

20 August 2021

IOTC CIRCULAR 2021-45

Dear Madam / Sir

OBJECTION FROM INDIA TO IOTC RESOLUTION 21/01

Please find attached a communication from India regarding its objection, in accordance to Article IX (5) of the IOTC Agreement, to [IOTC Resolution 21/01](#) *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence*, which was adopted at the 25th Session of the IOTC.

Given a previous objection, an extension period of 60 days has already been applied to the date when Resolution 21/01 comes into force. Thus, Resolution 21/01 will come into force on 17 December 2021, unless a total of more than one-third of the members also object, before this time. India's objection is the third to be received.

The relevant paragraphs (5, 6 and 7) of Article IX on the ensuing process are reproduced herein for your reference.

5. Any Member of the Commission may, within 120 days from the date specified or within such other period as may be specified by the Commission under paragraph 4, object to a conservation and management measure adopted under paragraph 1. A Member of the Commission which has objected to a measure shall not be bound thereby. Any other Member of the Commission may similarly object within a further period of 60 days from the expiry of the 120-day period. A Member of the Commission may also withdraw its objection at any time and become bound by the measure immediately if the measure is already in effect or at such time as it may come into effect under this article.

6. If objections to a measure adopted under paragraph 1 are made by more than one-third of the Members of the Commission, the other Members shall not be bound by that measure; but this shall not preclude any or all of them from giving effect thereto.

7. The Secretary shall notify each Member of the Commission immediately upon receipt of each objection or withdrawal of objection.

Yours sincerely



Christopher O'Brien
Executive Secretary

Attachments:

- Letter from India

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Somalia, South Africa, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom, Yemen. **Cooperating Non-Contracting Parties:** Senegal. **Intergovernmental Organisations, Non-Governmental Organisations.** Chairperson IOTC. **Copy to:** FAO Headquarters, FAO Representatives to CPCs.

This message has been transmitted by email only

F. No. j-21001/10/2021-Fy
Government of India
Ministry of Fisheries, Animal Husbandry & Dairying
Department of Fisheries

Krishi Bhawan, New Delhi
Dated the 19th August, 2021

To,

Dr. Christopher O'Brien
Executive Secretary,
Indian Ocean Tuna Commission
Le Chantier Mall (2nd Floor)
PO BOX 1101, Victoria
Mahe, Seychelles

Subject: Objection to Resolution 21/01 under article IX (5) of the IOTC Agreement.

Ref: IOTC Circular 2021-31

Dear Dr. O'Brien,

The delegation of India wishes to place on record the objection to the IOTC Resolution 21/01 on an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC Area of competence, adopted in the 25th Session of the IOTC. The objection of India in this regard is based on the following observations in the Indian context.

2. Paragraph 5 of the Resolution 21/01 directs that the Coastal Developing States whose reported catches of yellowfin tuna for 2014 were above 5000t shall reduce their catches of yellowfin tuna by 12% compared to 2014 yellowfin tuna catch. In this regard, the following may be noted:

- a) Fisheries is a major source of employment and food security for 4 million' Indian marine fisher populations, who undertake fishing by multi-gear and multi-species non-selective fisheries, and mostly confined in near-shore coastal areas. Most of these small scale fishing boats do not target tunas, but tunas are recorded as bycatch.
- b) The difficulties in implementing catch reductions for a non-targeted species in Indian multi-species multi-gear small scale fishery within the EEZ area has already been explained by the Indian delegation during the 25th Session of the IOTC.
- c) India is of the opinion that large scale industrial fishing fleets of developed and distant water fishing nations that are engaged in targeted fishing of yellowfin tuna (YFT), exploiting major share of YFT stocks are mainly responsible for the present status of stock of YFT in the Indian Ocean, and such fleets shall bear the major responsibility by reducing their catch to conserve and restore the YFT stocks. Putting the burden of sustainability on small-scale fishers and impacting their livelihoods of millions of such resource poor fishers may not be a wise decision.

P.T.O.

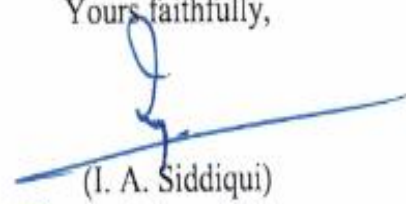
3. Paragraph 21 of the Resolution reads "*Without prejudice to Article 16 of the IOTC Agreement, CPCs shall encourage phasing out or convert gillnet fishing vessels to other gears, considering the huge ecological impact of these gears and fast track the implementation of Resolution 17/07 "On Prohibition 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".*

India is committed to compliance with the IOTC resolution 17/07 on prohibiting large scale drift gillnets in the high seas of the IOTC area of competence by vessels registered on the IOTC Record of Authorised Vessels. However, considering large numbers of small-scale gillnets engaged for livelihood and contribute substantially to the coastal fishery, the proposals for phasing out or conversion of gillnet fishing vessels to other gears is impractical and objectionable.

4. Further, it is to emphasise that management of fisheries within the Exclusive Economic Zone is within the sovereign rights of the coastal states, as also assured by the Article 16 of the IOTC Agreement for exploring and exploiting, conserving and managing the living resources, including the highly migratory species, within their Exclusive Economic Zones. India is committed to ensure sustainable fisheries within its Exclusive Economic Zone as well as protecting the interests of small-scale resource poor and low income fishers.

5. Therefore, in view of the above, India, following Article IX (5) of the Agreement hereby submits its objection to the IOTC Resolution 21/01, with a request that the decision from India may be duly notified to all parties concerned.

Yours faithfully,



(I. A. Siddiqui)

Fisheries Development Commissioner (I/c)

Tele. +91-11-23097014