
RESOLUTION 19/01

ON AN INTERIM PLAN FOR REBUILDING THE INDIAN OCEAN YELLOWFIN TUNA STOCK IN THE IOTC AREA OF COMPETENCE

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 as qualified by relevant environmental and economic factors including the special requirements of developing States in the IOTC area of competence;

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, 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 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;

FURTHER RECALLING that Article 6, of UNFSA and IOTC Resolution 12/01 *On the implementation of the precautionary approach*, requires the States to be cautious during the application of precautionary approach when information is uncertain, unreliable or inadequate and this should not be a reason for postponing or failing to take conservation and management measures;

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 recommendations adopted by the KOBE III, held in La Jolla, California, 12- 14 July 2011; considering the status of the stocks, each RFMO should consider a scheme for reduction of overcapacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular Small Island Developing States, territories, and States with small and vulnerable economies; and Transfer of capacity from developed fishing members to developing coastal fishing members within its area of competence where appropriate;

FURTHER CONSIDERING the report by International Council for the Exploration of Sea and FAO Working Group on Fishing Technology and Fish Behaviour (2006), Gillnets are considered to be one of the least catch controllable and least environmentally sustainable gears;

FURTHER CONSIDERING the recommendations of the 18th Scientific Committee held in Bali, Indonesia, 23 – 27 November 2015 and the 21st session of the Scientific Committee held in Seychelles, 3 – 7 December 2018, that the catches of yellowfin tuna have to be reduced by 20% of the 2017 levels to recover the stocks to levels above the interim target reference points with 50% probability by 2027 as specified in Kobe II Strategy Matrix;

FURTHER CONSIDERING the management advice of the 21st session of the Scientific Committee on the limitations and uncertainties in the stock assessment;

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

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;

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;

FURTHER NOTING THAT Article V.2d requires the Commission to keep under review the economic and social aspects of the fisheries based on the stocks covered by this Agreement bearing in mind, in particular, the interests of developing coastal States. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, especially Small Island Developing States;

RECOGNIZING FURTHER the interactions that occur between the fisheries for yellowfin, skipjack and bigeye tuna;

CONSIDERING paragraph 12 of Resolution 16/01 [superseded by Resolution 17/01, then by Resolution 18/01] that allows the Commission to review this Interim Plan before 2019;

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

Application

1. This resolution shall apply to all fishing vessels targeting tuna and tuna like species in the Indian Ocean of 24 meters overall length and over, and those under 24 meters if they fish outside the EEZ of their flag State, within the IOTC Area of Competence.
2. The measures contained within this Resolution shall be considered as interim measure and will be reviewed by the Commission no later than at its annual Session in 2020.
3. Notwithstanding paragraph 2, this Resolution shall be reviewed when a formal Management Procedure for the management of the yellowfin tuna stock is adopted by the Commission and in effect.
4. Nothing in this resolution shall pre-empt or prejudice future allocation of fishing opportunities.

Catch limits

5. **Purse seine:** CPCs whose purse seine catches of yellowfin reported for 2014 were above 5000 MT to reduce their purse seine catches of yellowfin by 15 % from the 2014 levels.
6. **Gillnet:** CPCs whose Gillnet catches of yellowfin reported for 2014 were above 2000 MT to reduce their Gillnet catches of yellowfin by 10 % from the 2014 levels.
7. **Longline:** CPCs whose Longline catches of yellowfin reported for 2014 were above 5000 MT to reduce their Longline catches of yellowfin by 10 % from the 2014 levels.
8. **CPCs' other gears:** CPCs whose catches of yellowfin from other gears reported for 2014 were above 5000 MT to reduce their other gear catches of yellowfin by 5 % from the 2014 levels.
9. In applying the catch reductions by gears in provisions in paragraph 5, 6, 7 and 8, Small Island Developing States and Least Developed Countries can either choose between catches of yellowfin tuna reported for either 2014 or 2015. For such CPCs Paragraph 13(a) is applicable over the accumulated catch in 2018 and 2019.
10. Exceptionally for 2019 and 2020, Small Island Developing States CPCs that contributed less than 4% of the total yellowfin catch of the Indian Ocean in 2017, shall reduce their purse seine catch by 7.5% of 2018 levels.
11. Any CPC to whom para 5-10 do not apply and whose catches exceeded the threshold limits in any subsequent year (from 2017), shall reduce their catches to the levels prescribed for that particular gear as mentioned in paragraphs 5, 6, 7 and 8.
12. Flag States will determine appropriate methods for achieving these catch reductions, which could include capacity reductions, effort limits, *etc.*, and will report to the IOTC Secretariat in their Implementation Report every year.

