

A COMPIATION OF COMMENTS RECEIVED ON THE DRAFT ALLOCATION REGIME

TCAC comments v1 September

ABOUT THIS DOCUMENT.

The TCAC08 reviewed a draft allocation regime (IOTC-2021-TCAC08-04_Rev1) paragraph by paragraph. The TCAC Chairperson noted the comments made in plenary and also invited Members to submit written comments.

This document contains the comments received on the text of the allocation regime as drafted in IOTC-2021-TCAC08-04_Rev1.

v10 Aug, includes UK comments on the Art 1. list of terms

v1 Sep, includes EU comments which were inadvertently left out of previous versions.

IOTC RESOLUTION 2023/XX

ESTABLISHING AN ALLOCATION REGIME FOR THE IOTC

United Kingdom, general comments

The UK would like to offer some general reflections in order to simplify interpretation and understanding of the document. We would suggest the following changes / approaches:

- Keeping the overall regime as short and simple as possible, at least for the initial implementation, and limiting the amount of decisions the TCAC needs to make during this process in order to keep up momentum (for example on different reference periods for different species). Further amendments can be made over time when the regime is established.
- Removing Latin phrases to ensure text is as readable as possible for all.
- Consider including a new article/section on reporting frequency, and increased reporting frequency when quota utilisation nears 100%, to enable adequate and timely monitoring of quota uptake as the year progresses. This has been further expanded on under Article 7 below.

South Africa.

We have also reviewed and agreed to all of the edits being provided by the Maldives (with the exception of the text related to 6.7(a) below, so we won't be providing additional comments at this time, but reserve the right to do so in the future.

European Union.

Instead of "State", we would prefer to use the terms "CPC" or "Member", more in line with the IOTC agreement that allow the participation of associate members and regional economic integration organisations.

Instead of "fish species", we would prefer to use the terms "fish species or fish stocks"

PREAMBLE

Maldives.

Maldives reserves extensive comments on the preamble at this time. It is usual for international negotiations to resolve the preamble last, once the operative elements of a resolution are settled.

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;

Maldives.

However, we would like to take this opportunity to suggest amendment to the following statement.

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.

Since MSY is not a limit reference point used by the IOTC anymore, rather than mentioning MSY, we suggest to refer to the depletion or production limits, that is, the status of the stock that is assessed. Maldives may offer further comments on the preamble at a later time.

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;

European Union.

RECOGNIZING the established interests, fishing patterns and fishing practices of Members historically fishing in the IOTC area of competence

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

United Kingdom.

At this stage the UK would suggest that the list of Terms reprised here should be comprehensive and include all of the Terms used throughout the document. If towards the end of the process we decide a full list of Terms is not needed, we can look to reduce or remove as appropriate, but they are useful to include for now to ensure CPCs are all on the same page. With that in mind we would suggest:

- *Including a definition of ‘Allocation’.*
- *In (b) spelling out the definition of ‘Allocation’ (not just cross-refer to 6.1).*
- *After (b) including a definition of ‘Allocation Period’ (not just cross-refer to 10.1).*
- *Amending the definition of Coastal States in (c) to reflect the wording of the IOTC Agreement “...situated fully or partially within the Indian Ocean”, in line with the suggestion made by the EU.*
- *Under (j) (definition of ‘developing state’) including a reference to a new appendix which should include a table setting out which CPC has which status.*
- *Including a definition of ‘Fishing Opportunities’.*

Maldives.

Maldives note that Article 1 will need to be revisited when we are closer to agreement, noting that it contains definitions of terms used. *Comments on individual terms provided below.*

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;

United Kingdom.

In addition to the comments provided in the attached, the UK wanted to raise a possible area of concern related to Article IX of the *Agreement for the Establishment of the Indian Ocean Tuna Commission* (‘the Agreement’). As this was not discussed in the TCAC08 meeting, the UK has not included this in our formal submitted comments. The issue we note is that the provisions on objections in Article IX of the Agreement could potentially allow for a situation where a party could

object to, and thus not be bound by the provisions of, any Allocation Regime adopted via an IOTC CMM, yet still receive a quota allocation. This may require further consideration and we hope that we are being helpful in flagging at this stage.

(b) **“Allocation”** means (6.1)

Maldives.

However, we consider that ‘allocation period’ should be defined given the term has significant operational meaning but is not yet defined in the measure.

(c) **“Coastal States”** means States whose exclusive economic zone is adjacent to, and included in, the IOTC area of competence;

European Union.

“Coastal CPC State” means States, associated members or regional economic integration organisations whose exclusive economic zone is adjacent to, and included in, situated wholly or partly within 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;

Maldives.

We note the definition of “Cooperating Non-Contracting Party” refers to an incorrect reference. Furthermore, if we refer to the IOTC rules of procedure in the first section of the paragraph, the latter part of the paragraph regarding Commission’s endorsement becomes obsolete. Thus, Maldives proposes the paragraph as follows:

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 III of the IOTC Rule of Procedures.

- (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);

Maldives.

We also suggest the Developing States definition to conclude with the terms “United Nations Standards”, as follows. The standards used by the UN may change over the years, therefore specifying particular standards here may make it obsolete down the line. Thus, Maldives proposes as follows:

“Developing State” means a State that is a CPC and whose developing status has been defined under United Nations standards.

- (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;

European Union.

“IOTC Management Procedures” means IOTC Resolutions adopted for the sustainable exploitation of harvested species through a set of formal actions, usually consisting of data collection, stock assessment (or other indicators), and harvest control rules, able to iteratively and adaptively provide robust decisions to manage a fishery. (definition taken by the IOTC scientific glossary).

- (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;

Maldives.

We also note that ‘new entrant’ may require further consideration. ‘New Entrant’ is a point in time status- a State can be a new Entrant upon accession to the Agreement /obtaining CNCP status but technically ceases to be a ‘new entrant’ once they are a CP or CNCP, at which point references to rights/obligations for a CPC in this text would be enlivened for the ‘new entrant’ so to speak, and the term ‘new entrant’ then becomes redundant. We suggest further consideration be given to how the term is used. Nevertheless, in the draft definition for new entrants, it should read:

“New Entrant” means a State who was neither a Contracting Party nor 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;

European Union.

