



Report of the 26th Session of the Indian Ocean Tuna Commission

Seychelles, 16-20 May 2022

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TABLE OF CONTENTS

Table of Contents.....	3
Acronyms	5
How to interpret terminology contained in this report.....	6
Contracting Parties of the Indian Ocean Tuna Commission	7
Executive Summary.....	8
1. Opening of the session.....	9
2. Letters of credentials	9
3. Admission of Observers	9
4. Clarification of the status of the United Kingdom’s membership in the IOTC	9
5. Adoption of the agenda and arrangements for the session	11
6. Update on the implementation of decisions of the Commission in 2021 (S25)	11
7. Amendments to the IOTC procedures	11
7.1 Regarding a procedure for the selection and recruitment of the IOTC Executive Secretary	11
7.2 Proposal to amend Appendix I of the IOTC Rules of Procedure	11
7.3 Proposal to amend Appendix V of the IOTC Rules of Procedure	11
8. Report of the Scientific Committee	12
The status of tropical and temperate tunas.....	12
The status of neritic tunas.....	13
The status of billfish	14
Matters related to ecosystems, bycatch and the status of sharks.....	14
Scientific Committee Recommendations	15
9. Report of the Technical Committee on Allocation Criteria.....	15
10. Report of the Technical Committee on Management Procedures.....	15
11. Report of the Compliance Committee	16
11.1 Overview of the CoC19 report.....	16
11.2 Adoption of the List of IUU Vessels	16
11.3 Requests for the accession to the status of Cooperating Non-Contracting Party	16
12. Report of the Standing Committee on Administration and Finance	17
12.1 Overview of the SCAF19 report.....	17
12.2 Programme of work and budget of the Commission	17
12.3 Schedule of meetings for 2023.....	18
13. Conservation and Management Measures.....	18
13.1 Current Conservation and Management Measures that include a reference to the year 2022	18
13.2 Review of objections received under Article IX.5 of the IOTC Agreement	18
13.3 Discussion on Conservation and Management Measures	18

14. Any Other Business	20
14.1 Cooperation with other organisations and institutions	20
14.2 Recruitment of a new Executive Secretary	21
14.3 Date and place of the 27 th Session of the Commission and its subsidiary bodies in 2023.....	21
15. Adoption of the report of the 26th Session of the Commission.....	21
Appendix 1. List of Participants	22
Appendix 2. Agenda of the 26th Session of the Indian Ocean Tuna Commission	32
Appendix 3. List of Documents	33
Appendix 4. 2022 revisions to the IOTC Rules of Procedure	36
Appendix 5. Revised detailed operational budget for 2023	38
Appendix 6. IOTC budget for 2023 and indicative budget for 2024	39
Appendix 7. IOTC contributions for 2023	40
Appendix 8. Calendar of meetings for 2023	41
Appendix 9. Voting Procedure for the selection of the IOTC Executive Secretary	42
Appendix 10. Statements by members.....	43

ACRONYMS

AFAD	Anchored fish aggregating device
“BIOT”	“British Indian Ocean Territory”
BMSY	Biomass which produces MSY
CMM	Conservation and Management Measure (of the IOTC; Resolutions and Recommendations)
CNCP	Cooperating Non-Contracting Party, of the IOTC
CoC	Compliance Committee of the IOTC
CPs	Contracting Parties
CPCs	Contracting Parties and Cooperating non-Contracting Parties
DFAD	Drifting fish aggregating device
EEZ	Exclusive Economic Zone
FAD	Fish aggregating device
FAO	Food and Agriculture Organization of the United Nations
FMSY	Fishing mortality at MSY
GEF	Global Environment Facility
HCR	Harvest control rule
ICRU	Improved Cost Recovery Uplift
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
IPNLF	International Pole and Line Foundation
ISSF	International Seafood Sustainability Foundation
IUU	Illegal, unreported and unregulated
LRP	Limit reference point
LSTLV	Large-scale tuna longline vessel
MPF	Meeting participation fund, of the IOTC
MSC	Marine Stewardship Council
MSE	Management Strategy Evaluation
NGO	Non-Governmental Organisation
OFCF	Overseas Fishery Cooperation Foundation of Japan
OIG	Office of the Inspector General
OPRT	Organisation for the Promotion of Responsible Tuna Fisheries
OT	Overseas Territories
PEW	PEW Charitable Trust
RFMO	Regional Fisheries Management Organisation
SC	Scientific Committee of the IOTC
SCAF	Standing Committee on Administration and Finance of the IOTC
SIOFA	Southern Indian Ocean Fisheries Agreement
SBMSY	Spawning or ‘adult’ equilibrium biomass at MSY
SWIOFC	Southwest Indian Ocean Fisheries Commission
TCAC	Technical Committee on Allocation Criteria of the IOTC
TCMP	Technical Committee on Management Procedures
TCPR	Technical Committee on Performance Review
TRP	Target referent point
UNCLOS	United Nations Convention on the Law of the Sea
VMS	Vessel Monitoring System
WPEB	Working Party on Ecosystems and Bycatch of the IOTC
WPICMM	Working party on the Implementation of Conservation and Management Measures
WPM	Working Party on Methods of the IOTC
WPTmT	Working Party on Temperate tunas of the IOTC
WPTT	Working Party on Tropical Tunas of the IOTC
WWF	World Wide Fund for Nature (a.k.a World Wildlife Fund)

HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

This report uses the following terms and associated definitions.

