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## CHAIR'S PROPOSAL FOR A DRAFT ALLOCATION REGIME

Prepared by: The TCAC Chairperson

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### ABOUT THIS REVISION.

IOTC-2021-TCAC08-04 was revised to include appendices that were inadvertently left out from the original document.

### IOTC RESOLUTION 2023/XX

#### ESTABLISHING AN ALLOCATION REGIME FOR THE IOTC

#### PREAMBLE

**The Indian Ocean Tuna Commission (IOTC),**

**CONSIDERING** the objective of the Commission to promote cooperation among its Members with a view to ensuring, through appropriate management, the conservation and optimum utilization of stocks covered by the Agreement and encouraging sustainable development of fisheries based on such stocks, as referenced in Article V, paragraph 1 of the IOTC Agreement;

**MINDFUL** that allocation regimes can contribute to the sustainable management of fish stocks, in particular for fish stocks at levels below maximum sustainable yield, by providing a transparent and equitable means of distributing fishing opportunities;

**NOTING** in this regard IOTC 2010 *Resolution 10/01 for the conservation and management of tropical tuna stocks in the IOTC area of competence* endorsed by the IOTC at its 2010 meeting in Busan, Korea, pursuant to which the Commission mandated the Technical Committee on Allocation Criteria to “discuss allocation criteria for the management of tuna resources in the Indian Ocean and recommend an allocation quota system or any other relevant measures”;

**RECALLING** the principles, rights and obligations of all States, and provisions of treaties and other international instruments relating to marine fisheries, and in particular, relating to highly migratory species, including those contained in:

*The United Nations Convention on the Law of the Sea of 10 December 1982;*

*The Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, of 4 August 1995;*

*The 1993 FAO Compliance Agreement;*

*The 1995 FAO Code of Conduct for Responsible Fisheries;*

Other relevant instruments adopted by the Food and Agriculture Organisation of the United Nations; and,

The relevant resolutions of the United Nations General Assembly;

**RECALLING** global commitments to open and transparent decision-making;

**NOTING** the sovereign rights of coastal States in accordance with the international law of the sea for the purposes of exploring and exploiting, conserving and managing the living resources, including highly migratory species, within the 200 nautical mile Exclusive Economic Zone under their jurisdiction, and the need for the Allocation Regime not to prejudice such rights;

**RECOGNIZING** the interests, aspirations, needs, and special requirements of developing States, as stated in various international instruments, in particular least-developed States and Small Island Developing States (SIDS) that are coastal States in the IOTC area of competence, including their requirement to equitably participate in the fishery for highly migratory fish stocks in this area;

**UNDERLINING** the results and recommendations from the KOBE process;

**DESIRING** to cooperate to address developing coastal States interests, aspirations, needs, and special requirements and the rights of coastal States regarding fisheries resources in their exclusive economic zone, while recognizing the historic economic interests and rights of all IOTC Contracting Parties and Cooperating Non-Contracting Parties involved in fisheries for IOTC species;

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

## **Article 1. USE OF TERMS**

1.1. For the purposes of this Resolution:

- (a) **“Agreement”** means the Agreement for the Establishment of the Indian Ocean Tuna Commission, approved by the FAO Council at its Hundred-and-Fifth Session in November 1993, and entered into force on 27 March 1996;
- (b) **“Allocation”** means (6.1)
- (c) **“Coastal States”** means States whose exclusive economic zone is adjacent to, and included in, the IOTC area of competence;
- (d) **“Commission”** or **“IOTC”** means the Indian Ocean Tuna Commission;
- (e) **“Compliance Committee”** means the permanent committee provided for in Article XII.5 of the Agreement and established pursuant to the IOTC Rules of Procedures (2014);
- (f) **“Conservation and Management Measure”** or **“CMM”** as specified in Article IX of the Agreement, and consist of Resolutions, which are binding on Members, subject to Article IX para 5 of the IOTC Agreement, and Recommendations, which are non-binding, subject to Article IX para 8 of the Agreement;
- (g) **“Contracting Party”** or **“CP”** means a party to the Agreement;
- (h) **“Contracting Parties and Cooperating Non-Contracting Parties”** are jointly referred to as **“CPCs”**;
- (i) **“Cooperating Non-Contracting Party”** or **“CNCP”** means any non-Member of the Commission, which voluntarily ensures that vessels flying its flag fish in a manner which conforms with the Conservation and Management Measures adopted by the IOTC and have completed the application process to become a Cooperating Non-contracting Party to the

IOTC, as detailed in Appendix IV of the IOTC Rules of Procedures, and which the Commission has endorsed;

