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**ON A MULTI-ANNUAL CONSERVATION AND MANAGEMENT PLAN FOR TROPICAL TUNAS**

**(AND REPLACING RESOLUTION 21/01)**

SUBMITTED BY: EUROPEAN UNION

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**Explanatory Memorandum**

The proposal intends to address the situation of yellowfin, bigeye and skipjack tuna in the area of competence of the IOTC by proposing a common management plan for the three tropical tuna species. In particular:

**For yellowfin tuna (YFT)** the interim rebuilding plan, adopted with Resolution 21/01 and entered into force in 2022, did not achieve its conservation objectives. The objections to the rebuilding plan introduced by six CPCs, including some of the biggest YFT harvesters, are seriously limiting the effectiveness and fairness of the plan. In addition, the stock assessment carried out in 2021, and substantially confirmed in the peer review process - confirms that the stock is overfished and subject to overfishing and advised further catch reductions to which it was not possible to agree in 2022. The IOTC Scientific Committee estimated a median value of the Maximum Sustainable Yield (MSY) at 349,000 t (with a range between 286,000-412,000 t), while the 2017-2021 average catches (435,225 t) were significantly higher and above the limit set by Resolution 21/01 (405,000 t).

**For bigeye tuna**, the 2022 stock assessment concluded that the stock is overfished and subject to overfishing. The TAC recommended from the application of the Management Procedure specified in Resolution 22/03 is 80,583 t/year for the period 2024-2025, while the total catches in 2021 were 15% higher.

**For skipjack tuna**, the catch limit calculated applying the Harvest Control Rule specified in Resolution 16/02 is 513,572 t/year for the period 2021-2023, while the total catches in 2021 were 27% higher.

Against this background, the proposal aims at bringing the level of catches in line with the scientific advice. Catch limits are defined stock by stock and applied over a period of three years to allow the fleets to adapt. Taking into consideration the different situation of the three stocks and the previously implemented conservation and management measures, the proposed approach slightly differs between stocks. The overarching principles are nonetheless identical and based on a proportional catch reduction taking into account both the current level of catches of each CPC and development status.

The resolution takes into account also the legitimate request of developing coastal states to develop their fishery, foreseeing the possibility for these countries to increase their catch limits after the submission and the endorsement of a specific fishing development plan.

In addition, in order to avoid that objections could undermine the objectives of this resolution, its entry into force is conditional to the absence of objections corresponding to more than 20% of the level of catches on any of the three tropical tuna.

**RESOLUTION 23/XX****ON A MULTI-ANNUAL CONSERVATION AND MANAGEMENT PLAN FOR TROPICAL TUNAS****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 as qualified by relevant environmental and economic factors including the special requirements of developing States in the IOTC area of competence;

NOTING that the latest Scientific Committee (SC25) advice indicates that the yellowfin stock and bigeye tuna stock are overfished and subject to overfishing, and that the stock of skipjack tuna is not overfished and is not subject to overfishing;

BEING MINDFUL of Article XVI of the IOTC Agreement regarding the rights of Coastal States and of Article 87 and 116 of the UN Convention of the Law of the Sea regarding the right to fish on the high seas;

RECOGNISING the special requirements of the developing States, particularly Small Island developing States in Article 24(b), of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA);

RECALLING that Article 5, of UNFSA entitles the conservation and management of highly migratory fish stocks are based on best scientific evidence available and with special reference to IOTC Resolution 15/10 for a stock where the assessed status places it within the red quadrant, and with an aim to end overfishing with a high probability and to rebuild the biomass of the stock in as short time as possible;

CONSIDERING the recommendations adopted by the KOBE II, held in San Sebastian, Spain, June 23 – July 3 2009; implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis and such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States;

FURTHER CONSIDERING the call by the United Nations General Assembly Resolution 70/75 upon the States to increase the reliance on scientific advice in developing, adopting and implementing conservation and management measures and to take into account the special requirements of developing States, including Small Island Developing States (SIDS) as highlighted in the SIDS Accelerated Modalities of Action (SAMOA) Pathway;