Level 1: From a subsidiary body of the Commission to the next level in the structure of the Commission:

RECOMMENDED, RECOMMENDATION: Any conclusion or request for an action to be undertaken, from a subsidiary body of the Commission (Committee or Working Party), which is to be formally provided to the next level in the structure of the Commission for its consideration/endorsement (e.g. from a Working Party to the Scientific Committee; from a Committee to the Commission). The intention is that the higher body will consider the recommended action for endorsement under its own mandate, if the subsidiary body does not already have the required mandate. Ideally this should be task specific and contain a timeframe for completion.

Level 2: From a subsidiary body of the Commission to a CPC, the IOTC Secretariat, or other body (not the Commission) to carry out a specified task:

REQUESTED: This term should only be used by a subsidiary body of the Commission if it does not wish to have the request formally adopted/endorsed by the next level in the structure of the Commission. For example, if a committee wishes to seek additional input from a CPC on a particular topic, but does not wish to formalise the request beyond the mandate of the Committee, it may request that a set action be undertaken. Ideally this should be task specific and contain a timeframe for the completion.

Level 3: General terms to be used for consistency:

AGREED: Any point of discussion from a meeting which the IOTC body considers to be an agreed course of action covered by its mandate, which has not already been dealt with under Level 1 or level 2 above; a general point of agreement among delegations/participants of a meeting which does not need to be considered/adopted by the next level in the Commission's structure.

NOTED/NOTING: Any point of discussion from a meeting which the IOTC body considers to be important enough to record in a meeting report for future reference.

Any other term: Any other term may be used in addition to the Level 3 terms to highlight to the reader of an IOTC report, the importance of the relevant paragraph. However, other terms used are considered for explanatory/informational purposes only and shall have no higher rating within the reporting terminology hierarchy than Level 3, described above (e.g. **CONSIDERED; URGED; ACKNOWLEDGED**).

CONTRACTING PARTIES OF THE INDIAN OCEAN TUNA COMMISSION**THIRTY, AS OF 20 MAY 2022**

AUSTRALIA
BANGLADESH
CHINA
COMOROS
ERITREA
EUROPEAN UNION
FRANCE (OT)
INDIA
INDONESIA
IRAN, ISLAMIC REPUBLIC OF
JAPAN
KENYA
KOREA, REPUBLIC OF
MADAGASCAR
MALAYSIA
MALDIVES
MAURITIUS
MOZAMBIQUE
OMAN
PAKISTAN
PHILIPPINES
SEYCHELLES
SOMALIA
SOUTH AFRICA, REP. OF
SRI LANKA
SUDAN
UNITED REPUBLIC OF TANZANIA
THAILAND
UNITED KINGDOM
YEMEN

COOPERATING NON-CONTRACTING PARTIES OF THE INDIAN OCEAN TUNA COMMISSION**ONE, AS OF 20 MAY 2022**

LIBERIA

EXECUTIVE SUMMARY

The 26th Session of the Indian Ocean Tuna Commission (IOTC) was held in Seychelles from 16 to 20 May 2022. Delegates from 27 Contracting Parties, 1 Cooperating non-Contracting Party and 21 Observers including Invited Experts participated in the Session. The meeting was Chaired by the Chairperson, Ms Jung-re Riley Kim (Rep. of Korea).

The Commission **ADOPTED** a procedure for the selection and recruitment of the IOTC Executive Secretary forthwith revising Rule V.2 and Appendix II of the IOTC Rules of Procedure.

The Commission **ADOPTED** a new standard for letters of credentials, forthwith revising Appendix I of the IOTC Rules of Procedure.

The Commission **GRANTED** the status of Cooperating Non-Contracting Party to Liberia until the close of the 27th Session in 2023.

The IOTC IUU Vessels List was updated and 8 new vessels were added by the Commission in 2022. Download the **ADOPTED** list [\[here\]](#).

The Commission **ADOPTED** a programme of work and budget ([Appendix 6](#)) and a corresponding scheme of contributions ([Appendix 7](#)) amounting to USD 4,109,745 for the 2023 calendar year.

The Commission **AGREED** to convene two Special Sessions of the Commission in the first quarter of 2023 for the purpose of reaching agreement on a yellowfin tuna rebuilding plan and for advancing FAD management measure discussions, respectively.

The Commission **AGREED** to enter into collaborative arrangements with the International Whaling Commission, the Overseas Fishery Cooperation Foundation of Japan, and the Southern Indian Ocean Fisheries Agreement Meeting of the Parties.

The Commission **ADOPTED** a full schedule of meetings for 2023 ([Appendix 8](#)).

The Commission **ADOPTED** the following four Conservation and Management Measures:

Resolution 22/01 On climate change as it relates to the Indian Ocean Tuna Commission [\[download here\]](#).

Resolution 22/02 On establishing a programme for transshipment by large-scale fishing vessels [\[download here\]](#).