- (j) **“Developing State”** means a State that is a CPC and whose developing status has been defined under United Nations standards, as provided by the Human Development Index (include ref here); and the Gross National Income status provided by the World Bank (include ref here);
- (k) **“IOTC area of competence”** means the area under the IOTC mandate as set out in *Annex A of the Agreement*;
- (l) **“IOTC Management Procedures”** means IOTC Resolutions adopted for the management and conservation of species under the mandate of the IOTC;
- (m) **“Member”** means a Member of the Commission as specified in Article IV of the Agreement;
- (n) **“New Entrant”** means a State who was not a CNCP at the time this Resolution was adopted, and which has submitted its instrument of accession to the IOTC after the adoption of this Resolution;
- (o) **“Non-Coastal State”** means a State whose exclusive economic zone is not adjacent to or included in the IOTC area of competence;
- (p) **“Scientific Committee”** means the permanent committee provided for in Article XII.1 of the Agreement;
- (q) **“Small Island Developing States”** or **“SIDs”** are States whose status has jointly been defined by the UN and the OECD (include ref here).
- (r) **“TAC”** means the Total Allowable Catches established by the Commission for a species under its mandate and caught in the IOTC Area of Competence;

## **Article 2. PURPOSE**

2.1 . The Allocation Regime contained in this Resolution shall form the basis and manner for the Commission to determine allocations of fish species and for sharing these fishing opportunities among CPCs and New Entrants in a fair, equitable and transparent manner.

## **Article 3. GUIDING PRINCIPLES**

The following principles shall guide the Commission’s decisions in determining allocations for CPCs and New Entrants. Allocations established pursuant to the Allocation Regime contained in this Resolution shall:

- 3.1. provide a fair, equitable and transparent system to allocate fishing opportunities in the IOTC area of competence;
- 3.2. factor in the status of the IOTC species to be allocated;
- 3.3 contribute to the sustainable management and use of IOTC species;

- 3.4. respect the sovereign rights and obligations of coastal States within their Exclusive Economic Zone;
- 3.5. respect the rights and obligations of all States fishing in the IOTC area of competence;
- 3.6. recognize and accommodate the special requirements of developing coastal States, including Small Island Developing States, who are socio-economically dependent on IOTC fisheries resources, including for food security, and factor their needs and dependency on these resources;
- 3.7. take into account and accommodate the interests and aspirations of coastal States, particularly those of developing coastal States, in further developing their fishing opportunities in the IOTC area of competence;
- 3.8. be implemented in a step-wise manner while providing some stability in the fisheries, by shifting current fishing patterns from developed CPCs to CPCs that are developing coastal States, to ensure a smooth transition to a new allocation regime, taking into account the socio-economic impacts of the resulting change in past fishing patterns of developed CPCs;
- 3.9. provide incentives for Cooperating Non-Contracting Parties to become Contracting Parties to the IOTC; and,
- 3.10. the Allocation Regime shall deter Illegal, Unreported and Unregulated fishing and serious non-compliance with IOTC CMMs.

#### **Article 4. ELIGIBILITY**

- 4.1. Each CPC at the time of the adoption of this Resolution is eligible to receive an allocation under this Allocation Regime. The nature and extent of the allocation shall be determined based on the criteria and process outlined in this Resolution and its annexes.
- 4.2. A CNCP that is eligible to one or more allocations pursuant to this Resolution shall receive [50%] of the allocation for each species for which it is eligible, until such time as it becomes a Contracting Party to the IOTC. Once a CNCP becomes a CP, it may receive 100% of the allocations to which it is eligible, upon payment of its contribution to the Commission pursuant to Article XIII of the Agreement.
- 4.3. A New Entrant that is a Coastal State to the IOTC area of competence may be eligible to a special allocation described in articles 6.14, 6.15 and 6.16.
- 4.4. CPCs and New Entrants may lose eligibility to an allocation pursuant to Article 7.2.

#### **Article 5. SCOPE**

5.1. Subject to priorities established pursuant to articles 5.2 and 9.1, this Resolution shall apply to all fish species set out in Annex B of the Agreement caught in the IOTC Area of Competence, and to all gear types.

##### **Or**

5.1. Subject to priorities established pursuant to articles 5.2 and 9.1, this Resolution shall apply to the fish species listed in Annex 1 to this Resolution caught in the IOTC Area of Competence.

5.2. The Commission may implement the Allocation Regime in this Resolution in a gradual manner, based on priorities established in accordance with Article 9.1.

