



Position Statement for the 28th Session of the Indian Ocean Tuna Commission (May 13th – 17th 2024)

Sharks and rays are running out of time - especially in the Indian Ocean!

SHARKPROJECT is very concerned to see that IOTC has continued to ignore the dire state of sharks and rays in the Indian Ocean and failed to mitigate the massive impact IOTC fisheries do have on these vulnerable species, which are both, an actively targeted species without any management and a massive bycatch caught by fisheries authorised to fish for tuna and tuna like species in the IOTC area of competence.

Despite last year's ambitious proposal submitted by the Maldives and supported by many other CPCs the Commission has once again failed to adopt measures due to non-substantiated claims from some CPCs arguing with a lack of evidence despite existing, globally acknowledged science, ample data from other regions, and the obligation to apply a precautionary approach in lack of sufficient data.

Therefore, we call to the 28th Session of the IOTC in 2024, to:

1. **step up shark conservation measures** as outlined in our joint NGO statement for shark conservation and management measures: [Joint Statement to the 28th Session of the IOTC in Support of Prop V, including Management Procedures for Blue Sharks](#).
2. **follow scientific advice** (if available) and a science driven approach for the adoption of new and the improvement of existing conservation and management measures for sharks and rays, sea birds, marine turtles, marine mammals and other ETP species also considering their role in the marine ecosystems.
3. **apply a precautionary approach** in the absence of clear scientific advice or whenever available data are insufficient, or not specific for the Indian Ocean, by implementing precautionary measures and by following best practice that has already been adopted by other RFMOs.
4. **commit to the development of robust management procedures** for all stocks fished for commercial purposes, including sharks, and pursuing an ecosystem-based approach.
5. **pursue long-term sustainability of all fishing activities in the IOTC area of competence** with a priority on rebuilding overfished stocks as quickly as possible and maintaining all stocks with a high probability in the 'green quadrant', noting that a high probability of 60% or more is required for all less productive species for maintaining them in the green quadrant or for rebuilding stocks when overfished.
6. **ensure the implementation of and compliance with the IOTC rules by all CPCs, fleets, and gear types** as improvements, long-term sustainability, healthy fish stocks and ecosystems can only be achieved when all fisheries are working together and fully comply with adopted resolutions.
7. **consider socio-economic aspects when allocating quota**, prioritizing developing coastal nations, subsistence and small-scale fisheries, and the use of low impact gear and practices when allocating quota and access to fishing resources.
8. **implement additional bycatch mitigation measures** for all non-target species and substantially reduce bycatch mortality of ETP species by implementing measures to reduce at vessel and post release mortality.



Lack of Data and Compliance

Up to now all stock assessments for sharks at IOTC, other than for blue sharks, have failed because of insufficient and inadequate data to assess total fishing related mortality. This is extremely concerning but a result of the continued poor compliance with existing reporting requirements and especially the noncompliance with reporting of data on sharks and discards.

Lack of Applying a Precautionary Approach and Following Best Practice

Furthermore, despite clear advice from the Scientific Committee, that *“in the absence of a stock assessment and noting conflicting information, the Commission should take a cautious approach by implementing management actions that reduce fishing mortality on shortfin mako sharks”* and that *“Mitigation measures should be taken to reduce at-vessel and post release mortality [of oceanic whitetip sharks and silky sharks], including consideration of potential gear modifications in longline fleets targeting tuna and swordfish”* no additional measures have been adopted till today. Clear evidence from other oceans demonstrates the effectiveness of such mitigation measures and has been highlighted in the latest scientific advice, *“noting that a recent study (Bigelow et al. 2021) concluded in WCPFC that banning both shark lines and wire leaders has the potential to reduce fishing mortality by 30.8% for silky shark.... [and]by 40.5% for oceanic whitetip shark.”*