Resolution 22/03 On a Management Procedure for bigeye tuna in the IOTC area of competence [\[download here\]](#).

Resolution 22/04 On a Regional Observer Scheme [\[download here\]](#).

1. Opening of the session

1. The 26th Session of the Indian Ocean Tuna Commission (IOTC) was opened and chaired by the IOTC Chairperson Ms Jung-re Riley Kim (Rep. of Korea).
2. Due to the COVID-19 pandemic, the meeting was held in a hybrid format, with two-person delegations present physically in the meeting room, and other participants attending by videoconference.
3. The Honourable Jean-Francois Ferrari, Seychelles Minister for Fisheries and the Blue Economy made an opening address.

2. Letters of credentials

4. Letters of Credentials were received from 27 Contracting Parties and 1 Cooperating Non-contracting Party (Liberia). China, India, I.R. Iran, Philippines and Liberia participated virtually. The list of CPC participants is provided in [Appendix 1](#).

3. Admission of Observers

5. Pursuant to Article VII of the Agreement establishing the IOTC, the Commission admitted the following Observers, in accordance with Rule XIV of the IOTC Rules of Procedure (2014):

Members and Associate Members of the FAO that are not Members of the Commission.

United States of America

Intergovernmental organizations having special competence in the field of activity of the Commission.

Western Central Pacific Fisheries Commission

Non-governmental organizations having special competence in the field of activity of the Commission.

Australian National Centre for Ocean Resources and Security

Blue Marine Foundation

Earthworm Foundation

Global Tuna Alliance

International Pole and Line Foundation

International Seafood Sustainability Foundation

Marine Stewardship Council

Ocean Outcomes

Organization for the Promotion of Responsible Tuna Fisheries

Pacific Islands Forum Fisheries Agency

PEW Charitable Trusts

Shark Advocates International

Shark Guardian

SHARKPROJECT International

Sustainable Fisheries and Communities Trust

Sustainable Indian Ocean Tuna Initiative

The Ocean Foundation

World Wide Fund for Nature (WWF)

Invited consultants and experts.

Taiwan, Province of China

6. The list of observer participants is provided in [Appendix 1](#).

4. Clarification of the status of the United Kingdom's membership in the IOTC

7. The United Kingdom reiterated its position that it remained a coastal State given its sovereignty over "BIOT".

8. Mauritius reiterated that the United Kingdom cannot claim membership of the IOTC as a coastal State since the Chagos Archipelago forms an integral part of the territory of Mauritius as authoritatively determined by the International Court of Justice, the United Nations General Assembly, the International Tribunal of the Law of the Sea, and the legal advisor of the FAO.
9. The Commission **NOTED** the following advice from the FAO Legal Counsel (IOTC-2022-S26-REF01).

The procedure for becoming a member of the IOTC is set out in Article IV, paragraph I of the Agreement for the Establishment of the IOTC (the “Agreement”) as follows:

“Membership in the Commission shall be open to Members and Associate Members of FAO

(a) that are:

- (i) coastal States or Associate Members situated wholly or partly within the Area;*
- (ii) States or Associate Members whose vessels engage in fishing in the Area for stocks covered by this Agreement; or*
- (iii) regional economic integration organizations of which any State referred to in subparagraphs (i), or*
- (ii) above is a member and to which that State has transferred competence over matters within the purview of this Agreement;*

and

(b) that accept this Agreement in accordance with the provisions of paragraph 1 of Article XVII”.

Article XXIV of the IOTC Agreement provides that the FAO Director-General shall be the Depositary of the Agreement.

On 22 December 2020, the Government of the United Kingdom of Great Britain and Northern Ireland (“the United Kingdom”) deposited an instrument of acceptance for the United Kingdom of Great Britain and Northern Ireland in accordance with Article IV(1)(a) of the Agreement, without further specification as to whether the instrument was deposited pursuant to sub-paragraphs (i) or (ii) of that Article. This instrument was accepted by the FAO Director-General in his capacity as the Depositary of the Agreement. In conformity with Article XXIV(d)(i) of the Agreement, all members of the Commission and Members of the Organization were informed of the deposit of the instrument and advised that, in accordance with its Article XVIII, the Agreement entered into force for the United Kingdom on 22 December 2020.

As reflected in document IOTC-2021-S25-07[E] entitled “*Implementation of Paragraph 6 of the UNGA Resolution 73/295*” circulated at the 25th IOTC Session in response to the Commission’s request made at its 23rd Session, the Organization informed the Commission that, as a Specialized Agency of the United Nations, it is implementing General Assembly resolution 73/295.

It is recalled that, by operative paragraph 6 of that resolution, the General Assembly “[c]alls upon the United Nations and all its specialized agencies to recognize that the Chagos Archipelago forms an integral part of the territory of Mauritius, to support the decolonization of Mauritius as rapidly as possible, and to refrain from impeding that process by recognizing, or giving effect to any measure taken by or on behalf of, the ‘British Indian Ocean Territory’ ”.

Thus, as contemplated in paragraph 6 of the resolution, the FAO and the Depositary recognize that “*the Chagos Archipelago forms an integral part of the territory of Mauritius*”.