“Non-Coastal CPC State” means a State whose exclusive economic zone is not adjacent to or included situated wholly or partly within 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).

Maldives.

The definition of “Small Island Developing States” currently refers to two different indicators sourced from two different datasets. This might lead to a contradictory definition in the future. Thus, Maldives proposes the following:

“Small Island Developing States” or “SIDS” are States whose status has jointly been defined by the United Nations.

For a list of SIDS please refer to <https://www.un.org/ohrlls/content/list-sids>

- (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;

European Union.

Add a new term: **“Fishing opportunity”** [the EU would support the introduction of a definition...];

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.

Japan.

Based on Chair’s clarification that ‘allocations of fish species’ and ‘sharing these fishing opportunities’ mean the same, the latter should be deleted for more clarity.

Maldives.

Maldives suggests referring to ‘fishery resources’ rather than ‘species’ for consistency with the Agreement consistently throughout this text. Thus, Maldives proposes to amend the article as follows:

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

Article 3. GUIDING PRINCIPLES

Maldives.

Maldives generally supports the guiding principles. However, we propose the following text amendments:

United Kingdom

The UK feels that the section on Guiding Principles could be strengthened with some minor amendments. We would suggest the following changes:

- Expanding the principle outlined in 3.1 to include “evidence-based and objective” as part of the criteria.
- Strengthen the principle outlined in 3.3 by replacing “contribute to” with a stronger verb, for example “support”, “underpin”, or “aim to ensure”.

Inserting “, or equivalent maritime boundary, and national waters” after “Exclusive Economic Zone” in 3.4 to allow for maritime zones that are not explicitly declared as an EEZ.

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;

Maldives.

Reflecting our previous comment in Maldives preference to use stock instead of species:

- 3.3 contribute to the sustainable management and use of IOTC species;

Maldives

The current wordings of Paragraph 3.3 do not provide any guidance on “how” the stocks should be managed. Maldives suggests adding some clarifications to this paragraph and amend as follows.

3.3 contribute to the sustainable management and use of IOTC stocks by ensuring that total fishing opportunities do not exceed biologically sustainable limits, or TACs where provided;

- 3.4. respect the sovereign rights and obligations of coastal States within their Exclusive Economic Zone;

Japan

Insert new paragraph. See a paper Japan submitted during TCAC08.

- 3.4 bis ensure the compatibility of conservation and management measures established for both the high seas and the areas under jurisdiction of coastal States.
- 3.5. respect the rights and obligations of all States fishing in the IOTC area of competence;

Korea

Insert new paragraph.

- 3.5 bis take into due consideration the significance of CPCs' obligations to comply with the IOTC agreements;

- 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;

Maldives

We suggest amending paragraph 3.6 reflecting the UN Fish Stocks Agreement article 24(2).

3.6 recognize and accommodate the special requirements of developing coastal States, in particular the vulnerability of 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;

European Union.

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, without undermining the rights of other members fishing for the same resources;

European Union.

3.7 bis. take into account and accommodate the established interests, fishing patterns and fishing practices of Members historically fishing 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;

United Kingdom

Reflecting on discussions in the meeting, and noting the difference of views expressed on 3.8, we have provided two options for consideration:

Amending the text to “...*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, from an initial allocation in the first year of implementation of quotas, through a gradual process, to a final agreed allocation after an agreed number of years, 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 [remove - developed] ALL CPCs*”.

Alternatively, removing 3.8 from this section entirely and placing under Article 9 ‘Implementation Period’.

Australia

Australia. During TCAC08, Australia undertook to provide some alternative text for consideration under Article 3, Guiding Principles, para 3.8. We note the principle as currently drafted is a cause of concern for a number of CPCs and hope this alternative text can help bridge that gap. We note that what we are suggesting is a slightly different concept than what may have been envisaged in the current 3.8, however, based on Australia’s domestic experience, we consider quota transfers (that is, the buying/selling of a right from one CP to another, either permanently or temporarily) and bilateral access agreements as a more appropriate pathway to provide members stability as we adopt an allocation regime.

Proposed alternative 3.8: take into account the desire to limit socio economic shocks from the implementation of the allocation regime by providing the ability to temporarily transfer allocations between CPCs

Maldives

Maldives wishes to express concern with the presumption (in paragraph 3.8) that developing CPCs “owe” a slow or steady transition to developed CPCs. Maldives wishes to emphasise that the current arrangements are prejudicial to the rights of coastal States and the rights of developing States to that extent as the existing distribution of catch and fishing patterns limits development opportunities and opportunities to access our EEZs. The status quo is not rights-based. We emphasise that accessing our EEZ is essential to the economic development of our country, and to give proper effect to our rights as a coastal State, we need to be able to access it in the manner Part V of UNCLOS envisages. We have few other opportunities to develop and diversify our economies in the way that many distant water and developed countries can do.

Maldives remind CPCs of the commitments made by the UN Sustainable Development goals, in particular goals: 1 (Ending poverty), 2 (zero hunger), 3 (good health and well-being), 8 (Decent work and economic growth), 14 (Life below water). This process – and its impact on our economy and people- is inherently linked to achieving these goals.

We are willing to work with others to minimise economic shocks, but also emphasise we seek the cooperation of others to work with us in minimising long-term economic impact on our economy. We consider that we have waited ten years which is long enough, and CPCs should be able to have a mature discussion on transitioning in as short as time as possible.

For this reason, we consider it is important that the Guiding Principles are clear about what we are setting out to do. In support of our view, Maldives proposes the amendments set out below. We view these amendments as delivering on the action called for by the SDGs. Furthermore, we view the existing text as failing to live up to those commitments.