NOTING THAT Article V.2b of the Agreement for the Establishment of the Indian Ocean Tuna Commission give full recognition to the special interests and needs of Members in the region that are developing countries, in relation to the conservation and management and optimum utilization of stocks covered by this Agreement and encouraging development of fisheries based on such stocks;

RECOGNIZING the technical interactions that occur between the fisheries harvesting yellowfin, skipjack and bigeye tuna;

TAKING INTO ACCOUNT as a basis the management advice provided for the three tuna stocks by the 25<sup>th</sup> session of the Scientific Committee and STRESSING IN PARTICULAR that (a) for yellowfin tuna the Maximum Sustainable Yield (MSY) median estimate is 349,000 t with a range between 286,000-412,000 t and that the 2017-2021 average catches (435,225 t) were above the estimated MSY level; (b) for bigeye the TAC recommended from the application of the MP specified in Resolution 22/03 is 80,583t / year for the

period 2024-2025 which is 15% below the 2021 catch; (c) for skipjack the catch limit calculated applying the Harvesting Control Rule (HCR) specified in Resolution 21/03 is 513,572 t for the period 2021-2023 and the total catches in 2021 were 27% higher;

RECOGNIZING the need to implement the above-referred limits in a way that allows the CPCs to gradually adapt in a period of time short enough to ensure the effectiveness of the measure on the stock status;

RECALLING the adoption of Resolution 15/10 on Target and Limit Reference Points and a decision framework, of Resolution 21/03 on harvest control rules for skipjack tuna in the IOTC area of competence, and of Resolution 22/03 on a Management Procedure for bigeye tuna in the IOTC area of competence.

TAKING INTO ACCOUNT the ongoing scientific peer review of the yellowfin tuna stock assessment with a view to address identified additional sources of uncertainties and improve the assessment scheduled for 2024

RECOGNIZING the importance that the improvement of the yellowfin tuna assessment is necessary for the development of the multi-stocks management strategy evaluation with a view of supporting the development of integrated candidate management procedures for the ensemble of the tropical tuna fisheries

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

## **SECTION 1 - General Provisions**

### **Scope**

1. This resolution shall apply to all CPCs within the IOTC area of competence.
2. This resolution will be effective from 1<sup>st</sup> January 2024.
3. Nothing in this resolution shall pre-empt or prejudice future allocation of fishing opportunities.

### **Objectives**

4. The overall objective is to establish an integrated fisheries management framework able to curb and maintain the fishing mortalities at sustainable levels, in order to recover and/or maintain the IOTC tropical tuna (yellowfin tuna, bigeye tuna and skipjack tuna) population at levels not less than those capable of producing maximum sustainable yield (MSY) with a probability equal to or greater than 60% by 2034-2038 at latest.

## **SECTION 2 - Catch limits**

5. To achieve the objectives identified in the paragraph 4 the following catch limits are established.

### **Catch limits for yellowfin tuna**

6. CPCs whose reported catches of yellowfin tuna for 2014 were equal or above 5.000 t shall reduce their catches of yellowfin tuna compared to their 2014 level by 24% in 2024, 27% in 2025 and 30% from 2026, except:
  - a. If those CPCs are Developing Coastal States, they shall reduce their catches of yellowfin tuna compared to their 2014 level by 15% in 2024, 18% in 2025 and 22% from 2026;