If an instrument was deposited at this time by the United Kingdom purporting to extend the application of the IOTC Agreement to the “BIOT”, such an instrument would not be accepted by the Depositary. From a legal perspective, it would be anomalous to consider the 1995 instrument as remaining valid simply on the basis that it was valid at the time of deposit, bearing in mind that it is inconsistent with the position that “*the Chagos Archipelago forms an integral part of the territory of Mauritius*”.

10. The Commission **NOTED** the United Kingdom's objection to the advice of the FAO Legal Counsel.
11. The Commission **AGREED** that its consultation with the United Kingdom has started and the final determination in accordance with Article IV.4 of the IOTC Agreement will be made at S27.
12. Mauritius informed the Commission that it is its understanding that the Secretariat will continue to follow the guidance given by FAO in respect of the use of "BIOT".

5. Adoption of the agenda and arrangements for the session

13. The adopted agenda (IOTC-2022-S26-01c) is provided in [Appendix 2](#). The documents presented to the Commission are listed in [Appendix 3](#).

6. Update on the implementation of decisions of the Commission in 2021 (S25)

14. The Commission **NOTED** paper IOTC-2022-S26-02 which provided the Commission with information on the progress made during the inter-sessional period on the requests for action made at its 25th Session in 2021.

7. Amendments to the IOTC procedures

7.1 *Regarding a procedure for the selection and recruitment of the IOTC Executive Secretary*

15. The Commission **NOTED** Annex 1 of document IOTC-2022-S26-03 that outlined the procedure for the selection and appointment of the IOTC Executive Secretary that was endorsed by the FAO Council at CL168 in 2021. The Commission also **NOTED** the proposed amendment to Rule V.2 of the IOTC Rules of Procedure (2014) set out in Annex 3 of document IOTC-2022-S26-03 that would be required to accommodate the new procedure.
16. The Commission **ADOPTED** the procedure for the selection and appointment of the Executive Secretary provided in [Appendix 4.1](#), forthwith replacing the existing six paragraph procedure in Appendix II of the 2014 IOTC Rules of Procedure.
17. The Commission also **ADOPTED** the associated amendment to Rule V.2 of the 2014 IOTC Rules of Procedure provided in [Appendix 4.2](#).
18. The Commission **THANKED** the Small Drafting Group Chairperson, Ms Kerrie Robertson (Australia), for her contribution to the finalisation of the process; and **REQUESTED** the IOTC Chairperson to advise FAO about the above outcome.

7.2 *Proposal to amend Appendix I of the IOTC Rules of Procedure*

19. The Commission **NOTED** document IOTC-2022-S26-04_Rev1 that proposed amendments intended to clarify to the standard text for IOTC letters of credentials as set out in Appendix I of the IOTC Rules of Procedure.
20. The Commission **ADOPTED** the proposed amendments provided in [Appendix 4.3](#), forthwith replacing Appendix I of the 2014 IOTC Rules of Procedure.

7.3 *Proposal to amend Appendix V of the IOTC Rules of Procedure*

21. The Commission **NOTED** document IOTC-2022-S26-05 that proposed amendments to Appendix V of the IOTC Rules of Procedure (2014) on the Compliance Committee terms of reference and rules of procedure.
22. The Commission **NOTED** that the Compliance Committee had expressed its broad support for the proposed amendments; however, the Commission was unable to adopt the proposed amendments by consensus.
23. The Commission **THANKED** the European Union for the work it had undertaken, since 2019 to develop the amendments to Appendix V, and **NOTED** the commitment from India and Somalia to work with the European Union intersessionally and if necessary, through the WPICMM and CoC to resolve their respective concerns on the proposed amendments.

8. Report of the Scientific Committee

24. The Commission **NOTED** the report of the 24th Session of the Scientific Committee (SC) (IOTC-2021-SC24-R) which was presented by the SC Chair, Prof. Toshihide Kitakado (Japan). A total of 130 delegates and other participants, comprising 107 delegates from 21 Contracting Parties and 23 delegates from 15 observer organisations, including Invited Experts participated in SC24.
25. The Commission **NOTED** that all scientific meetings had been successfully held in 2021, utilising videoconference platforms and a shortened format. The Commission also **NOTED** that the MPF was not used for science-related meetings in 2021 because they were all convened by videoconference.
26. The Commission **NOTED** that 21 National Reports were submitted to the IOTC Secretariat in 2021 by CPCs. Of the 21 National Reports submitted, 6 were submitted after the deadline.
27. The Commission **ENDORSED** a data support mission to Oman, by the IOTC Secretariat. This visit would facilitate information sharing to better understand the development of Oman's fisheries which have shown a significant growth in recent years.
28. The Commission **NOTED** the recommendation by the SC to endorse the continuation of the WGEMS in the future and for the Commission to discuss if the WGEMS should remain under the WPDCS or report directly to the SC or CoC. The Commission also **NOTED** that the Terms of Reference and Plan of Work for the WGEMS as endorsed by the SC. The Commission **AGREED** that the WGEMS should continue to work under the WPDCS at this time.

The status of tropical and temperate tunas

29. The Commission **NOTED** that the current status of tropical and temperate tunas are as follows:

Bigeye tuna

In 2019 a new stock assessment was carried out for bigeye tuna in the IOTC area of competence to update the stock status undertaken in 2016. On the weight-of-evidence available in 2019, the bigeye tuna stock is determined to be not overfished but subject to overfishing.

