG	10,843
Pakistan	CS	DG	7,000
Philippines	DWFN	DG	500
Seychelles	CS	SIDS	36,772
Somalia	CS	LDC	2,000
South Africa	CS	DG	2,000
Sri Lanka	CS	DG	30,000
Sudan	CS	LDC	0
Tanzania	CS	LDC	4,500
Thailand	CS	DG	1,000
United Kingdom	DWFN	DG	500
Yemen	CS	LDC	13,500
Total Allowable Catch (TAC)			336,024

Acronyms used in the table: CS – Coastal State; DD – Developed State; DG – Developing State; DWFN - Distant-water Fishing Nation; LDC – Least Developed Country; SIDS – Small Island Developing State.

This table has been included in the explanatory memorandum solely for purposes of illustrating the projected catch limits under this proposal. The determination of the status of CPCs as a Developing States, LDCs or SIDS, as well as the

calculation of the annual catch limits based on the available catch data will be the task of the Secretariat based on the operative provisions of this proposal.

RESOLUTION 24/XX

ON AN INTERIM YELLOWFIN TUNA REBUILDING PLAN

Keywords: Yellowfin tuna, Kobe Process, 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 (MSY) as qualified by relevant environmental and economic factors including the special requirements of developing States in the IOTC area of competence;

RECALLING the obligation in Article 5(a) of the 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) to adopt measures to ensure long-term sustainability of straddling fish stocks and highly migratory fish stocks and promote the objective of their optimum utilization;

FURTHER RECALLING the obligation in Article 5(b) of the UNFSA to ensure that such measures are based on the best scientific evidence available and are designed to maintain or restore stocks at levels capable of producing maximum sustainable yield, as qualified by relevant environmental and economic factors, including the special requirements of developing States, and taking into account fishing patterns, the interdependence of stocks and any generally recommended international minimum standards, whether subregional, regional or global;

FURTHER RECALLING the obligation in Articles 5(c) and 6 of the UNFSA to apply the precautionary approach widely to conservation, management and exploitation of fish stocks, which is echoed in Resolution 12/01 *On the implementation of the precautionary approach*;

CONSIDERING that Resolution 15/10 *On target and limit reference points and a decision framework* which establishes the guideline that for a stock where the assessed status places it within the upper left quadrant (red), the Commission should aim to end overfishing with a high probability and should rebuild the biomass of the stock in as short a period as possible;

NOTING the concern of the 20th Session of the Working Party for Tropical Tuna held in Seychelles, 29 October - 3 November 2018, that the change in strategy by purse seine vessels to increase of use of drifting FADs to maintain catch level targets has led to a substantial increase in catches of juvenile yellowfin tuna and bigeye tuna;

FURTHER 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;

RECOGNISING the special requirements of the developing States, particularly Small Island Developing States (SIDS), in accordance with Article 24(b) of the UNFSA;

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

FURTHER RECALLING that Article V(2)(b) IOTC Agreement gives full recognition to the special interests and needs of Members in the region that are developing States;

FURTHER CONSIDERING the issues raised at the 26th Session of the IOTC Scientific Committee held in India, 4 December - 8 December 2023, specifically that yellowfin tuna catches in 2021 and 2022 exceeded the levels required to

recover the stock by 2030 and that the level of catch reduction required to recover the stock to a not overfished state by 2030 may now be higher than previously estimated;

FURTHER CONSIDERING Table 3 of the Report of the 26th Session of the IOTC Scientific Committee which shows that, in order to bring about likely recovery of the stock by 2030, the Commission needs to reduce the catches of yellowfin tuna by 30% based on 2020 levels;

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

DEFINITIONS

1. For the purpose of this Resolution:
 - a) “CPCs” means Contracting Parties or Cooperating Non-Contracting Parties to the IOTC Agreement.
 - b) “Developed States” means States that are listed as Developed Economies in the most recent World Economic Situation and Prospects Report of the United Nations Department of Economic and Social Affairs (Statistical Annex, A).²
 - c) “Developing States” means States that are listed as Developing Economies in the most recent World Economic Situation and Prospects Report of the United Nations Department of Economic and Social Affairs (Statistical Annex, C).
 - d) “Least Developed Countries” or “LDCs” means States that are listed as Least Developed Countries in the most recent World Economic Situation and Prospects Report of the United Nations Department of Economic and Social Affairs (Statistical Annex, F).
 - e) “Small Island Developing States” or “SIDS” means States that are listed as Small Island Developing States in the most recent World Economic Situation and Prospects Report of the United Nations Department of Economic and Social Affairs (Statistical Annex, G).
 - f) “Regional Economic Integration Organization CPC” or “REIO CPC” means the regional economic integration organisation that is a Contracting Party to the IOTC Agreement at the time of the adoption of this Resolution.