## Article 6. ALLOCATION STRUCTURE

### Total Allowable Catch

- 6.1. (a) Allocations to CPCs under this Allocation Regime shall consist of fishing opportunities represented as percentage shares of the Total Allowable Catches (TACs) for species determined by the Commission and reflected in relevant IOTC Management Procedures.
- (b) In the absence of a TAC, the Commission may use a proxy for a TAC for a given species, such as the maximum sustainable yield or other level of exploitation determined by the Commission, for establishing allocations pursuant to this Resolution.
- 6.2. Allocations to CPCs shall be established based on allocation criteria contained in article 6.5 to 6.12, and pursuant to the process set out in articles 9.5. to 9.18., at the beginning of each species cycle designated by the Scientific Committee.
- 6.3. The sum of allocations for a given species established pursuant to the Allocation Regime contained in this Resolution shall not exceed the TAC for that species.
- 6.4. The total initial Catch-based Allocation shall comprise [ %] of the TAC, and the total initial Coastal State Allocation shall comprise [ %] of the TAC.

### Criteria for Allocations

- 6.5. The allocated share of the TAC for a given species for each eligible CPC may consist of two elements:
- (a) a percentage share of the Catch-based Allocation as defined by criteria provided in articles 6.6 to 6.10, and
  - (b) a percentage share of the Coastal State Allocation as defined in criteria provided by articles 6.11 and 6.12 and indicators provided in Annex 3,
- the sum total of which may be adjusted by factors defined in articles 7.1 to 7.3.

### Catch-Based Allocations

- 6.6. (a) Eligible CPCs may receive a Catch-base Allocation established based on two factors:
- (i) the Historical Catches of CPCs determined based on the criteria provided in Article 6.7 and revised pursuant to articles 6.8 and 6.9 and in accordance with the schedule provided in Annex 2; and
  - (ii) the Attributed Catch to CPCs that are [developing] coastal States determined on the basis of article 6.8 and the schedule in Annex 2,
- (b) The Catch-base Allocation shall be normalised for each eligible CPC as a percentage of the species specific TAC.

### Historical Catch

- 6.7. (a) The historical catch used to determine a CPC's initial Catch-based Allocation for a given species shall be based on the best scientific estimates of nominal catch data determined by the Scientific Committee for each species caught in the IOTC area of competence, averaged over the period:

Option 1: *2000-2016*,

Option 2: *(2002-16)*,

Option 3: *best 5 years averaged from within the period 1950-2016*

**Or**

6.7. (a) The historical catch used to determine a CPC's initial Catch-base Allocation for a given species shall be based on the best scientific estimates of nominal catch data determined by the Scientific Committee for each species caught in the IOTC area of competence averaged over the reference periods listed in Annex 1.

(b) In determining the best scientific estimates of nominal catch data, IUU catches shall be excluded.

### **Attributed Catch**

[Two options are proposed for discussion. Appendix 1 provides a diagram of the two proposals]

#### Option 1:

6.8. [X%] of the historical catch of developed non-coastal CPCs shall gradually be attributed over a period of [X years] in the amounts and based on the schedule set out in Annex 2 to CPCs that are developing coastal States, to form the basis of the Coastal States Attributed Catch.

6.9. The Coastal States Attributed Catch shall be shared by CPCs that are developing coastal States based on the criteria set out in article 6.11 and indicators provided in Annex 3.

6.10. The Catch-based Allocations of developed non-coastal CPCs shall be revised in accordance with the amounts and schedule provided in Annex 2.

**Or**

#### Option 2:

6.8. [X%] of the historical catch of developed non-coastal CPCs shall gradually be attributed over a period of [X years] in the amounts and in accordance with the schedule set out in Annex 2 to CPCs that are coastal States and included as part of their Coastal States Allocation, shared on the basis of criteria set out in article 6.11 and indicators provided by Annex 3.

6.9. The Catch-base Allocation of developed non-coastal CPCs shall be revised consistent with the amounts and schedule provided in Annex 2.

Renumber rest of provisions of Article 6 if option 2 is chosen.

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### **Coastal States Allocation**

6.11. In addition to the Catch-base Allocation, CPCs that are Coastal States shall be eligible to receive a share of the TAC, which may comprise one or more of the following components:

- (a) [35%] of Coastal State Allocation to address their interests and aspirations as Coastal States, to be shared in equal portion by all Coastal States as per Annex 3;
- (b) [47.5%] of the Coastal State Allocation dedicated to CPCs that are developing coastal States to address their needs and dependency on the fishery, to be shared based on the indicators described in Annex 3; and
- (c) [17.5%] of Coastal State Allocation dedicated to CPCs that are Coastal States to address their rights and status as Coastal States, to be shared based on the indicators in Annex 3.

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**Correction for Extenuating Circumstances**

6.12. A CPC that is a developing coastal State and whose ability to fish for species covered by this Resolution during the catch history reference period referred to in Article 6.7 has been severely restrained or impeded by extenuating circumstances, such as:

- (a) engagement in war or other military conflicts;
- (b) engagement in civil conflicts;
- (c) wide spread piracy in the fishing area;
- (d) environmental disasters, such as a tsunami,

may, subject to the approval of the Commission, seek to have its allocation for that species corrected based on the average catch taken within the catch history reference period by CPC developing coastal States for the same species.