Yellowfin tuna

A new stock assessment was carried out for yellowfin tuna in 2021. The model used in 2021 is based on the model developed in 2018 with a series of revisions that were noted during the WPTT in 2018, 2019 and 2020. On the weight-of-evidence available since 2018, the yellowfin tuna stock is determined to remain overfished and subject to overfishing

Skipjack tuna

A new stock assessment was carried out for skipjack tuna in 2020 using Stock Synthesis with data up to 2019. On the weight-of-evidence available in 2020, the skipjack tuna stock is determined to be: (i) above the adopted biomass target reference point; (ii) not overfished ($SB_{2019} > SB_{40\%SB0}$); (iii) with fishing mortality below the adopted target fishing mortality, and; (iv) not subject to overfishing ($E_{2019} < E_{40\%SB0}$)

Albacore tuna

A new stock assessment was carried out for albacore in 2019 to update the assessment undertaken in 2016. The stock status in relation to the Commission's BMSY and FMSY target reference points indicates that the stock is not overfished but is subject to overfishing.

30. Full stock status summaries are available [here].
31. The Commission **REITERATED** its concern over the status of the yellowfin tuna stock and **NOTED** the SC observation that some of the fisheries subject to catch reductions have achieved a decrease in catches in 2020 in accordance with the levels of reductions specified in the Resolution; however, these reductions were offset by increases in the catches of yellowfin tuna by some CPCs, including some that were subject to limitations.
32. The Commission **NOTED** that different fishing gears and fleets have differing impacts on the yellowfin tuna population. The Commission **REQUESTED** that the SC conduct a fisheries impact assessment to determine the individual gear/fleet effects on the yellowfin tuna stock status, and productivity.

33. The Commission **NOTED** the TORs and Workplan endorsed by the SC for an external Peer review process for the yellowfin tuna stock assessment. One CPC requested clarification on the timelines provided in the workplan and whether these could be reduced in order to provide advice in a shorter timeframe. Other CPCs expressed their opinion that the current timeline was necessary to provide a thorough review of the yellowfin tuna stock assessment and that reducing the timeframe could be detrimental. The SC Chair explained that the availability of experts, the logistics in organising a face-to-face review meeting and the time required for the SC to review and discuss the outputs of the review were taken into account when developing the presented workplan and that a shortened timeframe will need to be discussed by the SC to determine its feasibility. The Executive Secretary informed the Commission that, the Secretariat will endeavour to expedite the procedure to appoint the reviewers.

The status of neritic tunas

34. The Commission **NOTED** that the current status of neritic tunas are as follows:

<p>Kawakawa</p> <p>No new stock assessment was conducted for kawakawa in 2021 and so the results are based on the assessment carried out in 2020 using data-limited assessment techniques. Based on the weight-of-evidence available, the kawakawa stock for the Indian Ocean is classified as not overfished and not subject to overfishing.</p>
<p>Longtail tuna</p> <p>No new assessment was conducted for longtail tuna in 2021 and so the results are based on the assessment carried out in 2020 using the Optimised Catch-Only Method (OCOM). Based on the weight-of-evidence currently available, the stock is considered to be both overfished and subject to overfishing.</p>
<p>Indo-Pacific king mackerel</p> <p>A new assessment was carried out in 2021 using the data-limited techniques (CMSY and LB-SPR). Based on the weight-of-evidence currently available, the stock is considered to be not overfished and not subject to overfishing.</p>
<p>Narrowed-Barred Spanish mackerel</p> <p>No new assessment was conducted for narrow-barred Spanish mackerel in 2021 and so the results are based on the assessment carried out in 2020 using the Optimised Catch-Only Method (OCOM). Based on the weight-of-evidence available, the stock appears to be overfished and subject to overfishing.</p>
<p>Bullet tuna</p> <p>A new assessment was carried out in 2021 using the data-limited techniques (CMSY and LB-SPR), however the catch data for bullet tuna are very uncertain given the high percentage of the catches that had to be estimated due to a range of reporting issues. Stock status in relation to the Commission's BMSY and FMSY reference points remains unknown.</p>
<p>Frigate tuna</p> <p>A new assessment was carried out in 2021 using the data-limited techniques (CMSY and LB-SPR), however the catch data for frigate tuna are very uncertain given the high percentage of the catches that had to be estimated due to a range of reporting issues. Stock status in relation to the Commission's BMSY and FMSY reference points remains unknown.</p>