‘Fins Naturally Attached’ (FNA) is globally acknowledged as the only effective measure to truly end finning and to allow for successful prosecution of offenses, but IOTC has failed for many years to introduce FNA without exemptions, extending the existing regulation for sharks landed fresh also to sharks landed frozen, despite best practice existing in other RFMOs and despite repeated scientific recommendations in the past. Also SC27 *“RECOMMENDED that the Commission consider extending measures to prevent finning of sharks such as fins naturally attached including partially attached and tethered for all fisheries or similar, alternative measures (for example, fins artificially attached), providing they had been assessed and endorsed by the SC and Compliance Committee as being equally or more likely to meet the conservation benefit (of a fins naturally attached measure) and are logistically feasible from a compliance monitoring perspective.”*

Lack of Execution of Adopted Resolutions and Scientific Advise

Furthermore, it is concerning that the Commission has failed to follow up on its own commitments in adopted resolutions, such as in Resolution 18/02 On Management Measures for the Conservation of Blue Shark Caught in Association with IOTC Fisheries. This resolution requires the Commission to consider in 2021 the adoption of Conservation and Management Measures for blue sharks, *“including catch limits for each CPC taking into account the most recent reported catch information .such as catch limits for each CPC taking into account the most recent reported catch information or bycatch mitigation such as a ban on wire trace/shark line for blue shark as appropriate”* and tasked the Scientific Committee to *“provide advice, if possible, on options for candidate limit, threshold and target reference points for the conservation and management of this species in the IOTC Convention area.”*

Following the 2021 stock assessment of blue sharks the SC advised that maintaining current catches of blue sharks will likely result in decreasing biomass and the stock becoming overfished and subject to overfishing in the near future. Noting that these projections and the outcome of the stock assessment are based on estimated catches of blue sharks of 48.781 tonnes between 2015 and 2019, whereas reported catches were substantially lower. Being aware of the extremely poor reporting compliance at IOTC and the high uncertainty of total fishing mortality of blue sharks, the scientists had used estimated catches using an estimate of 43.240 tonnes for 2019 as the baseline for the model projections.

Nevertheless, the Commission did not introduce any measures limiting mortality, allocating quotas, and no candidate limit, threshold and target reference points for the conservation and management of this species in the IOTC Convention area have been developed, thereby ignoring the scientist’ warnings.

However, now it is High Noon for Turning the Tide for Sharks at IOTC and for the Commission to Act!



For the upcoming 28th Session we recommend:

TO ADOPT

IOTC-2024-S28-PropV on the Conservation of Sharks caught in association with Fisheries managed by IOTC, *submitted by the Maldives and Pakistan*, which also includes the request for *Fins Naturally Attached* without exemptions as proposed also by **IOTC-2024-S28-PropJ[E]** on the Conservation of Sharks caught in association with Fisheries managed by IOTC, *submitted by the European Union*