**New Entrants**

6.13. The Commission may set aside a portion of a TAC that has increased from the previous TAC cycle, to be allocated, as a Special Allocation, to New Entrants as defined in paragraph 4.3, where the New Entrant:

- (a) submits a written request to the Commission for an allocation of a given species;
- (b) provides nominal catch data for the species for which it is seeking an allocation;
- (c) demonstrates a real interest in IOTC fisheries;
- (d) pays its annual contribution to the Commission; and
- (e) complies with the CMMs.

6.14. The Commission may allocate shares of the Special Allocation referenced in Article 6.13 to each New Entrant in the year that the TAC is reviewed for the species.

6.15. New Entrants shall share in equal proportion, any Special Allocation set aside by the Commission pursuant to articles 6.13. and 6.15.

**Article 7. ADJUSTMENTS****7.1 Over-catch**

(a) Over-catch of a species by a CPC in a given calendar year within an allocation period shall be deducted from that CPC's allocation for that species in the following calendar year within the same allocation period at a ratio of 1.2:1.

(b) A CPC may seek to defer this deduction to the next calendar year within the allocation period, in which case, the deduction ratio will be increased to 1.5:1.

(c) A second consecutive over-catch of a given species shall result in an allocation deduction of 2:1, and deferral shall not be permitted.

(d) Any outstanding over-catch of a species from an allocation period shall be deducted from the first calendar year of the following allocation period, based on the relevant ratio referred to in paragraphs 7.1. (a) to (c).

## 7.2. Serious Non-Compliance

- (a) The Commission may temporarily withdraw eligibility to an allocation of any CPC or New Entrant, where the Commission determines that the CPC or New Entrant has demonstrated serious, systematic or gross disrespect of the IOTC’s Conservation and Management Measures.
- (b) In determining whether to temporarily withdraw eligibility of a CPC or New Entrant to an allocation, the Commission may consider the following examples of serious and systematic non-compliance:
- (i) Repeated and persistent overcatch or underreporting, with refusal to adjust their allocation in accordance with article 7.1, or where no concrete actions are taken to remediate;
  - (ii) Long-term non-provision of data with no concrete actions taken to address the data gaps;
  - (iii) Persistent non-payment of contributions to the Commission in accordance with Article XIII of the Agreement.
- (c) The Commission may reinstate a CPC’s or New Entrant’s allocation that has been temporarily withdrawn where:
- (i) the CPC or New Entrant has fully addressed the non-compliance issue; and,
  - (ii) the CPC or New Entrant has made a request in writing to the Commission for reinstating their allocation, providing information related to steps taken to address the non-compliance, as outlined in paragraph 7.2(b).

## 7.3 Adjustments based on Changes to TACs

When the TAC for a given species changes above or below a threshold set by the Commission and reflected in its Management Procedure for the species, this shall result in proportionate adjustments to allocations of CPCs as follows:

- (i) [%] CPCs that are developed States;
- (ii) [%] CPCs that are developing Coastal States.

## Article 8. ALLOCATION TRANSFERS AND USE

- 8.1. (a) CPs who wish to transfer, on a temporary basis, a portion or all of their allocations within an allocation period, shall notify the Commission in writing XX days prior to the transfer occurring.
- (b) The Secretariat shall share the written notification with all CPCs within xx days of its receipt.
- (c) The written notification of the CP shall include the amount of fish to be transferred; the species; the period; the gear type to be used; and, the CP to whom the allocation, or part thereof, will be transferred.
- (d) Permanent transfers of allocations are not permitted.
- 8.2. CNCPs and New Entrants are not eligible to transfer any whole or part of their allocations, nor to receive any whole or part of an allocation from CPCs or New Entrants.
- 8.3. A CPC or New Entrant that does not intend to fish, transfer, or preserve its allocation for conservation purposes, in a given allocation period, shall notify the Commission in writing, within xx



days of the Annual meeting of the Commission. The unused allocation shall be re-allocated in accordance with Article 9.12.

## **Article 9. IMPLEMENTATION**

### **Priority Species**

9.1. Allocations shall be established as a matter of first priority for the following species:

- (a) yellowfin tuna;
- (b) bigeye tuna;
- (c) skipjack tuna;
- (d) albacore tuna;
- (e) swordfish.

9.2. The Commission may determine an order of priority for the remaining species covered by this Allocation Regime pursuant to Article 5.1 and Annex 1, for which it will gradually implement allocations. In determining the order of priority, the Commission shall consider the advice from the Scientific Committee, and factor in:

- (a) the availability and reliability of data for the species;
- (b) the status of the species;
- (c) the schedule (cycle) for species/stock assessments; and
- (d) the need to manage the workload of the Commission by rotating the timing of various TAC decisions.

