
WORKING PAPER**Recommendation to extend the application of the Resolution 15/11 on the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties that should remain active until it is replaced by other management measures limiting the fishing effort in IOTC****SUBMITTED BY: EUROPEAN UNION**

Capacity management is an important and recurrent issue in IOTC. Several Resolutions have been adopted to address capacity issues. As indicated in the *Estimation of Fishing Capacity by tuna fleets in the Indian Ocean* prepared by independent experts in 2013 for the Scientific Committee, *Members of the Indian Ocean Tuna Commission moved towards implementing a control of input fishing capacity and requested the IOTC Scientific Committee to present the best estimate, on the basis of existing data and analyses, the optimum fishing capacity of the fishing fleet which would permit the sustainable exploitation of tropical tunas.*

The Scientific Committee was not able to produce such estimates for different reasons as the problem to determine the relative effects of different types of vessels and gears on the stock - *e.g.* estimate relative fishing power or what the fishing mortality rate for a specific combination of vessel types and number would be.

Furthermore, the IOTC created the Working Party on Fishing Capacity (WPFC) that met only once. This Working Party recommended *that methods to investigate input-based capacity measures should be developed in conjunction with the work carried out in other tuna RFMOs and that close collaboration should be pursued with these organisations in this area. Especially, in developing methods to relate fishing mortality levels and the effective effort measures which will be of great help in the process of producing management advice in terms of fishing capacity limits.* No further meetings of the WPFC has taken place and the final conclusions from this group are still pending.

In addition, the first IOTC Performance Review recommended, which was endorsed by the Commission, that the *IOTC should establish a stronger policy on fishing capacity to prevent or eliminate excess of fishing capacity.*

In the meanwhile, IOTC adopted several measures to manage fishing capacity. The Resolution 15/11 was the last one to be adopted and currently is the most relevant measure to manage fishing capacity in IOTC, preventing an uncontrollable increase in fishing capacity that could further challenge the long-term sustainability of the stocks.

Management Measures, complementary to a fishing capacity system, aimed at limiting total catches in IOTC are also in force: Resolutions 17/01 on yellowfin tuna, Resolution 16/02 of skipjack tuna and Resolution 15/05 on billfish amongst others. In addition to that, technical measures aimed at reducing global fishing effort such as Resolution 16/07 on artificial light, Resolution 16/08 on the use of aircrafts, and Res 17/08 limiting the number of FADs to 350 and the use of supply vessels have also been adopted by IOTC. In the past, the IOTC had also implemented some spatio-temporal closures for Tropical Tunas that has had a limited impact on the management of these stocks.

The existing Conservation and Management Measures are important, but these have a limited scope of application and cannot ensure on their own the sustainable management of IOTC stocks. Only the application of a comprehensive system of management measures could result in an effective methodology to ensure long-term the sustainability in IOTC Fisheries.

Moreover, the Commission decided to create a Technical Committee on Allocation Criteria (TCAC), notably aiming to establish an allocation system or any other relevant measures following IOTC Scientific Committee management recommendations for the main targeted species under the IOTC competence. The TCAC has met on a number of occasions and despite certain progress, discussions are still ongoing without a consensual outcome at this stage.

Currently the main IOTC measure contributing to manage fishing capacity is in fact the Resolution 15/11. This Resolution is in force until the end of 2018 Annual session, unless the Commission decides otherwise.

In this context, and in line with the recommendations of the first meeting of the IOTC Working Party on the Implementation of Conservation and Management Measures (WPICMM01), and until there is an alternative system in place in IOTC to address capacity issues, it is essential for IOTC to have provisions in place to manage capacity to avoid a scenario of a steep increase of capacity that could challenge the long-term sustainability of the stocks. Therefore, despite the conclusions of S21 not to extend Resolution 15/11 beyond 2018, it is appropriate that the applicability of Resolution 15/11 is further prolonged, until an allocation system and/or any other relevant measures, including a new fishing capacity measure is adopted. Alternatively, should any CPC table a resolution proposal on capacity at S22 as indicated in the conclusions of S21, the EU is willing to engage with the proponents to ensure the adoption of an improved capacity management regime to replace Resolution 15/11.