



ON THE PROHIBITION TO USE ~~LARGE-SCALE DRIFTNETS IN THE IOTC AREA~~

SUBMITTED BY: EUROPEAN UNION

Explanatory Memorandum

This proposal aims to prevent some of the ecological impacts of driftnet and gillnet fisheries in the Indian Ocean. The extension of the driftnet ban from large-scale driftnets to all driftnets in the high seas aligns with existing concerns about their indiscriminate bycatch of non-target species, including marine mammals and sea turtles. This measure enhances consistency with international commitments, such as the UNGA Resolution 46/215, and addresses ongoing recommendations from the IOTC Scientific Committee.

Additionally, the requirement to set gillnets at least 2 meters below the surface, already included in Resolution 21/01 and binding on most IOTC fisheries, is now incorporated into this resolution. This provision reflects best practices for bycatch mitigation and reinforces existing conservation efforts.

Lastly, the text of the Resolution 17/07 is streamlined to take into account the entry into effect of all applicable provisions.

RESOLUTION ~~1726XX/07-XX~~
ON THE PROHIBITION TO USE ~~LARGE-SCALE DRIFTNETS IN THE IOTC AREA~~

Keywords: large-scale driftnets, gillnets, EEZ, cetaceans, marine mammals

The Indian Ocean Tuna Commission (IOTC),

RECALLING that the United Nations General Assembly (UNGA) Resolution 46/215 calls for a global moratorium on large-scale high seas driftnet fishing and that IOTC Resolution ~~17/07 12/12~~ ~~[superseded by Resolution 17/07]~~ prohibits the use of large-scale driftnets ~~in the entire on the high seas in the IOTC area;~~ and also that both texts recognize the negative impact of such fishing gears;

NOTING that a high number of vessels are engaged in large scale driftnet fishing in the Exclusive Economic Zones (EEZ) and offshore waters;

MINDFUL that large scale driftnet fisheries have a major impact in the ecosystems, the capacity to catch species of concern to the IOTC, and also that they are likely to undermine the effectiveness of IOTC Conservation and Management Measures;

TAKING INTO ACCOUNT the available scientific information and advice, in particular the IOTC Scientific Committee conclusions establishing that billfishes and Spanish mackerels are have been overexploited for years and that the IOTC has not adopted measures for the management of these species;

NOTING that large scale driftnets are regularly being used with lengths in excess of 4,000 m (and up to 7,000 m) within the EEZs and that those used within the EEZ may sometimes drift onto the high seas in contravention of Resolution ~~12/12~~ ~~[superseded by Resolution 17/07]~~;

Furthermore, NOTING that the Scientific Committee reiterated its previous recommendation that the Commission should consider whether a ban on large scale driftnets should also apply within the EEZs given the negative ecological impacts of large scale driftnets in areas frequented by marine mammals and turtles;

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

1. This Resolution applies to vessels registered on the IOTC Record of Authorised vessels that use driftnets for the purpose of targeting tuna and tuna-like species in the IOTC Area of competence, ~~except for Paragraph 6 which applies to all vessels in the IOTC area of competence.~~
2. The use of large-scale driftnets¹⁺ ~~on the high seas within the IOTC area of competence shall be prohibited. The use of large-scale driftnets in the entire IOTC area of competence shall be prohibited by 1 January 2022.~~
3. ~~Each Contracting Party and Cooperating Non-Contracting party (hereinafter referred to as CPCs) shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets while on the high seas in the IOTC area of competence. They shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets in the entire IOTC area of competence by 1 January 2022.~~

4.3. _____

¹“Driftnets” are defined as gillnets or other nets or a combination of nets whose purpose is to enmesh, entrap, or entangle fish by drifting on the surface of, or in, the water column. “Large-scale driftnets” are defined as driftnets that are more than 2.5 kilometres in length.

4. A CPC-flagged fishing vessel will be presumed to have used large-scale driftnets in the IOTC area of competence if it is found operating in the IOTC area of competence and is configured² to use largescale driftnets.
5. The use of driftnets on the high seas within the IOTC area of competence shall be prohibited.
- 4.6. CPCs shall set their gillnets at 2m depth from the surface in gillnet fisheries to mitigate ecological impacts of gillnets.
5. ~~For the purposes of monitoring the implementation of this Resolution, CPCs must notify the Secretariat of any CPC flagged vessel using large scale driftnets in their EEZs before the 31st of December 2020.~~
7. CPCs shall include in their Annual Reports of implementation a summary of monitoring, control, and surveillance actions related to ~~large-scale~~ driftnet fishing in the IOTC area of competence.
8. CPCs are encouraged to report the number of driftnet fishing vessels, including vessels operating in their EEZ and not covered by this Resolution.
- 6.9. CPCs are encouraged to report any decommissioning of driftnet vessel or any reconditioning of driftnet to use another gear. The Commission is encouraged to consider this effort in future deliberations, including when discussing catch limits.
- 7.10. The Commission shall periodically assess whether additional measures should be adopted and implemented to ensure that large-scale driftnets are not used in the IOTC area of competence and to take into account the latest advice of the Scientific Committee. ~~The first such assessment shall take place in 2023.~~
- 8.11. Nothing in this measure shall prevent CPCs from applying more stringent measures to regulate the use of ~~large-scale~~ driftnets.
- 9.12. This Resolution supersedes Resolution ~~12/12 to prohibit the use of large-scale driftnets on the high seas in the IOTC area~~ 17/07 on the prohibition to use large-scale driftnets in the IOTC area.

²"Configured" to use large-scale drift-nets meaning having on board assembled gear that collectively would allow the vessel to deploy and retrieve large-scale driftnets.