Proposed alternative 3.8: be implemented in a stepwise manner while providing some stability in the fisheries, by shifting current fishing patterns from developed CPCs to CPCs that are developing coastal States (in particular least developed countries and small island developing states) as promptly as possible, taking into account the socio- economic impacts on developing CPCs whose people, present and future, rely on these resources for their economic and food security;

European Union.

3.8. be implemented in a step-wise manner while providing some stability in the fisheries, by partially 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

Maldives.

We agree CNCPs should receive a reduced allocation, and we agree coastal State new entrants should be distinguished from DWFN new entrants.

However, we draw attention to the comments we made under ‘Definitions’ as a real example of the issue we identified.

Recalling that the Article on Allocation and Transfer of Use states that if a CNCP New Entrant does not intend to fish or preserve their allocation for conservation purposes, the unused allocation shall be re-allocated, Maldives believes that such CNCPs shall not be included in the allocation process to begin with. Specifying this earlier in the process and in the eligibility, criteria will eliminate complexity and can ensure that the process is efficient.

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.

Taiwan, Province of China.

Add footnote to this paragraph: As agreed in the TCAC05 meeting (indicated in paragraph 14 of the meeting report of TCAC05), the quotas for the fishing fleet represented by the Invited Experts in the IOTC area of competence shall be treated in the same way as those for other distant water fishing fleets represented by Contracting Parties.

- 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

United Kingdom

The UK would not be able to accept any exclusions, such as territorial waters, to the application of this Allocation Regime in relation to the IOTC convention area. We note that stocks are assessed across their entire range, regardless of national boundaries, and quotas will be allocated in relation to those stocks, not a portion of the stock. Any fishing of these stocks in coastal waters without restriction would severely undermine the management process.

In addition, one specific textual amendment we would like to suggest is:

Removing reference to “all gear types” in the first option for 5.1 as we feel this is a domestic decision and not relevant under an allocation regime. We note the reference to gear types is not included in the second option for 5.1 but, aside from our proposed deletion, we do not at this stage have a preference as to which of the two options for 5.1 is used.

Maldives.

Our position is that the CMM should be clear and unambiguous about which stocks the allocation framework applies to at a given time. Maldives prefers the allocation regime to be applied to tropical tuna, billfishes, and neritic tuna as these are the most targeted stocks in the Indian Ocean. Priorities could be set among these to implement as a stepwise approach. Maldives does not see the relevance of having gear-based allocations. Once a CPC receives an allocation under this regime, it should be up to that CPC to decide how the allocation is fished. This regime should not limit the CPC’s ability to develop its fishery and introduce new gears, given that the CPC does not exceed its catch allocation.

In view of this, Maldives proposes a hybrid approach such that the scope is clearly delimited.

5.1 Subject to priorities established pursuant to articles 5.2 and 9.1, this Resolution shall apply to the fishery resources caught in the IOTC Area of Competence as specified in Annex 1 to this Resolution. The Commission may amend Annex 1 to include or exclude fishery resources when required.

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.

Japan.

Japan prefers the second option for 5.1. In any case, we do not support prioritization of gear types. ALL gear types should be included in the scope of the allocation regime.

Indonesia

Indonesia's suggestion for Option 2 of Article 5.1 as follows:

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, excluding Territorial Waters and Archipelagic Waters.

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

United Kingdom

It is the UK's understanding that high seas catches are attributed to Flag States and that the main point of debate is how EEZ catches are allocated to the Flag State and Coastal State. However, some discussions in the meeting suggested a possible difference of views. We feel it is important to confirm a common understanding on the general points of agreement so far and clarification at this stage could focus discussions at the next meeting.

To further facilitate understanding as to the implications of each option outlined in this section, we suggest that projection models are produced for each species to enable CPCs to determine which of the three options for reference period [in 6.7] is the most appropriate. By firstly starting with a standard reference period for all species, we can then apply any exceptions if required once the allocation regime is in place.

The UK feels it would be useful to clarify timescales in relation to 6.2 and what is meant by 'species cycle' (again, this could be included in the list of terms (Article 1) if this is a term CPCs recognise and wish to use here). It is important that we do not delay application of an agreed allocation regime in lieu of an updated stock assessment, i.e. if an allocation regime was agreed halfway through the species cycle, we would start the allocation process using the most up to date stock assessment and TAC as a starting point. When the next stock assessment for that species is conducted, the TAC and therefore the national allocations, based on the established proportions, would be updated. This would also be the case for any projection scenarios developed where the most up to date TAC would be used. We note that the Chair was going to ensure terms were used consistently throughout the document.

Recalling the discussion at the meeting on 6.8, we would also like to request clarification as to which CPCs were intended by the description of 'developed non-coastal CPCs' and whether the intent was for all 'developed non-coastal CPCs' to transfer a portion of their historical catch to Coastal States. If so, the UK would like to suggest consideration of a minimum threshold for 6.8 to take account of very small harvesters, as any catch transfer from these fleets would be extremely low/negligible.

Finally, on 6.13, the UK recalls some confusion at the meeting about the use and definition of the term ‘new entrant’ given the IOTC agreement itself does not make a distinction between new entrant and other IOTC members. As drafted, 6.13 could be read as providing for a ‘special allocation’ to new entrants *in addition to* the allocation to which we understand they would be entitled as soon as they were IOTC members. We would welcome clarification of the intent here.

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.

Maldives.

Maldives agrees with the premise of Article 6.1.

First, Maldives considers that the Resolution should refer to ‘stocks’ rather than species as ‘stocks’ are the management unit.

We consider that it is sufficient to simply referring to the fact that the allocations are percentage shares of a TAC. While we support the Commission continuing to move in the direction of management procedures, we recognise that they may not be the only way in which a TAC is set by the Commission.

Thus Maldives would like to propose:

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 stocks determined by the Commission.

European Union.

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 or established following the results of a stock assessment.

(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.