- A clear definition for ‘Shark’ including all orders of *Selachimorpha* and the order of *Rhinopristiformes*, thereby removing the persistent ambiguity when referring to measures and requirements for ‘Sharks’ and including the most critically endangered order of rays, that provides the most valuable fins and is therefore highly threatened by the international ‘Shark’ fin trade.
- ‘Fins Naturally Attached’ without exceptions is a longtime overdue measure to end Finning and improve data collection on total shark mortality. We call to all CPCs to no longer let fake excuses not to introduce this measure prevail over the proven benefits for shark conservation. We also highlight that allowing alternative measures without having proven that those are at least as effective as FNA or continuing to allow for exceptions should not be considered over the adoption of FNA without exceptions, as partially cutting and folding over of fins for ease of bleeding and transportation is fully accounted for as part of FNA as long as all fins remain naturally attached to a substantial part of the shark, not just some vertebrae, allowing the shark to be easily identified to the species level.
- Harmonised requirements for sharks applicable to all “*fishing vessels fishing for tuna or tuna-like species in the IOTC area of competence and supply and support vessels flying the flag of a CPC*” is an important step towards improved effectiveness of adopted measures and a shared responsibility by all CPCs for the future of fish stocks at IOTC and reversing the negative impacts fisheries have had on shark populations in the Indian Ocean.
- In contrast to other tuna RFMOs IOTC has so far failed to implement any measures for *critically endangered* hammerhead sharks, *endangered* shortfin mako sharks, and *vulnerable* silky sharks, despite the absence of a stock status and scientific evidence on the overexploitation of these stocks, all of which are prominent candidates in the international shark fin trade. Therefore, tasking the Scientific Committee to provide recommendations to the Commission on ways to strengthen the conservation and management of sharks within IOTC, on an annual basis, “*including the need for prohibition of utilisation of other shark species*” is an important task that should be established and always apply a precautionary approach in the absence of sufficient data or alternative measures for these stocks, which could include inter alia the development of robust management procedures.
- Blue sharks are without doubt fished for commercial purposes and therefore must be entitled to effective conservation and management procedures as had already been required by Res 18/02 and now specified in PropV for the Commission to adopt at its 2025 meeting “*specific conservation and management measures for blue sharks, including a total allowable catch, catch limits for each CPC to be decided taking into account the most recent reported catch information.*” However, agreeing on a TAC and quotas for each CPC should be combined with tasking the Scientific Committee to expand upon the reference point work and provide the Commission by 2025 with a tentative roadmap for developing a fully-tested management procedure including inter alia candidate HCRs for the management of blue sharks in the IOTC area of competence. Furthermore, the agreed TAC needs to provide a high probability of maintaining this stock in the green quadrant and taking a precautionary approach in view of the high uncertainty of data on total fishing mortality.
- We fully support the proposed bycatch mitigation measures to reduce shark mortality. While the avoidance of areas and times with high shark bycatch frequency is preferred, this may not always be possible due to the high spatial overlap with the distribution of target tuna and tuna



like species. Therefore, increasing gear selectivity such as the ban of wire leaders and shark lines by 2025 and considering additional modifications like the mandatory use of large circle hooks in shallow set longline fisheries are a priority. This has been clearly demonstrated by multiple studies throughout the last 10+ years and by observer data analysed by Bigelow et al 2021 in the WCPFC, as presented by scientists at the IOTC 20th Working Party on Ecosystems and Bycatch Data Preparatory Meeting in April. IOTC should therefore follow the established best practice by WCPFC, that has banned the use of wire leaders and shark lines since January 2024.

- Furthermore, the definition and implementation of best handling release practices must be improved for all gear types to reduce at vessel and post release mortality, including cutting the branch line as close to the mouth / hook as possible when releasing bycaught sharks in longline fisheries, while ensuring the safety of the crew as demonstrated by Hutchinson et al. 2021.
- In purse seine fisheries setting on dFADs sharks, in particular juvenile silky sharks and to a lesser extent also juvenile oceanic whitetip sharks, are a major but unwanted bycatch that is discarded mostly dead in lack of availability of suitable gear for release. Here, we highlight that the installation of double conveyor belts on purse seine vessels, allowing for the immediate and safe release of bycaught sharks has demonstrated to decrease at vessel and post release mortality substantially. (Maitane Grande et al., 2022). Furthermore, the use of manta sorting grids has demonstrated to reduce the mortality of mantas and mobulids caught in purse seine nets and should be required to be available on board of all purse seine vessels.

TO ADOPT

IOTC-2024-S28-PropL[E] on a High Seas Boarding and Inspection Scheme *submitted by the European Union, India and Seychelles*

and

TO ADOPT

IOTC-2024-S28-PropI[E] on a Regional Observer Scheme *submitted by the European Union*

- Agreeing on a joint boarding and inspection scheme on the high seas is an essential and long-time overdue measure in the fight against IUU and to ensure that adopted conservation measures are indeed complied with especially in the high seas when overall observer coverage at IOTC is extremely low and often far below the mandatory 5% coverage, a coverage rate far below what is needed to provide reliable estimates of CPUE, discard estimates and especially the extent of bycatch of ETP species and their fate. After many years of negotiations and several updates and modifications it is essential to now finally adopt this proposal.
- Here it is also important to highlight the high risk of all at sea transshipment operations which should be subject to 100% on board observer coverage at both the receiving and transferring vessel.
- In the same context the proposed amendment of Resolution 22/04 on the regional observer scheme to stepwise increase observer coverage for all fleets by utilisation of electronic monitoring in line with the adopted standards for electronic monitoring in Resolution 23/08 is a long-time overdue and urgently needed step and since proposing a stepwise increase of coverage until 2030 and differentiating degrees of mandatory coverage for both electronic monitoring and on board observers between large purse seine vessels and smaller vessels / other gear this objective should be achievable by all CPCs, while greatly improving data availability at IOTC.