9.3. The Commission may amend Annex 1 to reflect these implementation priorities.

### **Implementation Plan**

9.4. (a) Prior to the coming into force of this Resolution, the Secretariat shall prepare for the Commission's approval, an Implementation Plan for establishing allocations factoring in the priority list of species approved by the Commission pursuant to paragraph 9.1. The Implementation Plan may be amended from time to time, to add species to the priority list based on decisions of the Commission.

(b) The Implementation Plan shall include:

(i) a schedule for setting TACs or appropriate proxies, as per the advice of the Scientific Committee;

(ii) a draft template for allocation tables;

(iii) information and data requirements for establishing TACs and allocations beyond current data requirements of the IOTC; and,

(iv) proposed strategies for addressing data gaps required to be addressed to enable the Commission to establish TACs and allocations for species, as needed.

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## **Allocation Process and Catch Validation**

### **Allocation Committee**

- 9.5. Pursuant to Article XII.5 of the Agreement, the Commission hereby establishes the Allocation Committee to support the Commission’s process for allocating IOTC species to CPCs and New Entrants.
- 9.6. The mandate of the Allocation Committee shall include:
- (a) to adjust and make corrections to the allocations consistent with this Resolution; and,
  - (b) to provide advice and recommendations to the Commission for decisions it is mandated to make pursuant to this Resolution.
- 9.7. Membership and Terms of Reference for the Allocation Committee are provided in Annex 4. A process map for the allocation process and catch validation is included as Appendix 2.

### **Implementation Plan**

- 9.8. During its first meeting, the Allocation Committee shall review and provide advice and recommendations to the Commission in respect of the adoption of the Implementation Plan drafted by the Secretariat in accordance with article 9.4. Thereafter, the Allocation Committee shall provide advice and recommendations to the Commission on any amendments that may be proposed to the Implementation Plan.

### **Allocation Tables**

- 9.9. (a) XX days prior to the commencement of the management cycle for each species, and in accordance with the Implementation Plan referenced in articles 9.4 and 9.8, the Secretariat shall develop draft Allocation Tables for each species to be allocated pursuant to this Resolution for that cycle, based on the TAC decisions of the Commission for each species.
- (b) The draft Allocation Tables shall include allocations for each eligible CPC established pursuant to the criteria in this Resolution, including any adjustments pursuant to article 7, and any corrections requested pursuant to article 6.14.
- (s) The draft Allocation Tables do not confer allocation rights to CPCs until they are approved by the Commission.
- 9.10. Eligible CNCPs and New Entrants that wish to be considered for allocations under articles 6.6 to 6.12 and 6.13 to 6.15 respectively, shall send a letter of application to the Commission at least xx days prior to the meeting of the Allocation Committee.
- 9.11. The Secretariat shall include in the Allocation Tables any transfers notified to the Commission pursuant to article 8.1 and 8.2, and any requests for allocations submitted by CNCPs and New Entrants pursuant to article 9.10.
- 9.12. Upon receipt of the notification in Article 8.3., the Secretariat shall revise the relevant Allocation Tables by reallocating the proposed unused allocation to other CPCs based on the relevant allocation criteria.

**Annual Meeting of the Allocation Committee**

- 9.13. The Allocation Committee shall meet annually, prior to the Commission’s Annual Meeting.
- 9.14. XX days prior to the meeting of the Allocation Committee, the Secretariat shall share with the Members of the Allocation Committee information and recommendations emanated from the Compliance Committee regarding non-compliance of CPCs and New Entrants for consideration by the Allocation Committee in accordance with article 7.2.
- 9.15. The Secretariat shall update the Allocation Tables with any information submitted to the Commission in accordance with Article 9. It shall post the updated Allocation Tables on the IOTC Website at least xx days prior to the Allocation Committee meeting.
- 9.16. CPCs may seek revisions or corrections to the Allocation Tables from the Allocation Committee to reconcile and validate catch data compiled and reported to the Commission.

**Commission Approval**

- 9.17. The Secretariat shall prepare final draft Allocation Tables for each species reflecting the outcomes of the Allocation Committee meeting and submit them for decision by the Commission.

- 9.18. (a) At its annual meeting, the Commission shall consider the recommendations of the Allocation Committee in approving the Allocation Tables submitted by the Secretariat.

(b) The final Allocation Tables, including any decision by the Commission, shall be made public as soon as possible after the Commission’s decision.

(c) The allocations contained in the Allocation Tables approved by the Commission constitute the final allocations of CPCs and New Entrants for the management cycle of the species.

**Article 10. ALLOCATION PERIOD**

- 10.1. Subject to article 7.2, and any in-period adjustments made pursuant to article 7.1, each species allocation made and approved pursuant to this Resolution shall remain valid for the same period as the TAC or proxy established for the species and reflected in the management procedure for the species.

