

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

Submitted by Mauritius

Explanatory Memorandum

The proposed Resolution revokes the following Resolutions:

- Resolution 25/03 *On establishing catch limits for skipjack tuna in the IOTC area of competence*

~~RESOLUTION 25/03~~

RESOLUTION 26/XX

**ON ESTABLISHING CATCH LIMITS FOR SKIPJACK TUNA IN THE IOTC AREA
OF COMPETENCE**

[Presented by Mauritius]

Keywords: skipjack tuna, catch limits, total allowable catch, management procedure

The Indian Ocean Tuna Commission (IOTC),

~~RECALLING the responsibility of IOTC for the conservation and optimum utilisation of the species listed in Annex B of the IOTC Agreement, including skipjack tuna, in the IOTC area of competence;~~

RECALLING the responsibility of IOTC for the conservation and optimum utilization of the species listed in Annex B of the IOTC Agreement, including skipjack tuna, in the IOTC area of competence;

MINDFUL of Article XVI of the IOTC Agreement and Article 56 of the United Nations Convention on the Law of the Sea (UNCLOS) regarding the sovereign rights of coastal States in their Exclusive Economic Zones;

BEARING IN MIND Article 25 1(b) of the UN Fish Stocks Agreement, which calls states to cooperate through regional organizations to assist developing States, in particular small island developing States, to enable them to participate in high seas fisheries for such stocks, including facilitating access to such fisheries. RECOGNISING the special needs of Small Island Developing states highly depending on fisheries, especially those with processing industries whose supply depend on domestic catches;

MINDFUL of Articles 87 and 116 to 119 of UNCLOS regarding the right to fish on the high seas;

COGNISANT of Article 64 of UNCLOS and the provisions 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) concerning the obligation to cooperate in the conservation and management of highly migratory fish stocks, such as tuna;

~~RECOGNISING the special requirements of developing States, particularly Small Island Developing States, recognised in Article 24 of the UNFSA;~~

RECOGNISING the special requirements of developing States, particularly Small Island Developing States, recognized in Article 24 of the UNFSA;

RECALLING Resolution 24/07 on a management procedure for skipjack in the IOTC area of competence, which introduced a Management Procedure for skipjack tuna for the first time in the IOTC;

~~NOTING that Resolution 24/07 mandates the Commission to adopt a total allowable catch (TAC) for the period 2024—2026 as recommended by the IOTC Scientific Committee and thereafter based on the outcome of the Management Procedure, unless the IOTC Scientific Committee identifies exceptional circumstances that require consideration of alternate management actions to be taken by the Commission;~~

RECOGNISING that the IOTC Scientific Committee, at its annual Session in 2023, recommended an annual TAC of 628,606 t of skipjack tuna for the period 2024–2026;

~~CONCERNED that the current catch levels exceed the TAC recommended by the IOTC Scientific Committee in 2023 and that there is an urgent need to constrain catch levels below the recommended TAC;~~

~~MINDFUL that the IOTC Scientific Committee noted in 2024 that climate model predictions suggest that the positive productivity phase will end by the start of 2024 resulting in a period of lower productivity;~~

~~RECALLING the advice of the IOTC Scientific Committee in 2024 that as “the environmental conditions are predicted to enter a less favourable period, it is important that the Commission ensures that catches of skipjack tuna during this period do~~

~~not exceed the agreed limit, as occurred in recent years”;~~

NOTING that paragraph 6 of IOTC Resolution 25/03, On establishing catch limits for skipjack tuna in the IOTC area of competence, request that CPC subject to catch limits of skipjack tuna shall progressively reduce their current catches to the limits specified in paragraph 5 by 2028, with a reduction of one-third (1/3) of the total required reduction in the first year, two-thirds (2/3) in the second year, and the full reduction achieved in the third year.

