

Explanatory Memorandum

Background

In the recent decade, IOTC has made tremendous efforts in introducing and implementing a series of catch restriction measures for bigeye tuna and yellowfin tuna, since sound conservation and management for the IOTC's flagship tuna stocks is the primary responsibility and interest of the Commission. For example, the management measure of bigeye tuna was strengthened when the Commission adopted the catch limits for the major harvesters in 2023 (Res. 23/04) based on the MP adopted in 2022 (Res. 22/03). As for yellowfin tuna, the first mandatory catch control was adopted in 2016 (Res. 16/01), then improved multiple times, and the latest measure was agreed in 2021 (Res. 21/01).

In spite of those efforts by IOTC, it is unclear whether these measures have been effective enough for the recovery of the depleted stocks. According to the bigeye tuna stock assessment conducted in 2022, the fishing mortality (F) is 43% higher than the level that produces MSY (F_{MSY}). The spawning biomass has been on a constant decline. The latest figure of the total catch (106 thousand tons in 2023) is much larger than the TAC for 2024-2025 (80, 583 tons), as well as the newly recommended TAC for 2026-2028 (92,670 tons). As for yellowfin tuna, although the latest stock assessment indicated that the stock is in the green zone of the Kobe plot, strong concerns were expressed on the assessment performance. Given the uncertainties in the stock assessment, the Scientific Committee (SC) agreed to recommend the TAC on a provisional basis for one-year use and to provide clear advice to the 2026 Commission meeting on the need to update the stock assessment. The previous yellowfin tuna stock assessment suggested that F in 2020 was 32% higher than the F_{MSY} , and the spawning biomass showed a constant declining trend. Besides, Res. 21/01 on the catch reduction does not capture all CPCs and has not been implemented fully, leading the total actual catch to remaining historically high. Further, for both bigeye tuna and yellowfin tuna, the quality of catch data is in question, as we have observed significant changes in the catch data from time to time. All of these factors seriously degrade our confidence with the conservation status for the tropical tunas.

In parallel with the implementation of the catch restriction measures, IOTC has been working to establish the allocation criteria for the past 13 years through discussions at Technical Committee on Allocation Criteria (TCAC). However, the discussions in the past have been back and forth, and it is highly uncertain whether an agreement can be reached in the near future. We consider that the lack of the allocation criteria has resulted in creating caveats and uncertainties in the adoption and implementation of catch restriction measures.

In our view, certain part of such concerns and difficulties surrounding the conservation of the tropical tunas, including the allocation criteria stems from the excessive fishing capacity existing in this region. Reduction of fishing capacity will contribute to promoting the cooperation for sound conservation and management of the tropical tuna stocks as a supplemental measure. In this context, it is essential for IOTC to reconsider a direction to control the fishing capacity for bigeye tuna and yellowfin tuna with a view to preventing the stocks from further declining, while respecting interests and rights of developing coastal CPCs.

Proposal

This proposed Recommendation seeks CPCs' commitment to controlling the total fishing capacity/effort in the region with the aim of paving the way to achieving sound conservation and management of the tropical tunas. In this regard, while giving due considerations to interests, rights and obligations of developing coastal CPCs, especially those of SIDS/LDC, the proposed Recommendation suggests the reduction in the number of vessels that are 24 m overall length and over, and under 24 meters if they fish outside their EEZ, fishing for bigeye tuna and yellowfin tuna in the IOTC Area, with the target of a 30% reduction from the recent years. The recommendation solicits collaborative efforts among CPCs that are ready to do so, as a temporary step until the allocation criteria is agreed upon.

(REV1) Revised texts are highlighted in yellow shown in track change.

Revised texts are highlighted in green

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DRAFT RECOMMENDATION 25/XX ON THE LIMITATION OF FISHING CAPACITY

The Indian Ocean Tuna Commission (IOTC),

NOTING that the IOTC has introduced and progressively strengthened measures to directly restrict catches of major tuna species, in particular, through Resolution 16/01 *on an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence* and its superseders (Resolution 17/01, Resolution 18/01, Resolution 19/01 and Resolution 21/01), and Resolution 05/01 *on Conservation and Management Measures for Bigeye Tuna* and its superseder (Resolution 23/04);

ACKNOWLEDGING that, although catch limits have recently been introduced for both yellowfin tuna and bigeye tuna stocks, their total catches have regularly exceeded sustainable levels in the past;

RECOGNISING that the stock assessment for bigeye tuna conducted in 2022 indicated that the fishing mortality on the stock was 43% above the level that would produce Maximum Sustainable Yield (MSY);

ALSO RECOGNISING that, although the stock assessment for yellowfin tuna in 2024 showed the stock back into the green zone of Kobe plot, strong concerns were expressed during the Scientific Committee regarding the results, including the sudden shift of the stock status;

NOTING that the previous stock assessment for yellowfin tuna in 2021 estimated fishing mortality at 32% above the level that would produce MSY;

RECALLING Resolution 03/01 *on the limitation of Fishing Capacity of Contracting Parties and Cooperating Non-Contracting Parties* adopted at the 2003 meeting as well as Resolution 06/05 09/02 *on the Implementation of a Limitation of Fishing Capacity of Contracting Parties and Cooperating Non-Contracting Parties* [both superseded by Resolution 12/11, then Resolution 15/11];

RECOGNIZING that reducing fishing capacity in the IOTC area of competence, as a supplemental measure of catch limits, will promote stock conservation;

CONSIDERING that the excess fishing capacity should be avoided to ensure the catch is kept within the appropriate catch limit;

RECOMMENDS, in accordance with Article IX, paragraph 8 of the IOTC Agreement, that:

1. Contracting Parties and Cooperating Non-Contracting Parties (CPCs) are committed to **limiting** the total fishing capacity in the region to achieve sustainable catch levels of tropical tunas in the Indian Ocean. **In this regard Except for those CPCs that have already reduced their capacity over the past years, CPCs are recommended to reduce committed to reducing** the number of their vessels of 24 m overall length and over, and under 24 meters if they fish outside their EEZ, fishing for tropical tunas in the IOTC Area, **with a target of by, to the extent possible, reducing** by 30% from the number of their vessels that were active **in the historical trend of the IOTC in recent years**.
2. In relation to paragraph 1, **the consideration will be given to** the interests of the **developing** coastal States, in particular **developing coastal States, including** small island Developing States and **Territories and Least Developed Countries** within the IOTC area of competence whose economies depend largely on fisheries, **should take precedence** and **the consideration will be given** to their rights and obligations in accordance with paragraph 3 and 4 of IOTC Resolution 03/01 *On the limitation of Fishing Capacity of Contracting Parties and Cooperating Non-Contracting Parties*. **This consideration will also be given to CPCs that have already contributed the effort to recover the tropical tuna resources by reducing their fishing capacity**.
3. This recommendation will be applicable until **when** the Commission adopts a measure concerning allocation criteria. The provisions of this Recommendation will not prejudice future discussions on quota allocation for

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tuna and tuna-like species, taking into account, *inter alia*, legitimate aspirations of the developing Coastal States, in particular developing coastal States, including small island Developing States and Least Developed Countries to develop their fishing capacity.