APPLICATION

2. This Resolution shall apply to all CPCs within the IOTC area of competence.

CATCH LIMITS

3. From 1 January 2025, CPCs shall take all necessary measures to ensure that their yellowfin tuna catch does not exceed the following annual catch limits:
 - a) LDCs and SIDS that caught less than 2,000 MT in 2022: 2,000 MT.
 - b) The annual catch limits for LDCs for which no yellowfin tuna catch data is available for 2022 shall be as follows until catch data is available and approved by the IOTC Scientific Committee:
 - i. Somalia: 2,000 MT.
 - ii. Sudan: 0 MT.

² Current World Economic Situation and Prospects (2024): <https://www.un.org/development/desa/dpad/publication/world-economic-situation-and-prospects-2024/>

Once catch data for Somalia or Sudan is available and approved by the IOTC Scientific Committee, their respective annual catch limits shall be determined in accordance with subparagraphs a) and f).

- c) CPCs (excluding LDCs and SIDS) that caught between 1,000 MT and 2,000 MT in 2022: 2,000 MT.
- d) CPCs (excluding LDCs and SIDS) that caught between 500 MT and 1,000 MT in 2022: 1,000 MT.
- e) CPCs (excluding LDCs and SIDS) that caught less than 500 MT or did not report any catch in 2022: 500 MT.
- f) CPCs that do not fall into any of the above categories:
 - i. For LDCs or SIDS, the annual yellowfin tuna catch limit shall be 85% of the average of each CPC's yellowfin tuna catch between 2014-2016. Exceptionally, SIDS may choose to base their calculations on their catches in 2015, 2016 or 2022 instead of the 2014-2016 average. SIDS shall notify their decision to use this option to the Executive Secretary by 31 November 2024. The IOTC Executive Secretary shall notify all CPCs of these decisions.
 - ii. For Developing Coastal States, the annual yellowfin tuna catch limit shall be 75% of the average of each CPC's yellowfin tuna catch between 2014-2016. For Indonesia, re-estimated yellowfin tuna catch data based upon the general methodology agreed by the IOTC Working Party on Data Collection and Statistics (WPDCS19) and endorsed by the IOTC Scientific Committee (SC26) shall be used to establish the yellowfin tuna catch between 2014-2016. The final catch limit for Indonesia is therefore subject to change depending on the final catch data as endorsed by the IOTC Scientific Committee.
 - iii. For Developed Coastal States, the annual yellowfin tuna catch limit shall be 65% of the average of each CPC's yellowfin tuna catch between 2014-2016.
 - iv. For Developing Distant-water Fishing Nations, the annual yellowfin tuna catch limit shall be 65% of the average of each CPC's yellowfin tuna catch between 2014-2016.
 - v. For Developed Distant-water Fishing Nations and REIO CPCs, the annual yellowfin tuna catch limit shall be 50% of the average of each CPC's yellowfin tuna catch between 2014-2016.
- g) Notwithstanding subparagraphs a) to f), the following CPCs shall have the following annual yellowfin tuna catch limits for the years 2025-2027:

i. Australia: 2,000 MT.

ii. Bangladesh: 2,500 MT.

iii. Comoros: 5,279 MT.

iv. Indonesia: 35,000 MT.

v. Iran: 39,500 MT.

vi. Kenya: 4,154 MT.

vii. Madagascar: 3,000 MT.

viii. Malaysia: 1,000 MT.

ix. Mozambique: 3,000 MT.

x. Pakistan: 7,000 MT.

- ~~vi~~.x. South Africa: 2,000 MT.
- ~~vii~~.xi. Sri Lanka: 30,000 MT.
- xii. Tanzania: 4,500 MT.
- ~~viii~~.xiii. Thailand: 1,000 MT.
- ~~ix~~.xiv. Yemen: 13,500 MT.