RECOGNISING the need for the IOTC Scientific Committee to confirm the climate model predictions conducted in 2024, which suggest that the positive productivity phase will end by the start of 2024 resulting in a period of lower productivity;

RECALLING paragraph 16 of IOTC Resolution 25/03, which states that, taking into account the healthy status of the skipjack tuna stock, the Scientific Committee should at its 28th Session reassess the management procedure selected for the purpose of defining a TAC for skipjack tuna, to ascertain whether it might be overly conservative, and propose, if appropriate the relevant adjustment to the Management Procedure. NOTING that, at its 28th Session, the Scientific Committee did not provide advice regarding this question, as it was not covered by the 16th Working Party on Methods;

NOTING that the Commission has endorsed the plan from the IOTC Scientific Committee to assess the stock of skipjack tuna in 2026;

ACKNOWLEDGING that the assessment of skipjack tuna in 2026 may assist the IOTC Scientific Committee to evaluate if the stock did enter a phase of low productivity in 2024, as predicted by the climate models, and respond in full to the Commission's request, as set in paragraph 16 of IOTC Resolution 25/03. RECOGNISING the need to suspend implementation of the management procedure of skipjack tuna until such review takes place, to avoid setting an unnecessary burden over IOTC fisheries highly dependent on skipjack tuna;

RECOGNISING the recommendation by the IOTC Scientific Committee in 2023 that the Commission ensure effective implementation of the TAC for skipjack tuna;

~~RECALLING that Resolution 24/07 stipulates that the Commission will develop a mechanism to constrain catch to the Management Procedure derived TAC for skipjack tuna no later than 2026;~~

RECALLING that Resolution 24/07 stipulates that the Commission will develop a mechanism to constrain catch to the Management Procedure derived TAC for skipjack tuna no later than 2026;

NOTING that the three stocks of tropical tunas are subject to catch limits, which, considering the multi-species nature of fisheries, limits the probability that catches exceed the agreed TAC for any of such stocks in the future;

NOTING the little progress achieved by the IOTC Technical Committee on Allocation Criteria over the years; CONCERNED that the lack of agreement on allocation keys has led the Commission to adopt interim catch limits for the three stocks of tropical tunas, which hamper the aspirations of some IOTC developing states, in particular least developed countries and small island developing states in the IOTC Area of competence, to further develop their fisheries for IOTC species.

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

Application

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

Total Allowable Catch

~~2. The total allowable catch (TAC) shall be 628,606 t for the first management period in 2025 and 2026.~~

~~3. The TAC for the following management periods will be adopted by the Commission in accordance with the Management Procedure in Resolution 24/07 On a management procedure for skipjack tuna in the IOTC area of competence.~~

2. The total allowable catch (TAC) shall be 628,606 t for the management period in 2027, 2028 and 2029.
3. The TAC for the 2030-2032 and following management periods will be adopted by the Commission in accordance with the Management Procedure in Resolution 24/07 On a management procedure for skipjack tuna in the IOTC area of competence, where applicable.

Catch Limits for Skipjack Tuna

~~4. CPCs are categorised into two categories based on their average catch levels of the years 2021 to 2023. Category A includes those CPCs listed in the table in paragraph 5 and Category B includes those CPCs not listed in the table.~~

4. Unless otherwise specified, CPCs are categorized into two categories based on their average catch levels of the years 2021 to 2023. Category A includes those CPCs listed in the table in paragraph 5 and Category B includes those CPCs not listed in the table.