**Article 11. FINAL CLAUSES****Coming into Effect**

- 11.1. This Resolution shall come into effect within the timeline provided by Article IX of the Agreement

**Term and Amendment**

- 11.2 Subject to Article 11.3, the Allocation Regime contained in this Resolution shall be reviewed after [xx years] of its entry into effect, and may be amended by decision of the Commission.

- 11.3 The term of the Allocation Regime contained in this Resolution may be extended by periods of 5 years.

11.4 The Allocation Regime shall remain in effect until amended or replaced by the Commission.

**Safeguard**

11.5 Consistent with Article IV.6 of the Agreement, nothing in this Resolution, nor any act or activity carried out pursuant to this Resolution, shall be considered or interpreted as changing or in any way affecting the position of any party to the IOTC with respect to the legal status of any area covered by the Agreement.

**Past Resolutions**

11.6 This Resolutions replaces and supersedes the following Resolutions:

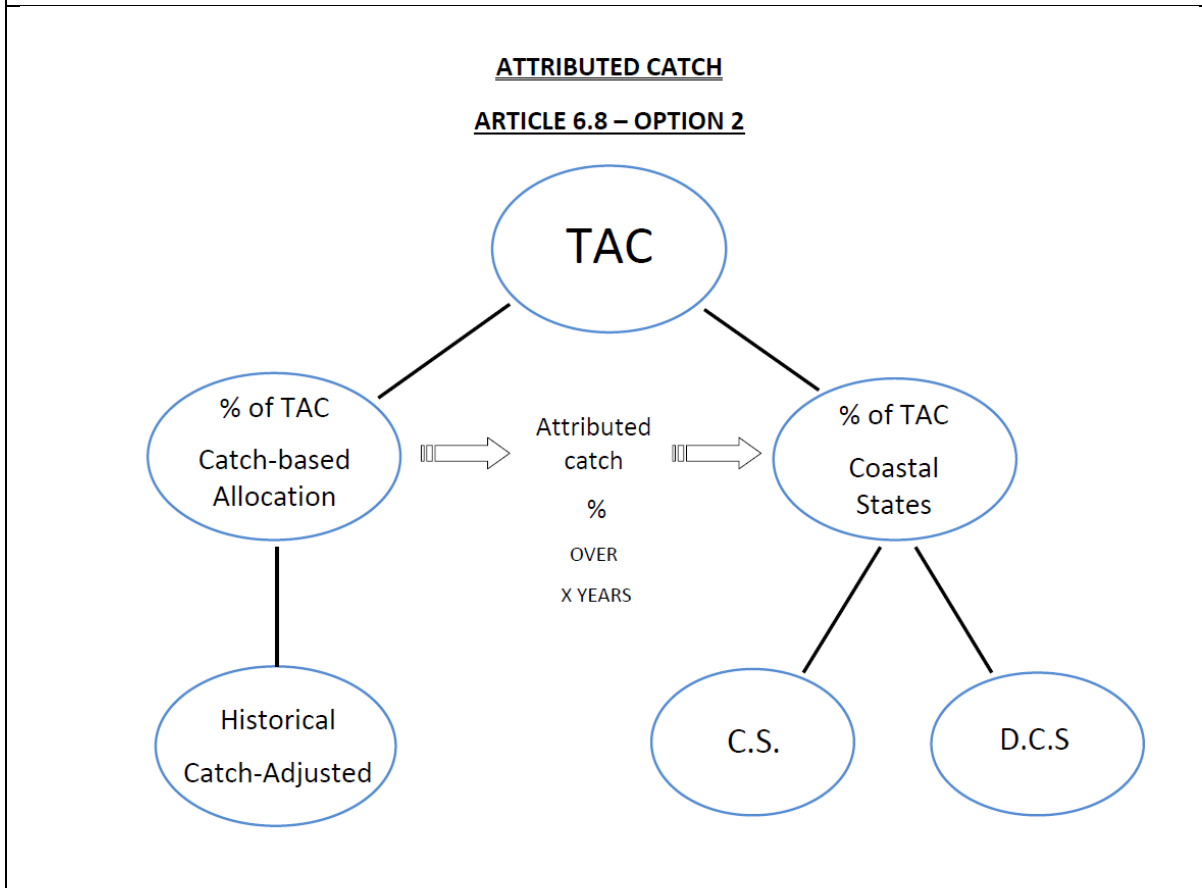
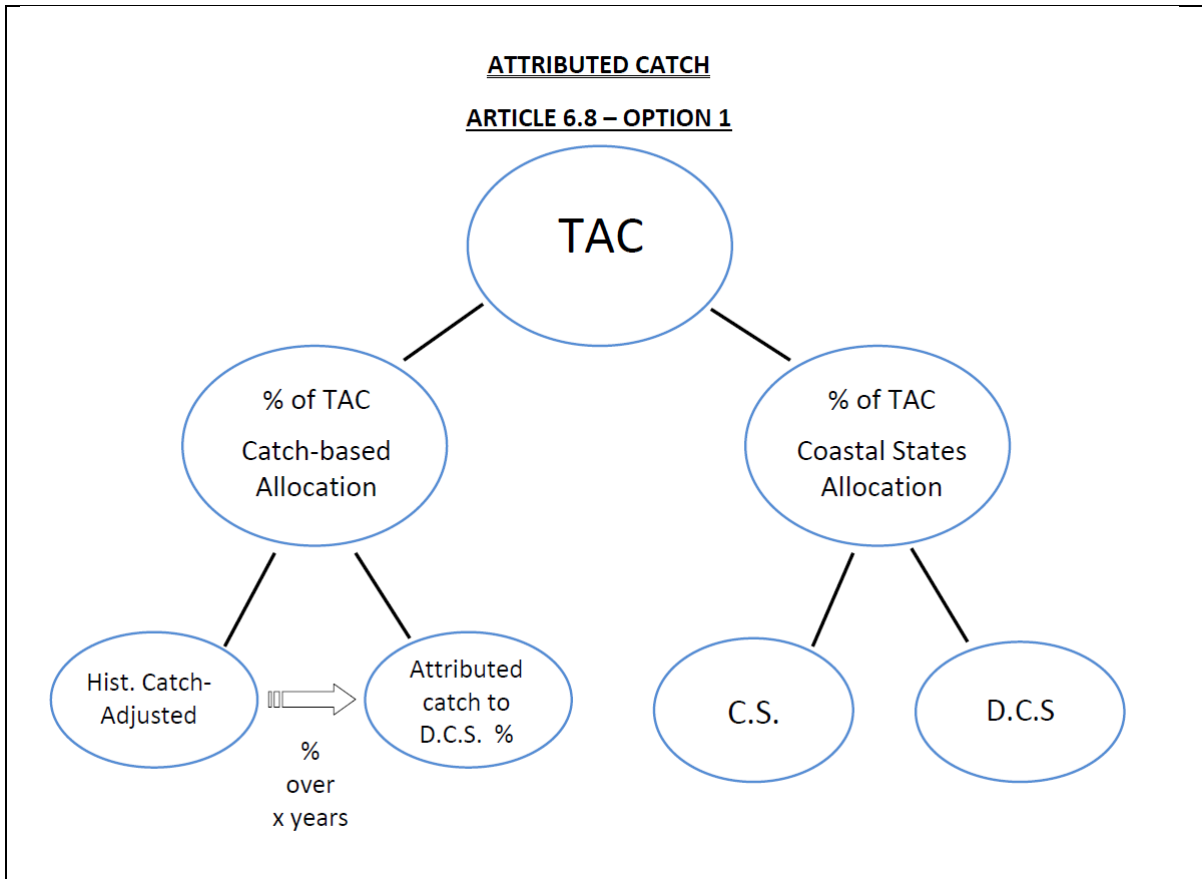
(a) 14/02 (title)

