

Dear Commissioner Sinkevičius,

The state of the Indian Ocean yellowfin tuna stock

We are writing because we have been made aware of the correspondence between the Blue Marine Foundation and the Commission on the status of this globally important fish stock which the Commission asserts is at little risk of collapse, despite clear warning signs: the stock being overfished, overfishing still going on and a recovery plan failing (email from Ms Veronika Veits and Ms Angela Martini to Charles Clover on 17 February 2020).

Perhaps we can contribute some global context to this situation. The yellowfin tuna – along with the other tropical tunas of the Indian Ocean – belongs to a group of species whose origins go back 60 million years. Yet at least one stock analysis – one the Commission chooses not to rely on – says that it could be collapsed, perhaps never to recover, in six years. This is a stock on which 31 nations, many of them developing countries, and millions of consumers the world over depend. The political difficulties of taking the right urgent action now add multiple uncertainties to the timing of it coming into effect.

We write also knowing that one of the principles the Common Fisheries Policy of the EU is rightly meant to invoke is the precautionary principle, which is the idea that where there is a definable risk of stock collapse, it should influence fishery management in the direction of taking urgent action.

Article 6.1 of the UN Straddling Fish Stocks Agreement says "1. States shall apply the precautionary approach widely to conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks in order to protect the living marine resources and preserve the marine environment." So, the EU not taking urgent and appropriate action immediately would seem be grossly irresponsible and in contravention of this agreement as well as the Common Fisheries Policy. We want to ensure that the Commissioner is aware that the future of the stock and industry hang in the balance and urge that he instruct his negotiators to implement a real cut of at least 25 per cent in fishing levels in the forthcoming Indian Ocean Tuna Commission (IOTC) negotiations, in keeping with scientific advice.

The failure of the IOTC as an institution to take commensurate and effective action before now is one of the reasons why the poor track record of regional fisheries management organisations (RFMOs), the IOTC in particular, will be highlighted at the meeting of the UN Conference on biodiversity protection beyond national jurisdiction. It is a failure that in our view the EU should take a lead to rectify, rather than hiding behind the interests of some of its largest commercial stakeholders.

To summarise the core issue, yellowfin tuna has been overfished in the Indian Ocean for more than five years. In 2016, the IOTC adopted an interim plan for rebuilding the yellowfin stock, with catch limitations based on 2014/2015 levels. However, far from achieving the 20 per cent reduction in yellowfin catch recommended by scientists at the time, catches increased by three per cent in 2017 and by around nine per cent in 2018. The plan is clearly not working.

A stock projection model was applied to yellowfin tuna in 2018. The subsequent projection report suggests that continuing to fish at this increased level could precipitate the collapse of the Indian Ocean yellowfin tuna stock by 2026.

The EU is by far the biggest player when it comes to fishing for tropical tuna in the Indian Ocean and has a legal and moral responsibility to ensure that this globally important stock receives the protection that it deserves.

We would also like to respond directly to several points made by Ms Veronika Veits and Ms Angela Martini in the Commission's statement:

"We remain confident though that after this initial "teething" period, implementation of the measure [Resolution 19/01] will improve and catches will decrease."

Why would you remain confident when all experience to date suggests otherwise? This RFMO has failed repeatedly across the years to sufficiently control fishing mortality of the species it is supposed to manage. Urgent action is justified now, rather than business as usual. RFMOs have been called out again and again for their mismanagement of the sea. Trusting them to do the right thing now is far from justified and the IOTC, in particular, has done nothing to inspire confidence in its ability to reduce yellowfin catches, as has already been explained.

"But the stock is for the moment far from any danger of collapse."

The stock is in real danger of collapse. Limit reference points have increasingly been set to lower levels of biomass over the years, and therefore are more risk prone than in the past. Furthermore, it is hard to see how your suggested "low risk" of collapse, a highly undesirable endpoint, can justify current overfishing that sacrifices the productivity and revenue that would flow from a well-managed stock. There are costs to overfishing that will be borne by the industry, as well as unaccounted costs that are being inflicted on the marine environment of the Indian Ocean.

"In relation to the stock projection model you refer to, I would like to stress that IOTC scientists did not consider that projection to provide reliable advice on catch limits. There were numerous reasons for this, but mainly the low predictability of the model used, as explained more in detail below."

When there is uncertainty in stock size and management projections, and models are considered to be unreliable, the right thing to do is to implement the precautionary principle, as enshrined in fisheries agreements to which the EU is party, and reduce fishing mortality rates while better data are collected, and more reliable models produced. History is littered with examples of fisheries that collapsed because political leaders ignored uncertainty rather than seeing that uncertainty is dangerous to good management. The Canadian cod fishery is a good example.

There is a serious problem in fisheries management of managers favouring the models that support higher levels of exploitation, over those that give warnings that all is not well. The description in your letter of how the different model outputs were used suggests that this is the case for this fishery. We remain deeply concerned that ongoing overfishing is not being reined in, in accordance with obligations under international law.

The measures the EU should bring forward as a matter of urgency are clearly those that would effectively bring about the EU's contribution to a 25 per cent cut in overall catches of Indian Ocean yellowfin tuna. We believe it should build consensus in other parties for the same overall reduction to be made.

Yours sincerely,



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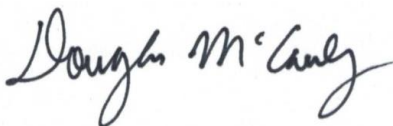
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Please note that, in light of public interest and urgency, we are hereby making this letter available to public audiences.

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