- b. If those CPCs are Small Island Developing States or Least Developed States, they shall reduce their catches of yellowfin tuna compared to their 2014 level by 13% in 2024, 16% in 2025 and 20% from 2026.
7. CPCs whose reported catches of yellowfin tuna for 2014 were below 5.000 t and their average catches of yellowfin tuna for the period from 2017 to 2019 inclusive were equal or above 5.000 t shall reduce their catches of yellowfin tuna compared to their average level of 2017 – 2019 by 24% in 2024, 27% in 2025 and 30% from 2026, except:
  - a. If those CPCs are Developing Coastal States, they shall reduce their catches of yellowfin tuna compared to their average level of 2017 – 2019 by 15% in 2024, 18% in 2025 and 22% from 2026;
  - b. If those CPCs are Small Island Developing States or Least Developed States, they shall reduce their catches of yellowfin tuna compared to their average level of 2017 – 2019 or their 2018 level, whichever is higher, by 13% in 2024, 16% in 2025 and 20% from 2026.
8. CPCs whose reported catches of yellowfin tuna for 2014 were below 5.000 t and average catches of yellowfin tuna for the period from 2017 to 2019 inclusive were between a value equal or above 2.000 t and a value below 5.000 t, shall reduce their catches of yellowfin tuna from their maximum reported yellowfin tuna catches between 2017 to 2019 by 5% in 2024, 10% in 2025 and 15% from 2026 except:
  - a. If those CPCs are Developing Coastal States, they shall not exceed their maximum reported yellowfin tuna catches between 2017 and 2019.
9. CPCs whose reported catches of yellowfin tuna for 2014 were below 5000 t and their average catches of yellowfin tuna for the period from 2017 to 2019 inclusive were below 2000 t, shall not exceed their maximum reported yellowfin tuna catches between 2017 and 2019.
10. In applying the catch limits in paragraph 6-9, Small Island Developing State CPCs and Least Developed State CPCs can either choose between catches of yellowfin tuna reported for either 2014, or 2015 or their average catches for the period from 2017 to 2019.
11. CPCs which are Developing Coastal States and applying paragraph 8a and 9 shall be allowed to increase their yellowfin tuna catches to 4.000 t after the adoption of a fishing development plan.

### **Catch limits for bigeye tuna**

12. CPCs whose level of catches in 2021 was equal or above 4.000 t will reduce their catches by 6% in 2024, by 12% in 2025 and by 18% from 2026 as compared to 2021.
13. SIDs and LDS whose level of catches in 2021 was equal or above 4.000 t will reduce their catches by 5% in 2024, by 10% in 2025 and by 15% from 2026 as compared to 2021.
14. CPCs whose level of catches in 2021 was between a value equal or above 1.500 t and a value below 4.000 t will reduce their catches by 4% in 2024, by 8% in 2025 and by 12% from 2026 as compared to 2021.
15. SIDs and LDS whose level of catches in 2021 was between a value equal or above 1.500 t and a value below 4.000 t will reduce their catches by 3% in 2024, by 7% in 2025 and by 10% from 2026 as compared to 2021.
16. CPCs whose level of catches in 2021 was below 1.500 t will not increase their catches as compared to 2021.
17. CPCs who are Developing Coastal States and applying paragraph 16 shall be allowed to increase their bigeye tuna catches to 4.000 t after the adoption of a fishing development plan.

### Catch limits for skipjack tuna

18. CPCs whose level of catches in 2021 was equal or above 25.000 t will reduce their catches by 7% in 2024, by 14% in 2025 and by 24% from 2026 as compared to 2021.
19. SIDs and LDS whose level of catches in 2021 was equal or above 25.000 t will reduce their catches by 6% in 2024, by 12% in 2025 and by 19% from 2026 as compared to 2021.
20. CPCs whose level of catches in 2021 was between a value equal or above 10.000 t and a value below 25.000 t will reduce their catches by 6% in 2024, by 12% in 2025 and by 19% from 2026 as compared to 2021.
21. SIDs and LDS whose level of catches in 2021 was between a value equal or above 10.000 t and a value below 25.000 t will reduce their catches by 5% in 2024, by 10% in 2025 and by 15% from 2026 as compared to 2021.
22. CPCs whose level of catches in 2021 was below 10.000 t will not increase their catches as compared to 2021.
23. CPCs who are Developing Coastal States and applying paragraph 22 shall be allowed to increase their skipjack tuna catches to 10.000 t after the submission of a fishing development plan.
24. The catch limits resulting from the implementation of paragraphs 6 to 23 are quantified in annexes 1, 2 and 3 of this Resolution.