Improve Management of dFADs to reduce the negative impact of this fishing practice on juvenile tuna, juvenile sharks and vulnerable marine habitats.

- The proposals submitted by both, Korea and the European Union, on the management of dFADs, still fall substantially short in significantly reducing the harmful impacts of dFADs on vulnerable habitats and on ETP species. They also fail to address the urgent need to reduce mortality of juvenile yellowfin tuna as needed for rebuilding of this critically overfished stock.
- The number of active dFADs needs to be reduced much further than proposed in both proposals to result in a significant reduction of fishing related mortality of juvenile tuna and juvenile sharks. Juveniles stay associated with drifting objects over prolonged time periods and are therefore caught



at an over proportional ratio when setting on these objects with little chance of survival even when discarded alive.

- Information on ownership, position, and retrieval of dFADs lacks sufficient transparency and traceability which are however important to follow up on lost and abandoned dFADs in a timely enough manner to protect vulnerable habitats such as coral reefs from beaching events.
- The proposed transition to the use of fully biodegradable materials of category I by 2030 lacks ambition to reduce marine pollution to which dFADs contribute substantially.
- While there is agreement to only use fully non entangling FAD designs without any netting and meshed materials and to limit the length of trailing material it is important to note that at this time there is still a large number of 'lower entangling' designs drifting around and being set upon with no obligation of purse seine fleets to retrieve and remove those from the water at their own costs.
- We therefore hope that those proposals can be further improved and merged with the substantially more ambitious and more conservation minded proposal submitted by Indonesia, Pakistan, Somalia, and South Africa.

NOT TO ADOPT

IOTC-2024-S28-PropM[E] on Establishing a Fishing Closure in the Indian Ocean for the Conservation of tropical Tunas *submitted by the European Union*

- Although, we support that rebuilding of overfished yellowfin tuna and overfished bigeye tuna in the Indian Ocean must be a priority for the Commission and can no longer be tolerated to fail, we do not believe that the proposed fishing closure of all fishing operations is going to be the appropriate solution as this would disproportionately impact fisheries in developing coastal states depending on tuna.
- Especially by exempting fleets that target other species and catch tuna as a bycatch with an average of less than 150 tonnes per year such a fishing closure would unduly impact one by one fisheries of developing coastal states, while exempting industrial long-distance fleets targeting swordfish and sharks in the IOTC Area of Competence.
- We also note that all other tuna RFMOs have long adopted dFAD closures for the conservation of their tuna stocks, while IOTC has continued rejecting a dFAD closure claiming lack of scientific evidence for its effectiveness on tuna conservation.
- However, in 2023 the 5th FAD working group "*NOTED that the quantitative analyses presented during the meeting indicated that the most positive impact on the stocks for the three tuna species, in order of the largest benefits, would be a three-month complete closure for all gears then a two-month complete closure for all gears. The third most beneficial option for the three tuna species was a 3-month oceanwide PS log school closure*" provided "*that there would not be an increase in catches from other gears during this time.*"
- Therefore, we conclude that a 3-month PS log school closure should be considered as the measure providing the highest conservation benefit and being at the same time most equitable in regard to the socio-economic impacts on developing coastal states. The proposed dFAD closure by Indonesia, Pakistan, Somalia and South Africa is therefore preferable over the one-month closure for all gear proposed by the European Union.
- However, it is important to note that a dFAD closure then must apply to all CPCs equally and that measures exist to ensure that catches from other gears are not increased during this time and that there is no reallocation of catches to other gears or time periods.

