

RESOLUTION 23/01
ON MANAGEMENT OF ANCHORED FISH AGGREGATING DEVICES (AFADs)

Keywords: Precautionary Approach, anchored FADs

The Indian Ocean Tuna Commission (IOTC)

BEARING IN MIND that Article 5 of the Agreement for the implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) requires coastal States and States fishing on the high seas to collect and share, in a timely manner, complete and accurate data concerning fishing activities on, inter alia, vessel position, catch of target and non-target species and fishing effort, as well as information from national and international research programmes;

NOTING that the United Nations Food and Agricultural Organization (FAO) Code of Conduct for Responsible Fisheries provides that States should compile fishery-related and other supporting scientific data relating to fish stocks covered by sub-regional or regional fisheries management organisations and provide them in a timely manner to the organisation;

RECALLING that the objective of the IOTC Agreement is to ensure, through appropriate management, the conservation and optimum utilisation of stocks covered by the IOTC Agreement and encouraging sustainable development of fisheries based on such stocks while minimising the level of bycatch;

COGNIZANT that the operational aspects of anchored FADS and drifting FADS are very different and therefore that the requirements of drifting FAD management, such as those relating to the materials used in FAD construction, monitoring frequency and reporting, would be incompatible with the normal operation of anchored FADS.

ADOPTS, in accordance with Article IX, paragraph 1 of the IOTC Agreement, the following:

Definitions

1. For the purpose of this Resolution:
 - a. Fish Aggregating Device (FAD) means a permanent, semi-permanent or temporary object, structure or device of any material, man-made or natural, which is deployed and/or tracked, for the purpose of aggregating target tuna and tuna like species for consequent capture.
 - b. Anchored Fish Aggregating Devices (AFADs) means a FAD tethered to the bottom of the ocean, usually consisting of a buoy, and is anchored to the bottom of the ocean.

Applications

2. This Resolution applies to all CPCs that deploy AFADs for the purpose of fishing for tuna and tuna like species under the IOTC mandate with the exception of recreational fisheries, and without prejudice or undermining the sovereign right of the coastal States and its existing national regulation.
3. This resolution shall enter into force on 1 January 2024.

AFAD management

4. CPCs shall develop an AFAD Management Plan in accordance with the Guidelines in Annex I and shall submit this AFAD Management Plan to the IOTC Executive Secretary by 1 January 2024.
5. AFAD Management Plans shall be reviewed against the Guidelines in Annex I, by the IOTC Compliance Committee and by the IOTC Scientific Committee each in their respective role with the objective to provide advice to CPCs on areas of improvement.
6. CPCs shall submit to the Commission, through the Annual Report of Implementation their progress of their AFAD management plans, including, if necessary, reviews of the previously submitted management plans.
7. Until a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG) is developed, CPCs shall ensure that their vessels only use AFADs that are permanently marked with a Unique National Identification (UNI) number that identifies either the CPC or the vessel(s) that the AFAD belongs to (which ever applicable). The UNI number shall be clearly and permanently marked on the buoy of the AFAD.
8. The details of the new AFADs deployed within the EEZ of the CPCs (date of deployment, GPS position and the UNI number) shall be reported to the IOTC within 21 days of deployment of the AFADs, and its data confidentiality shall be maintained by the Secretariat. CPCs shall also maintain a register of deployed, lost, abandoned, and discarded AFADs and report this data to the IOTC Executive Secretary in their annual Implementation Report.
9. CPCs shall conduct inspections at sea to ensure that the AFADs are clearly and permanently marked with UNI number. CPCs with limited capacity to undertake at sea inspections may implement port inspections to ensure that the AFADs deployed are constructed and marked as per the requirements specified in this Resolution. CPCs shall communicate the number and outcome of inspections (at sea or in port) in their Annual Implementation Report.
10. The AFAD location data provided by the CPCs as required by paragraph 8 of this Resolution shall only be used for the purposes of the Scientific Committee and relevant Working Parties and should not be publicly shared or circulated for any other purpose.
11. CPCs shall submit the data elements provided in Annex II to the IOTC Executive Secretary, consistent with the IOTC standards for the provision of catch and effort data, and this data shall be made available for analysis to the IOTC Scientific Committee on the aggregation level set by Resolution 15/01 *On the recording of catch and effort data by fishing vessels in the IOTC area of competence* and Resolution 15/02 *Mandatory statistical requirements for IOTC Members and Cooperating Non-Contracting Parties (CPC's)* (or any subsequent superseding Resolutions), and under the confidentiality rules set by Resolution 12/02 *Data Confidentiality Policy and Procedures* (or any subsequent superseding Resolution).