Maldives

We propose deleting (b) because we do not think it is necessary to specify the other ways the Commission may set a TAC. This does not belong in a Resolution on allocation. Furthermore, we think it is technically incorrect to refer to MSY being a proxy for a TAC, for example. If we relied on a value of MSY corresponding to the maximum amount of fish that should be taken, the MSY value would be the TAC, rather than a proxy for a TAC. The TAC is still the number set by the Commission as the maximum to be taken, irrespective of how it is arrived at.

Japan.

We understand TCAC is discussing allocation of TAC. Therefore, in the absence of a TAC, the allocation criteria cannot be applied simple because there is nothing to be allocated.

Delete paragraph 6.1b

- 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.

Maldives.

Noting that paragraph 6.2 refers to other paragraphs of interest to us, Maldives reserves its position on this paragraph. We do not understand what is meant by 'species cycle' and consider this should be elaborated, or perhaps rephrased to 'stock assessment cycles'. We also note that the Scientific Committee is not a decision-making body. We understand the premise of this article is to make clear when the formula would be applied and an allocation is created (but we consider it, as it is, does not yet offer clarity on 'when' or 'for how long.')

- 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.

Maldives.

Maldives considers that paragraph 6.3 does not belong in the TAC section. More generally, we suggest that the TAC section (this section) should not be included in 'allocation structure.'

- 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.

Maldives.

Maldives further consider that the term 'catch-based allocation' requires further consideration as it is not clear what it means.

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.

Maldives.

Maldives reserves to further comment on Article 6.5

Catch-Based Allocations MDV

- 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.

Maldives.

Maldives does not support paragraph 6.6 as proposed. Maldives does not believe that the “attributed catch” (comments on this term and its content provided in detail in respective section) should be distributed to all developing coastal states. It does not make sense for all coastal states to benefit from a catch that was taken within the EEZ of one coastal state – the benefits should be directed towards that particular coastal state and not shared by all. Paragraph 6.6 (a) (ii) should be deleted for the following reasons.

- We do not agree with any proposed ‘revision’ to historical catch as is proposed in article 6.8 and 6.9 or Schedule 2. Simply put, Maldives does not agree to any ‘gradual’ shift in the way historical catch caught in a third State’s EEZ is attributed. Any suggestion that catch history can be ‘revised’ or ‘transitioned’ in this way is a complete abrogation of our rights as a coastal State. Anything less than total, upfront attribution to the coastal State is inconsistent with our rights.
- The attribution of in-zone catch to the coastal State is consistent with the sovereign rights of coastal States to exploit and manage the living resources in their EEZ. Foreign-flagged vessels do not fish in a coastal State’s EEZ as a right. They do so only with the permission of the coastal State and must comply with the coastal State’s laws and regulations (UNCLOS, Art 62(4)). It is therefore appropriate to treat the in-zone catch of foreign-flagged vessels as attributable to the coastal State that has authorised the vessels to fish in that zone.
- Flag-based attribution penalises coastal States who have complied with their obligations to promote the optimum utilization of living resources in their EEZ and to give other States access to the surplus of the allowable catch they do not have the capacity to harvest themselves (UNCLOS, Art 62). Such a penalty will be particularly pronounced, and particularly inappropriate, in the case of developing Coastal States, whose special interests the Commission is required to take into account (IOTC Agreement, Art V(2)(b) and (d)).
- Flag-based attribution also creates incentives for coastal States to deny other States access to the living resources in its EEZ and block decision-making in regional fisheries management organisations (RFMOs). It also means coastal States are likely to refrain from joining RFMOs until such time as they have developed national fishing capacity consistent with their aspirations.
- These perverse incentives run contrary to the IOTC’s objective of promoting the optimum utilization of stocks (IOTC Agreement, Art V(2)(c)).
- As discussed in TCAC, some DWFNs have already agreed in their proposals to the catch attribution formula proposed by the G16 coastal States (Proposal by the European Union). Furthermore, in WCPFC and IATTC, the DWFNs have agreed in principle, the catch attribution to coastal States in those RFMOs. Thus, Maldives proposes to use the catch attribution methodology prescribed in the G16 proposal as the basis of negotiations.

Historical Catch

Maldives.

Maldives recognises that historical catch is a value-based inclusion. We consider inclusion of catch taken on the high seas to be quite straight forward. We recognise that determining historical catch taken within an EEZ is more controversial, but, for the reasons outlined above, we are unwilling to agree to any allocation regime where any catch taken in an EEZ is attributed to the flag State instead of the coastal State.

Maldives cannot support going beyond the year 2016 for tropical tuna species, as including years after 2016 will mean that the member States that complied with measures relating to yellowfin tuna management and put in efforts to reduce their catch and limited their development will be unfairly penalised, while the states that kept increasing their catches will have an unfair advantage.

In view of this, we offer the below amendments to paragraph 6.7 (based on the first formulation, as we regard the second formulation as unnecessarily complex).

6.7 (a) The historical catch used to determine a CPC's catch history for a given stock shall be based on the best scientific estimates of nominal catch data determined by the Scientific Committee for each stock caught in the IOTC area of competence, averaged over the period [xxxx]. In determining the best scientific estimates of nominal catch data, IUU catches shall be excluded.

South Africa

6.7 (a) The historical catch for a given stock shall be based on the nominal catch data provided by each CPC, and where appropriate, through a re-estimation process that is clearly justified, defined, and approved by the Commission.

Indonesia

6.7(a) The historical catch used to determine a CPC's initial Catch-base Allocation for a given stock shall be based on the nominal catch data provided by each CPC, and where appropriate, through a re-estimation process that is clearly justified, defined, and approved by the Commission and with the consent of respective CPCs.

European Union.

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

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.

Japan.

Though we do not have a concrete proposal at this stage, TCAC should discuss whether and how such reference period would be updated in the future.

Attributed Catch

Maldives.

As raised above, Maldives is completely unable to accept any text which attributes historical catch caught in an EEZ to the flag State. We feel that the proposals in Article 6.8 conflate and confuse several topics.