### Over-catch of the annual limit

25. If a given CPC exceeds its annual catch limit, the catch limits for that CPC shall be reduced as follows:

Extent of exceeding the annual catch limit	Reduction applied
Up to 5 %	100% of the overfished quantity
5 % up to 10 %	110% of the overfished quantity
10 % up to 20 %	120% of the overfished quantity
20 % up to 40 %	140% of the overfished quantity
40 % up to 50 %	180% of the overfished quantity
50 % and above	200% of the overfished quantity

26. The reduction calculated as in paragraph 28 shall be exercised in the adjustment year as follows:

Year of catch	Adjustment year
2024	2026
2025	2027
2026	2028

27. CPCs that are subject to catch reductions due to over-catch shall inform the Commission, via the IOTC Compliance Committee, on the corrective actions taken by the CPC to adhere to the prescribed catch levels, in their implementation Report.

### SECTION 3 – Fishing development plans

28. Any developing coastal CPC intending to increase its catch limits in accordance with paragraphs 11, 17 and 23 shall submit a fishing development plan at least 2 months before the meeting of the Scientific Committee, and circulated to all CPCs by the Secretariat. The plan shall be reviewed by the Scientific Committee in order to assess its impact on the stocks and endorsed by the Commission.
29. This fishing development plan shall include target species and details of the fleets involved in the fisheries, including the number of vessels (active and non-active), vessels sizes and gross tonnage categories, gear type and fishing method.

### SECTION 4 – Additional mitigation and management measures

#### Supply Vessels

30. CPCs shall gradually reduce supply vessels<sup>1</sup> in purse seine operations targeting tropical tuna, by 31st December 2022 as specified below in (a) and (b).
  - a. From 1 January 2022 to 31 December 2024: 3 supply vessels in support of not less than 10 purse seiners, all of the same flag CPC.<sup>2</sup>
  - b. No CPC is allowed to register any new or additional supply vessel on the IOTC Record of Authorised Vessels.
31. A single purse seine vessel shall not be supported by more than one single supply vessel at any point of time.
32. CPC shall report annually by 1<sup>st</sup> of January which purse seiners are served by each supply vessel for the coming year of operations. This information will be published on a public part of the IOTC website.

#### Gillnet

33. Without prejudice to Article 16 of the IOTC Agreement, CPCs shall encourage phasing out or convert gillnet fishing vessels to other gears, considering the huge ecological impact of these gears and fast track the implementation of Resolution 17/07 *On the Prohibition to use large-scale driftnets in the IOTC*, noting that large-scale driftnets are prohibited in the IOTC Area of Competence from 1 January 2022.
34. CPCs shall set their gillnets at 2 m depth from the surface to mitigate ecological impacts of gillnets.

### SECTION 5 - Monitoring, control and administration

#### Monitoring of catch

35. CPCs shall report monthly to the IOTC Secretariat the estimated amount of tropical tunas, by species, caught by their purse seine vessels and longline vessels of 24 meters overall length and over, increasing to weekly when 80% of their catch limits have been caught.
36. CPCs shall report quarterly to the IOTC Secretariat the amount of tropical tunas, by species, caught by vessels other than the one subject to paragraph 35 above within 30 days of the end of the period during which the catches were made.

<sup>1</sup> For the purpose of this resolution, the term “supply vessel” includes “support vessel”

<sup>2</sup> The subparagraph (a) shall not apply to CPCs which use only one supply vessel

37. The IOTC Secretariat shall notify all CPCs once 80% of the overall catch limit by species has been caught.
38. CPCs shall report to the IOTC Secretariat by 15 February, the list of vessels which have fished for tropical tunas in the IOTC area of competence the preceding year.
39. The IOTC Secretariat shall report each year 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.
40. The tropical tuna catch 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)* shall be reviewed by the IOTC Secretariat and discussed by the Scientific Committee for possible inconsistencies. In such cases, the Scientific Committee shall provide the rationale of the detected inconsistencies and justify the choice of the best solution available with regard the scientific analysis to be carried out.
41. The IOTC Secretariat shall review the tables in annexes 1, 2 and 3 and update them when implementing the deductions of catch limits following an over-fishing in accordance with paragraphs 25 and 26 or following an update on the reported catch data by the CPCs.