(b) 03/01 (title)

(c) others..

**Appendix 1**

**Attributed catch options**



**Appendix 2**

**A process map for the allocation process and catch validation**

*to be added*

**Annex 1****Species to be Allocated pursuant to the Allocation Regime**

The following species of tunas and highly migratory species found in the IOTC area of competence shall be allocated pursuant to the Allocation Regime of the IOTC provided in Resolution 2023/XX, in the following priority order:

1. yellowfin tuna
2. big eye tuna
3. skipjack tuna
4. albacore tuna
5. swordfish
6. longtail tuna
7. kawakawa
8. frigate tuna
9. bullet tuna
10. narrow barred Spanish mackerel
11. Indo-Pacific king mackerel
12. Indo-Pacific Blue Marlin
13. Black Marlin
14. striped marlin
15. Indo-Pacific sailfish

## Annex 2

### **Schedule for Attribution of Catch from developed non-coastal CPCs to [developing] CPCs that are Coastal States**

1. A total of [%] of historical catch of developed non-coastal CPCs shall gradually be attributed to [developing] CPCs that are Coastal States in accordance with this Annex. This shift shall commence one year after the entry into effect of this Resolution and shall be completed within [xx years].

2. The attribution shall occur gradually, by decreasing the historical catch of developed non-coastal CPCs, and proportionately attributing this catch to [developing] CPCs that are coastal States, in the following manner:

(a) % of the initial historical catch to be attributed in year 1;

(b) % of the initial historical catch to be attributed in each of years 2; 3; 4; 5; x...; and,

(c) a final attribution of % of the initial historical catch in year x.