We do not agree with this formulation to attribute historical catch, and we do not accept any suggestion for it to be ‘progressively’ attributed from the flag State to the coastal State as it suggests that it belonged to the flag State to begin with. Historical catch should also be calculated for point in time. If reference years do not change, historical catch should not change, but this proposal suggests that it should. We note this proposed text does not distinguish catch caught in the high seas from catch caught in EEZs, which it should.

We also do not understand what is meant by ‘coastal State attributed catch’. It suggests that coastal State allocations are themselves based on historical catch, rather than a tangible expression of their inherent rights. It also seems to be exclusive developed coastal States so it is not truly a coastal State provision.

Maldives view is that Articles 6.8 and 6.9 should be deleted in their entirety and replaced with *For the purposes of calculating historical catch taken within an exclusive economic zone, all such catch shall be attributed to the relevant coastal State.*

[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.

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;

European Union

- (a) [45%] of Coastal State Allocation to address their interests and aspirations as Coastal CPC, 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

European Union

[55%] of the Coastal State Allocation dedicated to CPCs that are developing coastal CPC 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.

European Union

~~(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.~~

Australia.

On the Coastal States Allocation in 6.11, Australia favours the current structure. We note a CPC which we consider represents distant water fishing fleets, mentioned they would like to propose changes to 6.11. Without seeing the suggested changes, it is hard to judge the impact, however, at this point Australia would prefer any changes in 6.11(c) and Annex III to be placed in square brackets. As Japan noted in TCAC07, how the coastal State allocation is structured or divided should be left to the coastal States to decide.

Maldives

Maldives strongly supports the inclusion of a coastal States criteria. However, we disagree with the formulation ‘in addition to the catch-based allocation’ as it suggests a textual hierarchy in which historical catch takes precedence.

We also query why the term ‘may’, which is permissive, was used in the context of the components included in the criteria. This suggests there is an element of discretion and future negotiation on whether certain sub-components are in or out.

Coastal state allocations should consider dependency of coastal states on tuna fisheries and also should recognise the special requirements of developing coastal states, in particular SIDS. We recognise that consideration to dependency is reflected in the principles section, and it is of paramount importance for Maldives that the coastal states allocation formula or criteria takes into account dependency of resources as well, as laid out in article 24 (2) a) in UN fish stocks agreement. Annex 3 currently lists HDI and GNI as dependency indicators. However, Maldives does not believe that these factors correctly or fully capture coastal states dependency on fisheries resources. Maldives suggests swapping these indicators with indicators such as ratio of tuna exports in total exports, ratio of tuna imports in total imports, ratio of fisheries employment in total labour force and fish consumption per capita, which provides a much more meaningful reflection of dependency. Another approach we can take is considering data that are already reported such as catch by total population and standardizing those data to reflect dependency.

In considering special requirements of coastal developing states, we could include indicators such as vulnerability of developing coastal states and ratio of small scale and artisanal fisheries in total employment. The rights and responsibilities of DCS laid out in UNCLOS and UNFSA should also be recognised in an allocation system.

6.11. CPCs that are Coastal States shall be eligible to receive a share of the TAC, which shall comprise the following components:

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:

European Union

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,

European Union.

- (d) environmental disasters, such as a tsunami, directly affecting the fishing capacity

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.

European Union.

may, subject to a formal documented requested provided to the Secretariat at least 60 days before the Commission meeting and subject to the explicit 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.

Maldives.

We agree with article 6.12 as premise. In our view, we need to distinguish the elements of this measure that are objectively applied based on a formula from the types of adjustments the Commission can make once the formula is initially applied. In this respect, this provision sits better in 'adjustments' than in 'allocation criteria' in our view and should be moved down. Regardless, we need a more concrete process to quantify this element. The Resolution needs to provide clear guidance so that there is already an agreed rules of procedure depending upon which the Commission can make a decision. It is important for all CPCs to know upfront how they will be impacted if such a correction is made in the middle of the allocation cycle. One way to go about it is to provide a case-by-case scenario based on circumstances faced by each CPC in the past so that CPCs know what the impacts of the adjustments following each circumstance would be.

Both references to 'species' in this provision should be replaced with 'stocks' and we have proposed a textual formulation.

6.12. A CPC that is a developing coastal State and whose ability to fish for stocks 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) widespread piracy in the fishing area;*
- (d) environmental disasters, such as a tsunami,*

directly affecting the fishing capacity may, subject to a formal documented request provided to the Secretariat and subject to the approval of the Commission, seek to have its allocation for that stock corrected based on the average catch taken within the catch history reference period by CPC developing coastal States for the same species.

New Entrants

Maldives.

We agree in principle with including this and have identified earlier in this submission some practical issues to consider for new entrants within this text, including the need for clarification on how new entrant cycle is defined.

While this Article proposes that Commission may set aside a portion of a TAC to New Entrants, it is currently unclear how the set aside for new entrants will be formulated. This needs to be clarified here. Maldives also strongly believes that any set asides should be solely reserved for Coastal State New Entrants and DWFN New Entrants should not be allocated catch from the Set Aside Quota.

We note that we need to have further discussion about new entrants and the proposed conditions established by the text. For example:

- The preconditions for new entrants are already specified in IOTC Rules of Procedure and IOTC Agreement. Thus, the allocation regime, does not have to again go through the same process.
- It would be difficult to include annual contributions (as they may not have been liable to pay previously) and compliance with CMMs (as they will not have been able to develop a compliance record). Similar to the above point, it would be preferable not to conflate this process with the established process for determining cooperation and welcoming new States to IOTC.
- The criteria laid out indicates that the New Entrant should provide nominal catch data, and Maldives would like to emphasise that this data should be verified by the Scientific Committee.

We find it is inconsistent to empower the Commission to allocate shares to New Entrants and then to later state it *shall be shared in equal proportions*. We also consider it is inappropriate to pre-suppose all New Entrants should be entitled to equal shares – a new entrant coastal State would be entitled to more, on principle, than a new entrant DWFN in our view.

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.