## **SECTION 6 - Scientific work**

42. The IOTC Scientific Committee and its Working Parties shall prioritise the work on the finalization of the skipjack candidate management procedures as well as to start the development of yellowfin tuna candidate management procedures tested through a management strategy evaluation approach in line with the management objectives agreed for the bigeye tuna.
43. For the skipjack, scientific advice should be provided at the Technical Committee on Management Procedures in 2024 so to enable the Commission to adopt the skipjack tuna management procedure at the earliest opportunity.
44. The IOTC Scientific Committee should start planning the development of a multi-stocks MSE to test candidate management procedures involving the three tropical stocks as well as input and output management measures for specific fisheries
45. The Scientific Committee, via its Working Party on Tropical Tunas, shall undertake evaluation of the effectiveness of the measures detailed in this Resolution with a view to curb fishing mortality exerted on each of the stocks below the fishing mortality at Fmsy or alike and with a view to return and/or maintaining biomass levels above those capable of producing maximum sustainable yield (MSY).

## **SECTION 7 - Final provisions**

46. In case one of more objections are lodged, this Resolution will enter into force only provided that the sum of catches of CPCs objecting is not equal or above 20% of the catches for any of the three tropical tunas in 2021.
47. This resolution cover catch limits applicable until the 31<sup>st</sup> of December 2026. The Commission shall review the matter no later than at its 31<sup>st</sup> Session in 2027 and decide on the best way forward.
48. The Commission shall review the section 2 of this resolution and update it following the provisions of new recommended TAC for skipjack tuna and bigeye tuna and revised stock assessment for yellowfin tuna.

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- 49.** This Resolution supersedes IOTC Resolution 21/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock.*

**Annex 1 – Yellowfin: indicative catch limits applicable in 2024 – 2025 – 2026**

	YFT Base	Reduction %	2024	2025	2026
AUSTRALIA	66	-	66	66	66
BANGLADESH	0	-	0	0	0
CHINA	4.641	5-10-15	4.409	4.177	3.945
COMOROS	5.279	-	5.279	5.279	5.279
EUROPEAN UNION	92.504	24-27-30	70.303	67.528	64.753
FRANCE(OT)	0	-	0	0	0
INDIA	33.427	13-16-20	28.413	27.410	26.073
INDONESIA	45.122	13-16-20	21.484	22.748	19.715
IRAN	46.216	13-16-20	39.284	37.897	36.048
JAPAN	4.003	5-10-15	3.803	3.603	3.403
KENYA	3.654	-	3.654	3.654	3.654
KOREA	10.409	24-27-30	7.911	7.599	7.286
MADAGASCAR	715	-	715	715	715
MALAYSIA	446	-	446	446	446
MALDIVES	52.439	15-18-22	45.622	44.049	41.951
MAURITIUS	11.656	15-18-22	10.141	9.791	9.325
MOZAMBIQUE	269	-	269	269	269
OMAN	7.208	13-16-20	6.127	5.911	5.622
PAKISTAN	16.441	13-16-20	13.975		12.824
PHILIPPINES	73	-	73	73	73
SOMALIA	0	-	0	0	0
SEYCHELLES	43.974	15-18-22	38.257	36.938	35.179
SOUTH AFRICA	389	-	389	389	389
SRI LANKA	37.778	13-16-20	32.111	30.978	29.467
SUDAN	0	-	0	0	0
TANZANIA	3.905	-	3.905	3.905	3.905
THAILAND	0	-	0	0	0
UNITED KINGDOM	23	-	23	23	23
YEMEN	29.180	15-18-22	25.387	24.511	23.344
TAIWAN,CHINA	12.285	24-27-30	9.337	8.968	8.600
<b>TOTAL</b>	-		<b>371.381</b>	<b>346.926</b>	<b>342.353</b>