5. In the case that recent catch levels have been greater than 15,000 tons, SIDS in Category A whose catch limit is lower than 15,000 tons and have three or less registered purse seiners shall limit their skipjack tuna catch in 2027 as per the highest level of yearly catch recorded over the period 2023-2025, with such catch limit reduced in 2028 by 3%, in line with the reduction applicable to the reference catches of other SIDS in Category A.
6. ~~5-~~Category A CPCs shall apply the following catch limits:

CPC	AnnualCatchLimit
Indonesia	138,000t
Seychelles	76,725t
Maldives	121,000t
EU	125,000t
SriLanka	38,000t
Iran	68,000t
India	25,000t
Mauritius ¹	13,908t
Korea	10,000t
Total	615,633t

~~6. Category A CPCs shall progressively reduce their current catches to the limits specified in paragraph 5 by 2028, with a reduction of one third (1/3) of the total required reduction in the first year, two thirds (2/3) in the second year, and the full reduction achieved in the third year.~~

~~1. Mauritius shall apply the catch limit under this Resolution as of 1 January 2028 unless they inform the Commission, by 1 January 2026, of their intent to apply paragraph 6 of this Resolution.~~

~~7. If the Management Procedure results in a reduction or an increase of the TAC, adjustments shall be applied to the catch limits of Category A CPCs in the table in paragraph 5, in proportion to the change in TAC. The Executive Secretary shall submit information on the recent catches of Category B CPCs for consideration by the Commission of possible follow up measures.~~

~~8. If the catch of a Category B CPC exceeds 10,000 t in two consecutive years, that CPC shall be listed as a Category A CPC in the table in paragraph 5 and receive a catch limit equal to the Category A CPC with the lowest catch limit, unless otherwise decided by the Commission at the end of each management period.~~

<u>CPC / Catch Limit</u>	<u>2027 (tons)</u>	<u>2028 (tons)</u>	<u>2029 (tons)</u>
<u>Indonesia</u>	<u>139,693</u>	<u>138,000</u>	<u>138,000</u>
<u>Seychelles</u>	<u>77,754</u>	<u>76,725</u>	<u>76,725</u>
<u>Maldives</u>	<u>122,252</u>	<u>121,000</u>	<u>121,000</u>
<u>EU</u>	<u>127,062</u>	<u>125,000</u>	<u>125,000</u>
<u>Sri Lanka</u>	<u>38,000</u>	<u>38,000</u>	<u>38,000</u>
<u>Iran</u>	<u>69,710</u>	<u>68,000</u>	<u>68,000</u>

<u>India</u>	<u>25,769</u>	<u>25,000</u>	<u>25,000</u>
<u>Mauritius</u>	<u>19,009</u>	<u>18,815</u>	<u>18,815</u>
<u>Total</u>	<u>619,249</u>	<u>610,540</u>	<u>610,540</u>

7. Category A CPCs shall progressively reduce their current catches to the limits specified in paragraph 5 by 2028, as per the schedule specified in paragraph 4.
8. The Executive Secretary shall submit information on the recent catches of Category B CPCs for consideration by the Commission of possible follow-up measures.
9. If the catch of a Category B CPC exceeds 15,000 t in three consecutive years, that CPC shall be listed as a Category A CPC in the table in paragraph 5 and receive a catch limit no greater than the lowest catch limit assigned to a CPC of Category A, unless otherwise decided by the Commission at the end of each management period.
10. ~~9-~~ This Resolution shall not prejudice the rights and obligations under international law of those coastal CPCs in the IOTC area of competence whose current fishing activity relating to skipjack tuna is limited or non-existent, but that have a real interest in fishing for this species, and that may wish to develop their own fisheries targeting skipjack tuna in the future. CPCs shall implement robust monitoring, control and surveillance measures, as applicable, in relation to their capacity and resources.

Overage of Catch

11. ~~10-~~ If any Category A CPC exceeds its catch limit, 100% of the overage of the catch limit shall be deducted from the respective CPC's catch limit during or before the adjustment year as indicated in the following table:

Catchyear	Adjustmentyear
2026	2028
2027	2029
2028	2030
2029	2031
...	...

<u>Catch year</u>	<u>Adjustment year</u>
<u>2026</u>	<u>2028</u>
<u>2027</u>	<u>2029</u>
<u>2028</u>	<u>2030</u>
<u>2029</u>	<u>2031</u>

12. ~~11-~~ Notwithstanding paragraph 10, if any Category A CPC exceeds its catch limit for two consecutive years, this CPC's catch limit for the corresponding adjustment year shall be reduced by 125% of the excess catch, and the Commission may recommend additional measures, as appropriate.