Maldives

Maldives proposes the following changes:

- (a) *submits a written request to the Commission for an allocation of a given stock;*
- (b) *provides nominal catch data for the species for which it is seeking an allocation and verified by the Scientific Committee;*

- 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.

Maldives

Maldives proposes the following changes

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 Allocation Regime is applied for the stock.

- 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

Maldives.

Maldives in principle supports the provisions in Article 7. However, the draft Resolution presumes that the allocation regime will only be run when the TAC changes. We think that is too limiting. The allocation model may need to be run at other times; for instance, it could be run more frequently on the same TAC, to adjust for changes in dependency statistics. Over-catch is not the only adjustment. We have also made comments above on other elements we consider should be moved into 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.

United Kingdom

In relation to 7.1, the UK suggests the ratios are amended to reflect a percentage deduction to simplify interpretation. We also felt that 150% as outlined in 7.1(b) seemed quite excessive. The UK suggests that it would be helpful if some worked examples could be provided which would demonstrate how the proposed methodology works in practice and, additionally, could give a sense of the magnitude of repayments based on different percentages (e.g. 125%, 130%, 150%).

(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.

Maldives

However, for clarity we propose the following :

c) In case a CPC over-catch a given stock for three calendar years in a row, it shall result in an allocation deduction of 2:1, and deferral shall not be permitted.

European Union.

(c) In case the over- catch of a given species takes place for three years in a row ~~A second consecutive over-catch of a given species~~ it 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).

United Kingdom

In addition, where catches for a CPC or CNPC have exceeded their quota and overcatch penalties have been imposed, we would recommend that additional and more rigorous monitoring and catch reporting for that CPC or CNPC should occur in the subsequent year to ensure the same situation does not occur again. Catches should be monitored and reported to IOTC monthly to ensure catches over quota do not occur. CPCs and CNPCs in this situation should also demonstrate control over their flag vessels to ensure fishing activities can be limited to ensure overcatch does not occur.

To this end, the UK would like to propose a new section 7.1(bis) outlining reporting frequency when overcatch has occurred. We suggest CPCs should endeavour to report catches on a quarterly basis and, when reaching 100% of its catch limits, the CPC closes its fishery and informs the IOTC Secretariat and Commission.

7.2. Serious Non-Compliance

United Kingdom

The UK supports the requirement for serious non-compliance, as outlined in 7.2, to have appropriate consequences. However, we did feel that non-payment was too punitive in comparison to the other examples listed under 7.2(b) and suggest it could be removed.

The UK wanted to acknowledge discussions in the meeting that there may be some exceptional circumstances which prevent CPCs from utilising all their quota, i.e. undercatch. The UK would propose that undercatch which has been caused by piracy, natural disaster or other force majeure incident as agreed by the Commission, may be carried over and taken in the subsequent year, but only if the overall TAC has not been reached i.e. the catch for that stock has not exceeded the overall TAC (or another indicator used in its place). In cases where the overall TAC (or its proxy) has been exceeded, no undercatch should be carried over.

As mentioned under the general comments section above, the UK feels there is a need for increased reporting frequency overall in order to monitor quota uptake more effectively, not just in an overcatch situation. At present there is a lag in data availability (quarterly reporting) that may prevent the IOTC from knowing when a quota limit is reached later in the year. We would suggest that:

- The default reporting frequency for quota utilisation by CPCs to IOTC would be quarterly with one-month delay, i.e. Q1 (January to March) catch data would be reported (by month) by the end of April, Q2 by the end of July etc.
- Once a CPC reaches [50% or another trigger point] of their quota for any species they switch to monthly reporting to ensure no overcatch occurs. Where overcatch is predicted to occur, CPCs are recommended to predict the date of full quota utilisation and close their fisheries on or before this date.

This increased reporting frequency would also apply to all CPCs that have reported an overcatch in the previous year, starting in January. If the penalty for overcatch is deferred, the increased reporting frequency would apply at all times until the sanction is complete.

(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:

European Union

(b) In determining whether to temporarily withdraw eligibility of a CPC or New Entrant to an allocation, the Commission will refer to the definition of "serious non-compliance" to be adopted by the Compliance Committee ~~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;

Maldives.

7.2 (b) (ii) as it currently reads is unclear – 'long-term' can be interpreted differently, hence needs to be defined. In addition to non-provision of data, Maldives strongly believes that deliberate misreporting / implausible reporting without addressing concerns from the Scientific Committee for over 2-3 years should affect that CPC's eligibility to an allocation.

We suggest 7.2 (b) (ii) to be amended as follows:

non-provision of data or deliberate implausible reporting of data for over 3 years with no concrete actions taken to address concerns of the Scientific Committee;

(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:

European Union

(c) The Commission shall ~~may~~ reinstate a CPC's or New Entrant's allocation that has been temporarily withdrawn where these two conditions are met:

- (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

Japan.

Delete 7.3, the established allocation should be simply applied in these situations

European Union.

Delete 7.3

Maldives.

We do not understand what is meant by ‘thresholds’ set and ‘reflected in’ management procedures. We presume you are suggesting a change-limiting rule of some description. While some MPs do have this for managing adjustments to TACs, we do not think those thresholds should be automatically transferred to the application of an allocation regime. We do not, therefore, support paragraph 7.3 in its current form. We consider that we should discuss other options for managing the impacts of lower TACs, which may not be able to be fully accounted for in advance in this Resolution.

Article 8. ALLOCATION TRANSFERS AND USE

Maldives.

We consider that transfers between Contracting Parties should be permitted. We do not think that CNCPs should have the right to transfer because we consider they should be incentivised to join the Agreement.

Maldives will not accept any suggestion that quota transfers should be approved by the Commission. We consider that if the Commission has agreed to a quota arrangement, it is for the relevant Contracting Party to determine what they do with it. We are not aware of any RFMO arrangement which imposes such a restriction on quota holders. However, we agree that the Commission should be notified of any quota transfers.

We are willing to discuss how to manage a transition to a right-based approach as a key part of this negotiation. However, we emphasise that quota transfers (that is, the buying/selling of a right from one CP to another) and bilateral access agreements are a more appropriate pathway to minimise economic shocks.