**Annex 2 – Bigeye: indicative catch limits applicable in 2024 – 2025 – 2026**

	2021	Reduction %	2024	2025	2026
AUSTRALIA	51	-	51	51	51
BANGLADESH	1.029	-	1.029	1.029	1.029
CHINA	4.632	6-12-18	4.353	4.075	3.798
COMOROS	1.202		1.202	1.202	1.202
EUROPEAN UNION	22.042	6-12-18	20.719	19.396	18.074
FRANCE(OT)	0	-	0	0	0
INDIA	760	-	760	760	760
INDONESIA	19.591	6-12-18	18.415	17.239	16.064
IRAN	620	-	620	620	620
JAPAN	3.339	4-8-12	3.204	3.071	2.937
KENYA	115	-	115	115	115
KOREA	1.802	4-8-12	1.729	1.657	1.585
MADAGASCAR	56	-	56	56	56
MALAYSIA	303	-	303	303	303
MALDIVES	224	-	224	224	224
MAURITIUS	1.935	3-7-10	1.877	1.799	1.741
MOZAMBIQUE	68	-	68	68	68
OMAN	0	-	0	0	0
PAKISTAN	0	-	0	0	0
PHILIPPINES	0	-	0	0	0
SOMALIA	0	-	0	0	0
SEYCHELLES	17.110	5-10-15	16.254	15.398	14.543
SOUTH AFRICA	266	-	266	266	266
SRI LANKA	6.006	6-12-18	5.645	5.285	4.925
SUDAN	0	-	0	0	0
TANZANIA	2	-	2	2	2
THAILAND	0	-	0	0	0
UNITED KINGDOM	0	-	0	0	0
YEMEN	0	-	0	0	0
TAIWAN,CHINA	14.265	6-12-18	13.408	12.552	11.697
<b>TOTAL</b>	<b>95.417</b>		<b>90.300</b>	<b>85.168</b>	<b>80.060</b>

**Annex 3 – Skipjack: indicative catch limits applicable in 2024 – 2025 - 2026**

	2021	Reduction %	2024	2025	2026
AUSTRALIA	2	-	2	2	2
BANGLADESH	5.211		5.211	5.211	5.211
CHINA	0	-	0	0	0
COMOROS	7.296	-	7.296	7.296	7.296
EUROPEAN UNION	144.208	7-14-24	134.113	124.018	109.598
FRANCE(OT)	0	-	0	0	0
INDIA	25.861	7-14-24	24.050	22.240	19.654
INDONESIA	132.165	7-14-24	122.913	113.662	100.445
IRAN	68.107	7-14-24	63.339	58.572	51.761
JAPAN	4	-	4	4	4
KENYA	0	-	0	0	0
KOREA	14.329	6-12-19	13.469	12.609	11.606
MADAGASCAR	834	-	834	834	834
MALAYSIA	1	-	1	1	1
MALDIVES	118.683	6-12-19	111.562	104.441	96.133
MAURITIUS	14.139	5-10-15	13.432	12.725	12.018
MOZAMBIQUE	47	-	47	47	47
OMAN	230	-	230	230	230
PAKISTAN	1.051		1.051	1.051	1.051
PHILIPPINES	0	-	0	0	0
SOMALIA	0	-	0	0	0
SEYCHELLES	81.421	6-12-19	76.535	71.650	65.951
SOUTH AFRICA	0	-	0	0	0
SRI LANKA	34.910	7-14-24	32.466	30.022	26.531
SUDAN	0	-	0	0	0
TANZANIA	371	-	371	371	371
THAILAND	3.997	-	3.997	3.997	3.997
UNITED KINGDOM	0	-	0	0	0
YEMEN	2.026	-	2.026	2.026	2.026
TAIWAN,CHINA	137	-	137	137	137
<b>TOTAL</b>	<b>655.033</b>		<b>613.086</b>	<b>571.146</b>	<b>514.904</b>