

The EU is overfishing Yellowfin tuna in the Indian Ocean

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Introduction

Yellowfin is a large tuna found in tropical and subtropical waters and is listed as “near threatened” on the IUCN Red List of Endangered Species. In 2009, the Indian Ocean Tuna Commission (IOTC) said that the yellowfin tuna “stock size is close to or has possibly entered an overfished state”. Since then this situation has worsened. The Indian Ocean’s yellowfin tuna stock was overfished in 2015, as confirmed by the IOTC Scientific Committee. In 2018, a further assessment was carried out using four types of data: catch, size frequency, tagging and joint longline catch per unit effort (CPUE) indices. The results suggest that yellowfin tuna is still being overfished in the Indian Ocean.

IOTC scientists recommended that catches needed to be reduced by 20% of their 2014 levels for the stock to have a 50% chance of recovery by 2024 - 2 generations, as best practice guidelines dictate. As part of the IOTC’s Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock, adopted in 2016, IOTC Contracting Parties and Cooperating Non-contracting Parties (CPCs) were required to make catch reductions according to past catch and gear type.

Countries whose purse seine fleets caught more than 5,000 tonnes of yellowfin tuna in 2014 were required to reduce their catch by 15%, based on 2014 levels. This reduction applied to the EU purse seine fleet as it did to everyone else.

However, many CPCs subject to the reductions, failed to make the required reductions, and countries that were exempted, increased their catches substantially. As a result, total catches of yellowfin in 2017 increased by about 3% from 2014/2015 levels. The same reductions applied in 2018 and yet the total yellowfin catch increased even more.

Overfishing by Spain in 2017

With the required reduction taken into account, Spain was given a yellowfin quota of 45,682 tonnes for its purse seine fleet in 2017ⁱ.

According to the catch dataⁱⁱ reported to the IOTC by the EU, the Spanish purse seine fleet exceeded its quota by 19%, catching 54,513 tonnes in 2017. According to these figures, Spain should have been required to repay the over-catch of 8,831 tonnes in the following year (or years).

Additionally, because the Spanish fleet overshot its quota by 19%, a multiplying factor of 1.2 should have been applied to the allocation “payback”, as set out in Article 105(2) of Regulation

(EC) No 1224/2009. This means that Spain should have been required to repay 10,597 tonnes in the year or years following the overfishing.

However, the EU dismissed these figures, calling them “estimates” and issuing a different catch total of 48,148 tonnes for Spain’s purse seine fleet in 2017ⁱⁱⁱ. It is on this much lower figure that the EU based its quota payback for the following years. Additionally, because the total was only 2,466 tonnes, or 5%, over quota, Spain avoided having to apply any multiplying factors to its repayment.

Overfishing by Spain in 2018

Spain was only able to commit to repaying 327 tonnes in 2018, deducting this amount from its quota, leaving it with an allocation of 45,355 tonnes of yellowfin tuna in 2018.

Once again, two different catch totals were provided for Spain’s 2018 yellowfin catch. The EU reported a catch of 45,318 tonnes to the IOTC^{iv} but published a total of 44,964 in its own Journal^v.

However, this discrepancy pales in comparison to the third catch total for Spain in 2018.

On 21 October 2019, the IOTC’s Working Party on Tropical Tunas (WPTT) met in Spain. During this meeting, scientists from IOTC member states became concerned about and did not agree with Spain’s catch data. A report from this meeting was published earlier this month.

The WPTT report concluded that the species composition within Spain’s reported purse seine associated-schools catch was incorrect, based on the catch composition of other fleets and of the EU in previous years^{vi}. The proportion of bigeye tuna was too high, and it was agreed that the Spanish numbers would have to be adjusted to reflect a more realistic composition of yellowfin, bigeye and skipjack tuna. In its report, the WPTT agreed to a new yellowfin catch total for the FAD-based Spanish purse seine fleet: 57,259 tonnes^{vii}. It should be noted, however, that these figures will not be considered “official” until after the 22nd Meeting of the IOTC Scientific Committee meeting, taking place now.

When one adds the unaffected yellowfin free-school catch of 1,666 tonnes to this number, Spain’s third catch total for 2018 is a shocking 58,925 tonnes – 30% over the quota for 2018.

Different catch totals

Spain having two very different catch totals for 2017 and three for 2018 is very problematic, especially since the EU is allowing Spain to base its payback on the lowest available figures.

Under IOTC Resolution 15/02, CPCs are required to submit their final purse seine catch data for the previous year no later than 30 June. This data is used in the IOTC’s annual catch data set.