We are broadly supportive of Article 8.

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.

Japan.

Insert new paragraph. Transfer may happen even after the fishing season commences. Process for revising allocation tables should be elaborated.

8.1 (b) bis When a transfer is notified after the allocation tables are approved at the Commission Annual Meeting pursuant to Article 9.18, the Secretariat shall attach revised allocation tables when it shares the written notification with all CPCs.

Maldives

We consider that Article 8.1(c) could be simplified – it would be preferable to refer to transferring [x] tonnes of a [year] allocation, rather than specifying periods. We do not see the relevance of reporting the gear type.

We suggest that for a transfer to take effect, the receiving CP should confirm its acceptance of the transfer. Both written notification and the confirmation of acceptance should be circulated to the Commission.

We suggest to insert a clause specifying that these allocation decisions will not prejudice future allocations.

Amendments proposed as follows:

(b) The written notification of the CP shall include the tonnage to be transferred; the stock; the year to which the quota and, the CP to whom the allocation, or part thereof, will be transferred. The transfer shall take effect upon written confirmation from the receiving Contracting Party. Both the written notification and the written confirmation shall be circulated to the Commission.

(c) Permanent transfers of allocations are not permitted.

(d) This Resolution is not to be considered a precedent for future allocation decisions

(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.

United Kingdom

We suggest removing the reference to “gear type” in 8.1(c) as we feel this is a domestic decision and not relevant under an allocation regime.

(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.

United Kingdom

During the meeting, the Chair usefully clarified that 8.3 was meant to imply a voluntary transfer. However, the UK felt the use of the word “shall” suggested it was a requirement. While substituting the word “shall” with “may” could address interpretation issues, we felt that there were no circumstances where this type of scenario would arise (wouldn’t the CPC simply transfer unwanted quota directly to others?) and possibly create extra burden on the Secretariat as a process to manage. As such, the UK believes this section is redundant and could be deleted. Nevertheless, the UK would welcome any examples where 8.3 would be applicable.

France.

France proposes the modification to the text as shown. Failing that, we can also support the delegations which, in session, requested the deletion of this paragraph.

8.3 A CPC or New Entrant that does not intend to fish, transfer, or preserve its allocation for conservation purposes, in a one year period, may notify, on a voluntary basis, 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

United Kingdom.

The UK supports the idea of a separate Allocation Committee to carry out what should be a standard allocation function or process once the new allocation regime has been agreed, and in order to reduce pressure on the Commission (and its annual meeting). If CPCs prefer a different type of body or committee to carry out this function, the UK would stress that the chosen body would need the appropriate mandate and an objective set of allocation rules in order to service the Commission appropriately.

Maldives

Maldives is not convinced of the need to develop the implementation plan referred to in this article. It would be useful for the Secretariat to develop a document which sets out how the different, related process will interact with the allocation regime. The Implementation Plan envisaged in this draft seems to give the allocation regime a greater role in other technical processes (such as TAC setting) which is separately governed.

Maldives is conscious that the IOTC already has a number of committees within its purview supporting scientific, compliance and administrative process. We are also conscious that the existing meeting schedule is very congested. It is difficult for SIDS, such as Maldives, who have small administrations to participate in the existing committees. An additional committee would be very difficult for us to support. Furthermore, we do not think that there is a need for an allocation committee to meet – the Resolution should be adopted in agreement that it should not require any significant intervention and should not pave the way for constant negotiations.

While we acknowledge that there may be need for ad-hoc decisions to be made, we consider that the Commission is the relevant body to consider those matters. If technical level discussions need to occur for that decision to be made, ad-hoc working groups can be arranged as required.

In view of the above, Maldives considers that the entirety of Article 9 should be deleted.

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.

Allocation Process and Catch Validation

Allocation Committee

Japan.

Japan reserves its position concerning '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.

Japan.

Transfers notified before the Commission meeting can be incorporated in the allocation tables. Transfers notified after the Commission meeting should be reflected in a revised allocation table which would be circulated by the Secretariat in accordance with Article 8.1 (b).

9.11 The Secretariat shall include in the Allocation Tables any transfers notified xx days prior to the Commission's annual meeting 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.

Maldives.

Consistent with our comments above, we consider 'allocation period' should be a defined term so the meaning is clear. Additionally, as we have noted above, we are not convinced that the allocation period should be exclusively linked to the TAC. We have also noted above other situations in which the formula would be re-run. For example, there could be a situation where a TAC is set for 3 years, and percentage shares are allocated for 3 years, but the model is re-run annually within that time to account for changing dependency statistics, which means that the resulting quota numbers would change. This could also distinguish the applicable shares from the actual quota that applies within a given timeframe. The Allocation Period should be a period specified, case by case, by the Commission.

Japan.

See our comment on Article 6.1 (b) i.e. *We understand TCAC is discussing allocation of TAC.*

Therefore, in the absence of a TAC, the allocation criteria cannot be applied simple because there is nothing to be allocated.

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

Maldives.

We consider that the Resolution should specify the date it comes into effect. We understand the meaning of Article IX((4) but consider that it helpful to specify the date the Resolution enters into force

in the text. Accordingly, we propose the following amendments for consistency with the IOTC's approach in other binding measures.

11.1. This Resolution shall come into force on [date]

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.

Maldives

Maldives supports a regular review of the allocation regime to ensure it is achieving what it set out to achieve – in our view, that is to ensure that rights under international law are respected, and the allocation regime is equitable, supporting and protecting the rights and aspirations of those dependent on these stocks. To ensure this is a substantive element of the review, we propose the following

11.2 the Allocation Regime contained in this Resolution shall be reviewed after [xx years] of its entry into force, and every [x] years thereafter; and may be amended by decision of the Commission, to ensure that the allocation is recognising the interests, aspirations, needs and special requirements of developing States, in particular least-developed States and Small Island Developing States that are coastal States;

European Union

11.2 Subject to Article 11.3, the Allocation Regime contained in this Resolution shall be reviewed after [10 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.