Strengthen Prevention, Deterrence, and Elimination of Illegal, Unreported and Unregulated Fishing (IUU)

AND TO ADOPT

IOTC-2024-S28-PropX Proposal to amend Resolution 07/01 to promote compliance by Nationals of Contracting Parties and Cooperating Non-contracting Parties with IOTC Conservation and Management Measures *submitted by the United Kingdom*



BUT NOT TO ADOPT IOTC-2024-S28-PropF[E] Proposal to amend Resolution 18/03 on Establishment a List of Vessels presumed to have carried out Illegal, Unreported, and Unregulated Fishing in the IOTC Area of Competence *submitted by China*

- Given the hugely detrimental impact of IUU activities on both, the environment and the economic viability of fishing fleets all efforts must be made to combat IUU as much as possible and applying all available means to do so, at sea but also at land and to ensure prosecution and conviction of IUU activities lead to an effective deterrence protecting the future of tuna fisheries in the Indian Ocean and the livelihoods of coastal communities depending on these.
- Therefore, the proposed strengthening of Resolution 07/01 is a timely measure by aiming to ensure that also the wider networks of actors benefitting or supporting such activities are subject to investigations and those are no longer limited only to nationals (defined as persons naturally or legally subject to the jurisdiction of an IOTC CPC) alleged or reported to be directly involved with such activities, but also those nationals alleged or reported to be responsible for, benefitting from or supporting such activities.
- However, the proposed limitations to the reporting and investigation of alleged IUU activities as described in PropF are setting precedence to substantially weakening and limiting the ability of CPCs and the Commission to follow up and investigate on alleged IUU activities, which is clearly in contrast to the intent to effectively prevent, deter and eliminate IUU at the IOTC Area of Competence.
- Requiring NGOs to have observer status at IOTC when reporting and providing evidence on suspected IUU activities is unduly limiting the possibility for the Commission and for CPCs to use and act upon all evidence provided, a possibility which is even more important in view of the low observer coverage in the High Seas and the absence of a functioning High Seas boarding and inspection scheme. If IUU is to be battled effectively all available and justified evidence must be considered and adequately investigated in a timely manner, regardless of the affiliation and observer status of the organization providing it and CPCs must be entitled to act upon the provided evidence.

Strengthen Reporting and Compliance with Reporting Requirements over those proposed in

IOTC-2024-S28-PropO on Mandatory Statistical Reporting Requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties,

IOTC-2024-S28-PropP on the Recoding and Reporting of Catch and Effort Data by Fishing Vessels in the IOTC Area of Competence

IOTC-2024-S28-PropQ_Rev1[E] on a Ban of Bigeye Tuna, Skipjack Tuna, Yellowfin Tuna, and Non-Targeted species caught by Vessels in the IOTC Record of authorised Vessels that operate in the IOTC Area of Competence

all submitted by Seychelles

- Strengthening of Resolution 15/02 and 15/01 on reporting requirements is important and as a matter of fact important for all fishing activities including those of artisanal or coastal fisheries and when those fleets operate within their EEZs.
- While support should be provided by the Commission and developed CPCs to help stepping up the ability of developing CPCs to comply with the recording and reporting requirements, we do not believe that the proposed deletion of the current requirement for coastal fisheries of less than 24 m from developing coastal fisheries to attempt recording and submitting data when operating within their EEZs, is going to improve the overall situation. Instead, efforts should be intensified by the Commission to help these coastal / small artisanal fisheries in implementing recoding systems and facilitate the reporting process for them.
- We welcome the proposed inclusion of data recording on baitfish fishing operations for pole and line fisheries but highlight that Resolution 15/01 has many other shortcomings as to mandatory reporting requirements at species level by all gear and especially regarding the reporting of mantas and devil rays and the reporting of sharks at species level.
- Specifically, all threatened shark species, such as hammerhead sharks, thresher sharks, mako sharks and silky sharks should be consistently reported at species level by all gear. This is not the



case today when mantas and mobulids do not have to be reported for all gear or are only listed as optional and when hammerhead sharks and thresher sharks are not reported at species level and silky sharks not reported at all for gillnets although gillnets are responsible for significant catches of silky sharks. This lack of reporting requirements according to Annex II and III requires complete revision and correction, a mandatory prerequisite to improve species specific data on shark catches as urgently needed for stock assessments and stock projections. And these data need to be provided together with discards by all gear and fleets regardless of their size and whether fishing inside their EEZ or in the High Seas, taking into consideration their abilities and providing support in doing so from the Commission and developed CPCs.