Site selection and construction of AFADs

12. CPCs shall require that their flag vessels deploying new AFADs or replacing existing ones, take into account the nature and profile of the sea bottom when choosing a site and, where possible, avoid sites with steep slopes to minimise the risk of AFAD loss.
13. CPCs shall ensure that the upper floatation of AFADs is suitable for offshore, high current deployments by using designs which are streamlined to reduce drag and resistance to currents and waves.
14. CPCs shall ensure that only non-entangling and non-mesh materials are used in the sub-surface aggregates of AFADs.

15. CPCs shall encourage to construct AFADs from materials that will ensure increased longevity so that they continue to retain their integrity for the longest lifespan possible. Where sub-surface aggregators are attached to the mooring line of AFADs, CPCs should ensure that these aggregators are constructed from bio-degradable materials.
16. The IOTC Executive Secretary in consultation with the Scientific Committee shall develop a best practice guideline for construction of AFADs and submit it to the Commission for adoption no later than the 29th Annual Session of the IOTC.
17. The IOTC Scientific Committee shall analyse further information, when available, and provide advice on existing, additional or alternative AFAD management options for sustainable fisheries.
18. The IOTC Scientific Committee shall, no later than at its annual session in 2025, provide a set of relevant indicators that would allow monitoring the effects of AFAD fisheries and assessing the efficiency of existing/additional/alternative AFAD management options.
19. The IOTC Scientific Committee shall provide scientific advice by assessing the impact of fishing using AFADs on juvenile tuna mortality and provide advice to the Commission.

ANNEX 1: AFAD Management Plans

AFAD Management Plans shall include:

1. An objective
2. Scope:
 - Description of its application with respect to:
 - a) Vessel types
 - b) AFAD numbers and/or AFAD beacon numbers to be deployed (per AFAD type)
 - c) reporting and/or recording procedures for AFAD deployments
 - d) plans for monitoring and retrieval of lost AFADs
 - e) statement or policy on “AFAD ownership”
3. Institutional arrangements for management of the AFAD Management Plans:
 - a) institutional responsibilities
 - b) regulations applicable to the setting and use of AFADs
 - c) At-sea AFAD repairs, maintenance rules and replacement policy
 - d) data collection system
 - e) reporting obligations
4. AFAD construction specifications and requirements:
 - a) AFAD design characteristics (a description)
 - b) AFAD markings and identifiers, including AFAD beacons, if any
 - c) lighting requirements, if any
 - d) radar reflectors, if any
 - e) radio buoys, if any (requirement for serial numbers)
 - f) satellite transceivers, if any (requirement for serial numbers)
 - g) echo sounder, if any
5. Applicable areas:
 - a) details of any closed areas e.g., shipping lanes, Marine Protected Areas, reserves etc.
6. Means for monitoring and reviewing implementation of the AFAD–MP.
7. Methodologies for recording and reporting data specified in Annex II

Annex II: DATA COLLECTION FOR AFADS

- a) Any fishing activity around an AFAD including catch and bycatch, whether retained or discarded dead or alive.

- b) For each activity on an AFAD (including repair, intervention consolidation, etc.), whether followed or not by a set or other fishing activities, the,
 - i. Position (as the geographic location of the event (Latitude and Longitude) in degrees and minutes)
 - ii. Date (as DD/MM/YYYY, day/month/year)
 - iii. AFAD identifier (i.e. AFAD national identification number, beacon ID or any information allowing to identify the owner).