Maldives

Maldives queries the benefit of Article 11.3. We consider it is clearly within the Commission's power to make a decision to modify any element of the Allocation Regime in accordance with its decision-making processes. We further consider that it is clear that, except where it is expressly specified, a Resolution remains in force until or unless it is otherwise decided by the Commission. Maldives proposes to delete paragraphs 11.3 and 11.4 as they are not necessary.

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

Maldives

Maldives proposes to delete paragraph 11.4.

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..

REGARDING APPENDICES:

United Kingdom.

New Appendix

As mentioned above in relation to Article 1, the UK suggests adding a new Appendix which contains a list of CPCs' status, e.g. developed, SIDs etc., to avoid any misinterpretation. This could easily be revised if a CPC's status changed.

REGARDING ANNEXES:

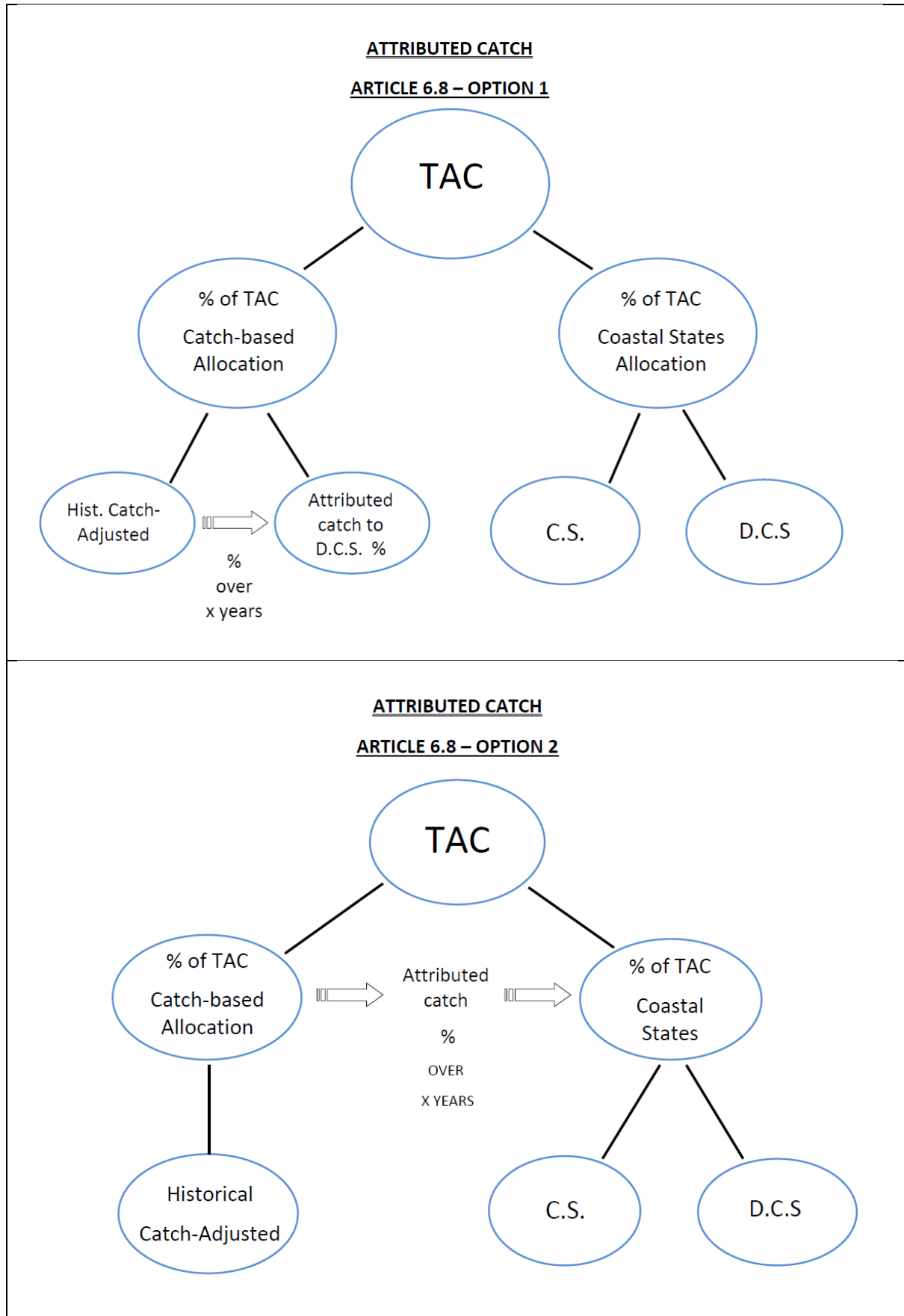
Maldives.

Consistent with our comments above, Maldives proposes:

- Annex 1 should be amended to only include the stocks to which the allocation regime applies at a given time
- To delete Annex 2
- To amend Annex 3 to correctly reflect dependency indicators as suggested in comments above in Article 6: Coastal State Allocation
- To Delete Annex 4

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

Maldives.

Consistent with our comments above, Maldives proposes:

- Annex 1 should be amended to only include the stocks to which the allocation regime applies at a given time

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.

Maldives.

Consistent with our comments above, Maldives proposes:

- To delete Annex 2

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)

United Kingdom

The UK wanted to seek clarification as to the status of developing countries and their allocation allowance. Do Small Island Developing States (SIDS) or Least Developed Countries (LDCs) receive an allowance for each element or do they qualify just once? We wondered if the wording, as currently drafted, might be introducing some duplication or double counting, where some states would potentially be eligible for benefits of qualifying twice which may be additive or multiplicative.

Maldives.

Consistent with our comments above, Maldives proposes:

- To amend Annex 3 to correctly reflect dependency indicators as suggested in comments above in Article 6: Coastal State Allocation

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.

Maldives.

Consistent with our comments above, Maldives proposes:

- To Delete Annex 4