35. Full stock status summaries are available [\[here\]](#).

The status of billfish

36. The Commission **NOTED** that the current status of billfish are as follows:

<p>Swordfish</p> <p>A new assessment was undertaken in 2020 using stock synthesis with fisheries data up to 2018. On the weight-of-evidence available in 2020, the stock is determined to be not overfished and not subject to overfishing.</p>
<p>Striped Marlin</p> <p>In 2021 a stock assessment was conducted based on two different models: JABBA, a Bayesian state-space production model (age-aggregated); and SS3, an integrated model (age-structured). On the weight-of-evidence available in 2021, the stock status of striped marlin is determined to be overfished and subject to overfishing.</p>
<p>Blue Marlin</p> <p>No new stock assessment for blue marlin was carried out in 2021 so the stock status is based on the 2019 assessment conducted using the Bayesian State-Space Surplus Production model JABBA which suggests that there is an 87% probability that the Indian Ocean blue marlin stock in 2017 is in the red zone of the Kobe plot, indicating the stock is overfished and subject to overfishing.</p>
<p>Black Marlin</p> <p>A stock assessment based on JABBA, a Bayesian state-space production model (age-aggregated), was conducted in 2021 for black marlin. Since 2018, there has been no discernable improvement in the data available for black marlin and the subsequent assessment outputs remain uncertain and should be interpreted with caution. As such, there is no reasonable justification to change the stock status from “Not assessed/Uncertain”.</p>
<p>Indo-Pacific sailfish</p> <p>No new stock assessment for Indo-Pacific sailfish was carried out in 2021, thus, the stock status is determined on the basis of the 2019 assessment using the C-MSY model. The data poor stock assessment techniques indicated that F was above F_{MSY} ($F/F_{MSY}=1.22$) and B above B_{MSY} ($B/B_{MSY}=1.14$). On the weight-of-evidence available in 2019, the stock status cannot be assessed and is determined to be uncertain.</p>

37. Full stock status summaries are available [\[here\]](#).

Matters related to ecosystems, bycatch and the status of sharks

38. The Commission **NOTED** that the current status of sharks are as follows:

<p>Blue shark</p> <p>A new stock assessment for blue sharks was carried out in 2021 using an integrated age-structured model (SS3). On the weight-of-evidence available in 2021, the stock status is determined to be not overfished and not subject to overfishing.</p>
<p>Oceanic whitetip shark</p> <p>There is no quantitative stock assessment and limited basic fishery indicators currently available for oceanic whitetip sharks in the Indian Ocean therefore the stock status is unknown.</p>
<p>Shortfin mako shark</p> <p>An assessment of shortfin mako sharks in 2020 was inconclusive. There is no quantitative stock assessment currently available for shortfin mako sharks in the Indian Ocean therefore the stock status is unknown.</p>

39. Full stock status summaries are available [\[here\]](#).

40. The Commission **NOTED** the status of sharks presented in the Scientific Committee report and **REQUESTED** the SC, via its Working Party on Ecosystems and Bycatch, to develop research plans for the species most vulnerable and/or data deficient (such as shortfin mako, oceanic whitetip), to inform future decisions on action required to address data deficiencies, declining stocks, and the overall need for improved management of interactions with those species in IOTC fisheries.

Scientific Committee Recommendations

41. The Commission **NOTED** the stock status summaries for species of tuna and tuna-like species under the IOTC mandate, as well as other species impacted by IOTC fisheries and considered the recommendations made by the Scientific Committee to the Commission. The Commission **ENDORSED** the Scientific Committee's 2021 list of recommendations as its own.
42. The Commission **ENDORSED** the Chairperson (Prof. Kitakado from Japan) and Vice-Chairperson (Dr Denham Parker from South Africa) elected by the Scientific Committee and those officials elected for its subsidiary (scientific) bodies for the coming years, as listed in Appendix 7 of the 2021 Scientific Committee Report.

9. Report of the Technical Committee on Allocation Criteria

43. The Independent Chairperson of the TCAC, Ms Nadia Bouffard, presented a summary of the report of TCAC09 which was held by videoconference, from 2 to 4 November 2021 (IOTC-2021-TCAC09-R). Delegates from 20 Contracting Parties and 4 observer organisations including invited experts participated in the session.
44. The Commission **NOTED** that the Chair had circulated a 4th version of an allocation proposal for TCAC10 to consider in June.
45. The Commission **NOTED** that several CPCs have not been in agreement with the interim rebuilding measures proposed for yellowfin and skipjack tunas and while this poses challenges for TCAC, the adoption of a final allocation regime should mitigate some of the concerns of these Members. The Commission **ENCOURAGED** CPCs to show some flexibility during the TCAC negotiation process in order to finalise an allocation regime for adoption.

10. Report of the Technical Committee on Management Procedures

46. The Commission **NOTED** that the report from the 5th meeting of the Technical Committee on Management Procedures (TCMP) had not yet been adopted and will be done so by correspondence. The Commission **NOTED**, however, that several Recommendations had been reviewed and agreed during the meeting and these were presented to the Commission by the SC Chair who co-chaired the meeting. The Recommendations were as follows:
- The TCMP **NOTED** that both candidate MPs for BET, reviewed by the SC, are acceptable and meet the management objectives for the stock. As such the TCMP **RECOMMENDED** that the Commission discuss them both and consider selecting one MP for adoption.
 - The TCMP **NOTED** that CPCs require time to process the outputs of the SC in order to fully explore and understand the advice provided using the MSE process. To facilitate this, the TCMP **RECOMMENDED** that the Commission endorse holding a virtual TCMP meeting early each year with a view to discuss or narrow down the alternative candidate MPs proposed by the SC, providing sufficient time for CPCs to discuss the outputs of the SC and consider developing proposals based on them. The TCMP would then meet again physically prior to the Commission.
47. The Commission **SUPPORTED** the important work conducted by the TCMP and **ENDORSED** the Recommendation to hold a virtual meeting early in the year. This would be included in the schedule of meetings from 2023.
48. The Commission **URGED** the TCMP to continue with capacity building initiatives to facilitate understanding of the process and increase participation by all parties to facilitate smooth implementation of the MSE process.