- We also note that the required information on gear configuration and fishing operations currently falls short to provide a comprehensive overview and does not allow to evaluate the impact of specific gear configurations on the catch of target and non-target species or the at vessel mortality in relation to gear configuration of those species that must not be retained as their utilization is prohibited, i.e. thresher sharks, whale sharks, mantas and mobulids, and oceanic whitetip sharks.
- We fully agree that the current lack of adequate reporting of discards is of huge concern and substantially hinders stock assessments and all management and conservation measures intending to rebuild overfished stocks for both, target species and non-target species. Therefore, the proposed ban of all discards of yellowfin tuna, bigeye tuna, skipjack tuna and non-target species (discard ban) for all gear types appears to be step into the right direction to improve data availability on total mortality and size specific mortality.
- However, we highlight that as formulated at this time this would also require landing of all non-target bycatch species, if not subject to a retention ban, and thereby further increase shark mortality when fisheries in which sharks are an unwanted bycatch can no longer release live sharks. This would contradict improvements in fishing gear to reduce shark bycatch mortality and efforts to improve best handling release practices.
- Therefore, while a discard ban would be beneficial in improving data availability on total mortality it should be exempting the release of live sharks or other non-target bycatch species in need of minimizing bycatch mortality such as billfish. While all non-target bycatch that is dead when brought on board should be retained and landed, live animals should be release as quickly and safely as possible, avoiding further injuries by applying best handling release practices in order to maximise post release survival, while those discards should be reported either by number or weight.
- Finally, we note that as much as a retention ban may contribute to data availability it also strongly depends on the availability of adequate monitoring and at the current level of less than 5% observer coverage on many fleets monitoring of compliance with such a ban remains difficult to impossible, further highlighting the urgent need to increase the level of independent monitoring by the implementation of electronic monitoring systems and the increased of coverage for all fleets to 100% in a stepwise increasing combination of electronic monitoring system and on board observers that takes the specific risks and space restrictions of fleets into consideration.

We hope that our position statement and the provided recommendations will help to inform all CPCs on what should be adopted by the Commission at this year's Meeting in Bangkok to step up Conservation and Management Measures for the long-term sustainability and socioeconomic viability of tuna fisheries at IOTC, which heavily depend on healthy fish stocks but equally much on healthy and resilient ecosystems.

Urgent stock rebuilding of overfished stocks, the development of robust management procedures for all stocks that are fished for commercial purposes maintaining or returning them into the 'green quadrant' with a high probability are priority tasks to address by the Commission.

In addition, effective bycatch mitigation measures are essential to reduce the mortality of all non-target species and specifically of all Endangered Threatened and Protected (ETP) species, including but not limited to sharks, if we are to Turn the Tide for Sharks at IOTC before it is too late.



SHARKPROJECT

Who We Are?

SHARKPROJECT International is a marine conservation NGO focusing on healthy marine ecosystems and healthy shark populations, a 'conditio sine qua non' for healthy oceans that can support seafood supplies for this and future generations and are able to contribute to combatting climate change. Therefore, SHARKPROJECT continues calling for a global [transition to an ecosystem based fishery management](#), for ALL stocks, whether a target species or a bycatch, applying best available science and in the absence of sufficient data following a precautionary approach to immediately stop overfishing and rebuild overfished stocks with a high probability of recovery in the shortest possible timeframe.

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SHARKPROJECT International is
an international initiative for the conservation of sharks and the marine ecosystems



Blue shark @Heinz Toperczer