Over catch of annual limit

13. If over-catch of an annual limit for a given fleet of a CPC listed in paragraph 5 to 10 occurs, catch limits for that fleet shall be reduced as follows:
 - a. If the accumulated catch in 2017, 2018 and 2019 exceeds the sum of the catch limit¹ for 2017, 2018 and 2019 the excess (over-catch) shall be deducted from the 2021 catch limit.
 - b. For 2020 and following years, 100% of that over-catch shall be deducted from the following two years limit; unless
 - c. Over-catch for that fleet has occurred in two or more consecutive years, in which case 125% of the over-catch shall be deducted from the following two years limit.
14. CPCs shall inform the Commission via the IOTC Compliance Committee, any reductions in the following year because of over catch in paragraph 13 in their implementation Report.
15. The revised limits will apply in the following year and CPCs compliance shall be assessed against the revised limits reported to the IOTC Compliance Committee.

Supply Vessels

16. CPCs shall gradually reduce supply vessels² by 31 December 2022 as specified below in (a), (b), and (c). Flag States shall submit the status of reducing the use of supply vessel as part of the report of Implementation to the

¹ Catch of Indonesia is based on the national reports submitted to the Scientific Committee

² For the purpose of this resolution, the term "supply vessel" includes "support vessel"

Compliance Committee.

- a) From 1 January 2018 to 31 December 2019: 1 supply vessel in support of not less than 2 purse seiners, all of the same flag State³.
 - b) From 1 January 2020 to 31 December 2020: 2 supply vessels in support of not less than 5 purse seiners, all of the same flag State³.
 - c) No CPC is allowed to register any new or additional supply vessel on the IOTC Record of Authorized Vessels after 31 December 2017.
17. A single purse seine vessel shall not be supported by more than one single supply vessel of the same flag State at any point of time.
18. Complementary to Resolution 15/08 (superseded by Resolution 17/08, then by Resolution 18/08, then by Resolution 19/02) and to Resolution 15/02, CPC flag States shall report annually before the 1 January for the coming year of operations which Purse seiners are served by each supply vessel. This information will be published on IOTC website so as to be accessible to all CPCs and is mandatory.
19. CPCs shall report by 1 March 2019, the number of FADs that were deployed in 2018 and 2019 by purse seine vessels and associated supply vessels per 1°x1° grid.

Gillnet

20. 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*.
21. CPCs shall set their gillnets at 2m depth from the surface in gillnet fisheries by 2023 to mitigate ecological impacts of gillnets.
22. CPCs are encouraged to increase their observer coverage or field sampling in gillnet fishing vessels by 10% using alternative data collection methodologies (electronic or human) verified by the IOTC Scientific Committee by 2023.
23. CPCs shall report the level of implementation of para 21 - 23 to the IOTC Commission via the Compliance Committee.

Administration

24. The IOTC Secretariat, under advice of the Scientific Committee, shall prepare and circulate a table of allocated catch limits disaggregated as per the conditions set out in paragraphs 5 – 10 for preceding year, in December of the current year.
25. 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 will provide a summary of most-recent yellowfin catches for the consideration of the IOTC Compliance Committee.
26. For the purposes of the implementation of this resolution, CPCs shall submit their catches of yellowfin disaggregated for vessel 24 m overall length and over, and those under 24 m if they fish outside the EEZ as per resolution 15/02.

³ The subparagraphs (a) and (b) shall not apply to flag States which use only one supply vessel

27. Each year, the Compliance Committee shall evaluate the level of compliance with the reporting obligations and the catch limits deriving from this Resolution and shall make recommendations to the Commission accordingly.
28. The Scientific Committee via its Working Party on Tropical Tunas shall implement the “Workplan to improve current assessment of yellowfin tuna” and shall advise the Commission the financial and administrative requirements to further strengthen the work undertaken to minimize the issues and complexities regarding yellowfin tuna stock assessment.
29. The Scientific Committee via its Working Party on Tropical Tunas shall in 2019 undertake an evaluation of the effectiveness of the measures detailed in this Resolution, taking into account all sources of fishing mortality possible aiming at returning and maintaining biomass levels at the Commission’s target level.
30. This Resolution supersedes IOTC Resolution 18/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock*.