49. The Commission **ACKNOWLEDGED** an offer by the PEW Charitable Trusts to support capacity building workshops and activities for MSE. The Commission **REQUESTED** the Secretariat to liaise with PEW to coordinate these activities.

11. Report of the Compliance Committee

11.1 Overview of the CoC19 report

50. The Commission **NOTED** the report of the 19th Session of the Compliance Committee (IOTC-2022-CoC19-R), which was presented by the Compliance Committee's newly elected Chairperson, Dr Indra Jaya (Indonesia). Delegates from 25 Contracting Parties (Members) and 11 Observers including Invited Experts participated in the meeting.
51. The Commission **NOTED** the recommendations from the 19th Session of the Compliance Committee, which were presented by the newly elected Chairperson of the Compliance Committee.
52. The Commission **NOTED** the IOTC 2022 Provisional IUU Vessels List and the recommendations of the Compliance Committee for the Commission to further discuss the cases related to four vessels included onto the Provisional IUU Vessels List.
53. The Commission **ENDORSED** the recommendations arising from the Report of the 19th Session of the Compliance Committee as its own.
54. The Commission **ENDORSED** the Chairperson (Mr Indra Jaya from Indonesia) and Vice-Chairperson (Mr Zahor El Kharousy from Tanzania) elected at the 19th Session of the Compliance Committee for the next biennium.

11.2 Adoption of the List of IUU Vessels

55. The Commission **NOTED** the evidence that France(OT) provided against the Sri Lankan flagged vessel MANGALA, for fishing illegally in its waters.
56. The Commission **NOTED** that Oman could not provide any additional information to demonstrate that the previous Owner of the three ISRAR vessels no longer have any operational, legal, financial or real interest in these vessels.
57. The Commission **AGREED** that the Sri Lankan flagged vessel (MANGALA) and Omani flagged vessels (ISRAR 1, ISRAR 2 and ISRAR 3) should be included in the IOTC IUU Vessels List.
58. The Commission **FURTHER AGREED** that the four Indian flagged vessels (AVEMARIYA, LITTLESHA, NOVA and YONA) be included in the IOTC IUU Vessels List.
59. The Commission **ADOPTED** the IOTC IUU Vessels List [\[download here\]](#). All CPCs shall be required to take the necessary measures regarding the IUU Vessels List in accordance with paragraph 21 of Resolution 18/03.
60. The Commission **NOTED** the statement of Mauritius that it could not endorse any recommendation for the inclusion on the IOTC IUU Vessels List of any vessels reported by the United Kingdom purporting to act as the coastal State in relation to the Chagos Archipelago. The Statement made by Mauritius is provided at [Appendix 10](#).

11.3 Requests for the accession to the status of Cooperating Non-Contracting Party

61. The Commission **NOTED** the application for Cooperating Non-Contracting Party (CNCP) status from the Republic of Liberia which was received within the deadline, prior to the commencement of the Session.
62. The Commission **NOTED** the presence of Liberia in the Compliance Committee and Commission meeting and **AGREED** to renew the CNCP status of Liberia, until the end of the Commission meeting in 2023.
63. The Commission **NOTED** that Senegal did not apply for renewal of its CNCP status in 2022.

12. Report of the Standing Committee on Administration and Finance

12.1 Overview of the SCAF19 report

64. The Commission **NOTED** the report of the 19th Session of the Standing Committee on Administration and Finance (SCAF) (IOTC-2022-SCAF19-R), which was presented by the SCAF Chairperson, Mr Hussain Sinan (Maldives). Delegates from 26 Contracting Parties (Members) and 7 Observers including Invited Experts participated in the meeting.
65. The Commission **NOTED** that the IOTC office at Le Chantier Mall, Victoria closed in October 2021 due to a major fire and **THANKED** the United Nations Resident Coordinator's Office for Mauritius and Seychelles, the Seychelles Ministry of Foreign Affairs, and the Seychelles Fishing Authority for assisting the Secretariat to find a new office (in Providence).
66. At the request of the SCAF, Somalia informed the Commission it had made a payment towards its outstanding contributions of USD52,718 in April 2022. The Commission **NOTED** that Somalia had USD28,821 outstanding, up to and including 2022, and **ENCOURAGED** Somalia to work with the Secretariat to resolve any issues relating to this matter.
67. The Commission **NOTED** that the IR Iran was responsible for around 48% of the total outstanding contributions. The Commission also **NOTED** that Iran informed the SCAF that it currently has more than USD2 million available to pay its outstanding contributions and that the SCAF had requested the Secretariat to work with Iran and FAO to find a solution for the transfer of these funds into the FAO account.
68. The Commission **NOTED** the explanations provided by Members with contributions in arrears, and their commitments to pay the amounts outstanding. The Commission **ENCOURAGED** those CPCs to follow their plans and actively participate in IOTC process.
69. The Commission **ENDORSED** the SCAF19 list of ten recommendations as its own; **NOTING** in particular:
 - the formation of a Small Working Group (SWG) to draft a Rules of Procedure for the operation of the working capital fund in accordance with Regulation IV.5 of the IOTC Financial Regulations. Australia, Comoros, European Union, Maldives and Somalia indicated that they would contribute to the SWG.
 - the addition of a P2 level data expert to the Secretariat to better match the workload of the data section and overall, strengthen the effectiveness and efficiency of the delivery of data services to the Commission.
 - on an exceptional basis, and only if required, that the Working Capital Fund be used:
 - to cover hybrid meetings for TCAC11 and SC25 in 2022
 - up to \$150,000, for the MPF in 2023, should the MPF (which is not to exceed a total of \$250,000) require additional funds.
70. The Commission **AGREED**, on an exceptional basis, that up to two persons from each Member eligible for the Meeting Participation Fund could be supported to participate in TCAC11 and SC25.