OVER-CATCH

4. If over-catch of an annual catch limit for a given CPC under paragraph 3 occurs, catch limits for that CPC shall be reduced as follows:
 - a) 100% of the over-catch shall be deducted from the catch limits for the following two years.
 - b) If over-catch for a CPC has occurred in two or more consecutive years, 125% of the over-catch shall be deducted from the catch limits of the following two years.
5. CPCs that are subject to catch reductions due to over-catch shall inform the Commission, through their annual Implementation Report to the IOTC Compliance Committee, of the corrective actions they have taken to adhere to the prescribed catch limits.
6. The revised limits under paragraph 4 will apply in the following year and CPCs' compliance shall be assessed against the revised limits reported to the IOTC Compliance Committee.
7. The Secretariat shall review 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)* and the IOTC Scientific Committee shall analyse this data in order to identify possible inconsistencies. If the IOTC Scientific Committee identifies inconsistencies, it 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. The Secretariat shall use data for catch limit calculations that is based on the data reviewed, including possible estimates.

SUPPLY VESSELS

8. CPCs shall take all measures necessary to ensure that, by 1 July 2025, no supply or support vessels support purse seiners in the IOTC area of competence.
9. Flag CPCs shall report on their implementation of paragraph 8 in their annual Implementation Report.

QUOTA TRANSFERS

10. Contracting Parties (CPs) who wish to transfer, on a temporary basis, a portion or all of their allocation within a Quota Period (calendar year), shall notify the Commission in writing at least 60 days prior to the transfer occurring.
11. Prior to 30 September of each year, a CP may transfer to another CP all or part of its quota, without prejudice to any future agreements on the allocation of fishing opportunities, subject to the approval of the receiving CP.
12. Before the transfer takes place, the transferring CP shall notify details (receiving CP, species, tonnage, other conditions set) of the transfer to the IOTC Executive Secretary, for circulation to all CPCs within five (5) days by IOTC Circular and the website.

~~13.~~ Temporary transfers shall expire at the end of the calendar year in which the temporary transfer was made (i.e. at 23:59 hrs on 31 December)

ADMINISTRATION

- ~~10.~~14. The Secretariat shall annually prepare by 31 December, based on advice by the IOTC Scientific Committee, a table of allocated catch limits disaggregated as per the conditions set out in paragraph 3 for the following year.
- ~~11.~~15. For the purposes of the implementation of this Resolution, each CPC shall annually submit to the Executive Secretary, by 15 February, the list of vessels that have fished for yellowfin tuna in the IOTC area of competence during the preceding year.
- ~~12.~~16. The Secretariat shall annually report these lists of active vessels to the IOTC Compliance Committee and to the IOTC Scientific Committee in the form of aggregated statistics concerning fishing fleets capacity metrics.
- ~~13.~~17. 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 shall provide a summary of most-recent yellowfin catches for the consideration of the IOTC Compliance Committee.
- ~~14.~~18. Each year, the IOTC Compliance Committee shall evaluate the level of compliance of CPCs with the reporting obligations and the catch limits contained in this Resolution and shall make recommendations to the Commission accordingly.
- ~~15.~~19. The IOTC Scientific Committee, through its Working Party on Tropical Tunas, shall implement the “Workplan to improve current assessment of yellowfin tuna” and shall provide advice to the Commission on the financial and administrative measures required to further strengthen the work undertaken improve the yellowfin tuna stock assessment.
- ~~16.~~20. The IOTC Scientific Committee and its Working Parties shall prioritise the work on the yellowfin tuna Management Procedure and provide advice to the Technical Committee on Management Procedures in order to enable the Commission to adopt the yellowfin tuna Management Procedure at the earliest opportunity.
- ~~17.~~21. The IOTC Scientific Committee, through its Working Party on Tropical Tunas, shall undertake an evaluation of the effectiveness of the measures contained in this Resolution, taking into account all sources of fishing mortality, with the aim of rebuilding and maintaining biomass levels at the Commission’s target level.

FINAL PROVISIONS

- ~~18.~~22. This Resolution shall enter into force on 1 January 2025.
- ~~19.~~23. The measures contained within this Resolution shall be considered interim measures and will be reviewed by the Commission no later than at its annual Session in 2027.
- ~~20.~~24. Notwithstanding paragraph 23, the Commission shall review this Resolution when a formal Management Procedure for the management of the yellowfin tuna stock is adopted by the Commission and has entered into force.
- ~~21.~~25. This Resolution is without prejudice to the future allocation of fishing opportunities.
- ~~22.~~26. This Resolution supersedes Resolution 21/01 *on an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence*.