Underage of Catch

13. ~~12.~~ Up to 10% of an underage of a CPC's catch limit under may be carried over to the corresponding adjustment year determined in accordance with the table in paragraph 10.

Administration of Catch Limits by the IOTC Secretariat

~~13. The IOTC Secretariat shall annually prepare and circulate, by 31 December, a table of allocated catch limits disaggregated in accordance with the requirements set out in paragraphs 5 to 12 (including catch limits, adjustments, transfers, overage and underage of catch) for the following year.~~

14. The IOTC Secretariat shall annually prepare and circulate, by 31 December, a table of allocated catch limits disaggregated in accordance with the requirements set out in paragraphs 6 to 12 (including catch limits, adjustments, transfers, overage and underage of catch) for the following year.

Chartering Agreements and Export of Fishing Vessels

15. ~~14.~~ Category A CPCs shall not conclude, extend or renew chartering agreements, be it as chartering or flag CPCs, with Contracting Parties that object to this Resolution.
16. ~~15.~~ To the extent possible, CPCs should prevent their flag fishing vessels from being re-flagged to Contracting Parties that object to this Resolution in accordance with Article IX, paragraph 5 of the IOTC Agreement.

Scientific Work

~~16. Taking into account the healthy status of the skipjack tuna stock, the Scientific Committee should at its 28th Session reassess the management procedure selected for the purpose of defining a TAC for skipjack tuna, to ascertain whether it might be overly conservative, and propose, if appropriate the relevant adjustment to the Management Procedure.~~

~~17. The IOTC Scientific Committee shall provide advice to the Commission on the potential impacts of carrying forward the underage of catch limits under paragraph 10 on the effectiveness of the Management Procedure.~~

17. Considering the healthy status of the skipjack tuna stock, the Scientific Committee should, no later than at its 30th Session reassess the management procedure selected for the purpose of defining a TAC for skipjack tuna, to ascertain whether it might be overly conservative, and propose, if appropriate, adjustment to the Management Procedure.
18. The IOTC Scientific Committee shall provide advice to the Commission on the potential impact of carrying forward the underage of catch limits under paragraph 10 on the effectiveness of the Management Procedure.

Final Provisions

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

~~19. In case one or more Contracting Parties object to this Resolution pursuant to Article IX, paragraph 5 of the IOTC Agreement, and if the sum of catches of the objecting Contracting Parties is equal to or above 10% of the TAC, this Resolution shall be applicable only in 2026, and the Commission shall review this Resolution at its annual Session in 2026.~~

~~20. The Commission shall review the performance of this Resolution and, if required, shall consider revising it prior to the second management period in 2029.~~

~~21. The Commission shall review this Resolution at its annual Session in 2029 if the Commission has not established an allocation regime by that time, and, as necessary, shall take into consideration the Management Procedure established by Resolution 24/07 On a management procedure for skipjack tuna in the IOTC area of competence.~~

20. In case one or more Contracting Parties object to this Resolution pursuant to Article IX, paragraph 5 of the IOTC Agreement, and if the sum of catches of the objecting Contracting Parties is equal to or above 10% of the TAC, this Resolution shall be applicable only in 2027, and the Commission shall review this Resolution at its annual Session in 2027.
21. The Commission shall review the performance of this Resolution and, if required, shall consider revising it prior to the next management period, in 2029.

22. The Commission shall review this Resolution at its annual Session in 2029 if the Commission has not established an allocation regime by that time.
23. The Commission agrees to suspend the provisions in paragraph 10 of Resolution 24/07, urging the Scientific Committee to provide advice on the need to adjust the MP of skipjack tuna.
24. This Resolution supersedes Resolution 25/03 On establishing catch limits for skipjack tuna in the IOTC area of competence.