3. The final historical catch and the [option 1: final Coastal States Attributed Catch / or option 2: Coastal States Allocation] shall then remain adjusted for the remaining of the term of the allocation regime.



### Annex 3

#### Coastal States Allocation Indicators

1. The following indicators shall be used to calculate the Coastal States Allocation pursuant to Article 6.11 of the Allocation Regime in Resolution 2023/XX:

a) Pursuant to paragraph 6.11(a), CPCs that are coastal States: Status weighting = 1 (an equal portion for each). Proportion = 35% of the Coastal States Allocation;

b) Pursuant to paragraph 6.11(b), CPCs that are developing coastal States: Proportion = 47.5% of the Coastal States Allocation;

- *Human Development Index (HDI) status*: Status weighting = low (1), medium (0.75), high (0.50), Very high (not applicable). Proportion = 30% of the developing coastal States element of the Coastal States Allocation;

- *Gross National Income (GNI) status*: Status weighting = low (1), low-middle (0.75), upper-middle (0.5), high (0.25). Proportion = 30% of the developing coastal States element of the Coastal States Allocation;

- *Small Islands Development Status (SIDS)*: Status weighting = yes (1), no (0). Proportion = 40% of the developing coastal States element of the Coastal States Allocation;

c) Pursuant to paragraph 6.11(c), CPCs that are coastal States: EEZ proportion: In the absence of data supporting an indicator based on stock abundance, the size of the area under national jurisdiction within the IOTC Area of Competence, as a proportion of the overall IOTC Area of Competence.

Proportion = 17.5% of the Coastal States Allocation; EEZ size weighting:

- >0.0-≤1.0% of the IOTC Area of Competence (weighting = 1)
- >1.0-≤2.0% of the IOTC Area of Competence (weighting = 2)
- >2.0-≤3.0% of the IOTC Area of Competence (weighting = 3)
- >3.0-≤4.0% of the IOTC Area of Competence (weighting = 4)
- >4.0-≤5.0% of the IOTC Area of Competence (weighting = 5)
- >5.0-≤6.0% of the IOTC Area of Competence (weighting = 6)
- >6.0-≤7.0% of the IOTC Area of Competence (weighting = 7)
- >7.0-≤8.0% of the IOTC Area of Competence (weighting = 8)

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## Annex 4

### Terms of Reference for Allocations Committee

#### Membership

1. (a) The Allocations Committee of the IOTC established pursuant to article 9.4 of the IOTC Allocation Regime contained in Resolution 2023/XX shall consist of representatives of Contracting Parties and Cooperating Non-Contracting Parties.  
  
(b) Representatives from New Entrants, Observers and Experts may participate in meetings of the Allocations Committee in accordance with the IOTC Rules of Procedure.

#### Chair

2. The Allocations Committee shall be presided by a Chairperson elected by its members in accordance with the IOTC Rules of Procedure.

#### Mandate

3. The mandate of the Allocations Committee shall include to adjust and make corrections to the allocations consistent with the Resolution, and to provide advice and recommendations to the Commission for decisions it is mandated to make pursuant to the Resolution.
4. Specifically and consistent with the process established in the Resolution and reflected in the process map in Appendix 2, the Allocation Committee shall review draft Allocation Tables prepared by the Secretariat for each species allocated pursuant to the Resolution, and provide advice and make recommendations to the Commission for decisions on the following matters:
  - (a) Implementation Plan drafted by the Secretariat pursuant to article 9.3;
  - (b) Allocation Tables prepared by the Secretariat pursuant to article 9.8;
  - (c) Requests from Eligible Participants to reconcile catch data pursuant to article 9.12;
  - (d) Requests for allocations by New Entrants pursuant to articles 6.13 to 6.15;
  - (e) Transfers pursuant to Article 8;
  - (f) Corrections to allocations of a CPC that is a developing coastal State for circumstances provided in Article 6.12;
  - (g) Adjustments made for over-catch pursuant to article 7.1;
  - (h) Temporary withdrawal of an allocation from a CPC or New Entrant for serious non-compliance pursuant to article 7.2; and
  - (i) any other matter required by the Commission.
5. The Allocations Committee shall report directly to the Commission on its deliberations and recommendations.
6. The Allocations Committee shall cooperate closely with the IOTC Secretariat and IOTC subsidiary bodies in accomplishing its functions, in particular, the Compliance Committee and the Scientific Committee.

**Meetings**

7. The Allocations Committee shall meet once a year, prior to the annual meeting of the Commission.

**Rules of Procedure**

8. The procedures of the Allocations Committee shall be governed mutatis mutandis by the Indian Ocean Tuna Commission: Rules of Procedure (2014), as amended from time to time.