Earlier this month, an official from the Spanish fisheries ministry again referred to the higher catch figures as “estimations” while citing Spain’s “policy of full transparency”^{viii}. However, at the recent EU Fisheries Committee meeting, Francesca Arena from the Directorate-General for Maritime Affairs and Fisheries told the Committee that there was indeed confusion within the EU over the ongoing discrepancies, saying that “It is also difficult for us to understand” and that they “have opened an internal investigation” into the matter^{ix}.

Of course, when different methods are used to calculate total catch, small discrepancies are to be expected. However, a discrepancy of 13,000 tonnes – or 30% – cannot be considered small. The EU’s contradictory yellowfin catch totals were highlighted in a letter to the European Commission from the Government of South Africa earlier this year^x. The letter said that the Spanish fleet had exceeded its total allowable catch in 2017 by nearly 9,000 tons and had continued unchecked in 2018, contrary to European fishing regulations. In its response, the European Commission stated that it would clarify the discrepancies at the 2019 IOTC meeting in Hyderabad in June 2019. As Ms Arena pointed out at the EU Fisheries Committee meeting earlier this month, no such explanation has been provided and confusion remains.

The table below summarises the Spanish purse seine fleet’s varying yellowfin catch totals for 2017 and 2018.

Details	Catch (MT)	Difference (MT)	Value Million \$*
EU-Spain allocated quota (2017)	45,682		
EU-Spain catch reported by EU (2017)	48,148	2,466	8.638
EU-Spain catch reported to IOTC by Spain (2017)	54,513	8,831	30.534
EU-Spain allocated quota (2018)	45,355		
EU-Spain catch reported by EU (2018)	44,964	-391	
EU-Spain catch reported to IOTC by Spain (2018)	45,318	-37	
EU-Spain catch revised in WPTT report (2018)	58,925 (57,259+1,666)	13,570	47.536

*Values are calculated based on ex-vessel values used by Macfadyen, G. and Defaux, V. (2019). Scoping Study of socio-economic data and indicators for IOTC fisheries. Report produced by Poseidon Aquatic Resources Management Ltd for the IOTC/FAO <https://iotc.org/documents/scoping-study-socio-economic-data-and-indicators-iotc-fisheries>

Conclusion

It is clear that Spain overfished yellowfin tuna in 2017 and 2018 and has created confusion by reporting different catch totals and moreover has only paid back a small amount.

ⁱ This can be found on page 130 of the Official Journal of the European Union, Council Regulation (EU) 2018/120 of 23 January 2018, on ‘Fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127’, available here: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R0120>

ⁱⁱ This data can be found in the IOTC's 'Nominal catch by species and gear, by vessel flag reporting country' dataset, available here: <https://www.iotc.org/data/datasets>

ⁱⁱⁱ The full amount in kg of 48 147 520 was reported on page 12 of the Official Journal of the European Union, the Commission Implementing Regulation (EU) 2019/479 of 22 March 2019, on 'Operating deductions from fishing quotas available for certain stocks in 2018 on account of overfishing of other stocks in the previous years and amending Implementing Regulation (EU) 2018/1969', available here: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R0479>

^{iv} This data can be found in the IOTC's 'Nominal catch by species and gear, by vessel flag reporting country' dataset, available here: <https://www.iotc.org/data/datasets>

^v The full amount in kg of 44 964 373 was reported on page 5 of the Official Journal of the European Union, Commission Implementing Regulation (EU) 2019/1726 of 15 October 2019, operating deductions from fishing quotas available for certain stocks in 2019 on account of overfishing in the previous years, available here: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1726>

^{vi} See paragraph 103 in the Report of the 21st Session of the IOTC Working Party on Tropical Tunas, available here: <https://www.iotc.org/documents/WPTT/21/RE>.

^{vii} See the graph in paragraph 108 in the Report of the 21st Session of the IOTC Working Party on Tropical Tunas, available here: <https://www.iotc.org/documents/WPTT/21/RE>.

^{viii} As quoted in *Spain hits back against accusation of overfishing in Indian Ocean* published by Undercurrent News, available here: <https://www.undercurrentnews.com/2019/11/22/spain-hits-back-against-accusation-of-overfishing-in-indian-ocean/>

^{ix} The video of this meeting can be viewed here: <https://www.europarl.europa.eu/ep-live/en/committees/video?event=20191112-1430-COMMITTEE-PECH>

^x This letter can be found in Appendix 3 of *A case study on the management of yellowfin tuna by the Indian Ocean Tuna Commission*, available here: <https://www.blumarinefoundation.com/wp-content/uploads/2019/06/2019.06.09-IOTC-REPORT-FINAL.pdf>