

07 July 2021

IOTC CIRCULAR 2021-37

Dear Madam / Sir

OBJECTION FROM OMAN TO IOTC RESOLUTION 21/01

Please find attached a communication from Oman 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. Oman's objection is the second 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 Oman

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.

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Sultanate of Oman

Ministry of Agriculture, Fisheries Wealth & Water Resources



سُلْطَنَةُ عُومَانِ

وَزَارَةُ الثَّرْوَةِ الْبَحْرِيَّةِ وَالصِّيَادَةِ وَالْمَسْكَنَةِ وَوَزَارَةُ الْمَنِيَّةِ

No. : 213145632

Date : 6/7/2021

Date :

الرقم :

التاريخ :

الموافق :

INDIAN OCEAN TUNA COMMISSION (IOTC)

The Executive Secretary
Le Chantier Mall (2nd Floor)
PO BOX 1101 Victoria Mahé

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

Ref. IOTC Circular 2021 – 31

Dear Dr. O'Brien,

We hereby refer to IOTC Circular 2021- 31 communicating the Conservation and Management Measures (CMMs) adopted by the Indian Ocean Tuna Commission (IOTC) during its 25th Session, which was held by Conference from 7 to 11 June 2021.

Following Article IX (5) of the IOTC Agreement, the Sultanate of Oman hereby officially submits its **objection** to the application of *Resolution 21/01, on an interim plan to rebuild the Indian Ocean yellowfin tuna stock in the IOTC area of competence.*

As has been the case for previous objections of other Members, advice of the FAO Legal Office on objections is that IOTC Resolutions adopted by the Commission are considered as self – standing instruments, which enter into force according to the relevant provision of the IOTC Agreement (Article IX, para.1), and, therefore, a previous version of the objected Resolution, where applicable, would be binding on the Party making the objection. Noting this advice, *Resolution 19/01 on an interim plan to rebuild the Indian Ocean yellowfin tuna stock in the IOTC area of competence* remains binding for Oman.

As per Article IX of the IOTC Agreement, we request this decision to be duly notified to all Parties concerned.

Yours Faithfully,



عبد العزيز
Dr. Abdulaziz Al-Marzouqi
Director General of Fisheries
Wealth Development