12.2 Programme of work and budget of the Commission

71. The Commission revised the detailed operational budget that was considered by SCAF19 (Appendix 2 of IOTC-SCAF19-08A) to that provided in [Appendix 5](#).
72. The Commission **ADOPTED** the programme of work and budget for 2023, the indicative budget for 2024 ([Appendix 6](#)), and the schedule of contributions for 2023 as provided in [Appendix 7](#).
73. The Commission **ACKNOWLEDGED** that the addition of two Special Sessions to the IOTC meeting calendar in 2023 will require significant additional funds. Given that the amounts allocated to meeting contingencies for the 2023 budget in the above-mentioned revision were reduced by \$195,000, the Commission **AGREED** that, should the Meetings budget need additional funds to accommodate special sessions in 2023, these funds shall, on an exceptional basis, be taken from the Working Capital Fund. Furthermore, the Commission **REQUESTED** that any use of Working Capital Fund be reported by the Secretariat to the SCAF in the 2023 mid-year review.
74. The Commission **AGREED** to reduce the draft budget for science by \$65,000; however, the Commission **NOTED** the indication from some Members that the budget for science activities is relatively small in comparison to

the large size of the IOTC fisheries, and the budget reductions made in 2022 in the above-mentioned revision, should not be considered as a precedent for budgets in future years.

12.3 Schedule of meetings for 2023

75. The Commission **ADOPTED** the schedule of meetings for its subsidiary bodies for 2023 as detailed in [Appendix 8](#).

13. Conservation and Management Measures

13.1 Current Conservation and Management Measures that include a reference to the year 2022

76. The Commission **NOTED** paper IOTC-2022-S26-06.

13.2 Review of objections received under Article IX.5 of the IOTC Agreement

77. The Commission **NOTED** paper IOTC-2022-S26-07 which informs the Commission about the current 'Objections' to IOTC Conservation and Management Measures that have been received in accordance with Article IX.5 of the IOTC Agreement.

13.3 Discussion on Conservation and Management Measures

78. The Commission **ADOPTED** the following four Conservation and management measures:

Resolution 22/01 On climate change as it relates to the Indian Ocean Tuna Commission [[download here](#)].

79. The basis of this resolution was Proposal O.

Resolution 22/02 On establishing a programme for transshipment by large-scale fishing vessels [[download here](#)].

80. The basis of this resolution was Resolution 21/02 and took into account elements of Proposals H and I.

Resolution 22/03 On a Management Procedure for bigeye tuna in the IOTC area of competence [[download here](#)].

81. The basis of this resolution was Proposal G.
82. The Commission **NOTED** that Management Procedures are species specific, and the probabilities adopted for bigeye tuna should not set a precedent for other IOTC species.
83. The Commission **ACKNOWLEDGED** further offers to support capacity building workshops and activities for MSE from WWF and ISSF (Refer also to paragraph 49).

Resolution 22/04 On a Regional Observer Scheme [[download here](#)].

84. The basis of this resolution was Resolution 11/04 and took into account elements of Proposals F and K.
85. The above resolutions have been placed in a central download facility for the purposes of version control. Once in force, the resolutions will be made available on the IOTC website [[here](#)].
86. The Commission also **CONSIDERED** the following proposals:

IOTC-2022-S26-PropA On measures complementing Resolution 21/01 on an interim plan for rebuilding the Indian Ocean yellowfin tuna stock.

87. There was no consensus on this proposal with several CPCs disagreeing on the measures being proposed.

IOTC-2022-S26-PropB Harvest control rules for skipjack tuna in the IOTC area of competence.

88. There was no consensus on this proposal. In particular, the proposed method for catch reductions was contested.
89. India made a statement provided in [Appendix 10](#).

IOTC-2022-S26-PropC *On management of fish aggregating devices (FADs) in the IOTC area of competence.*

90. The original proposal was revised to include elements of Reference document IOTC-2022-S26-REF02. There was no consensus regarding key elements of this proposal; particularly on the establishment of a FAD closure. As such, the proposal was withdrawn.
91. The Commission **REQUESTED** the IOTC Chairperson to liaise with the Heads of Delegations to decide on the modalities and time of a Special Session of the Commission in the first quarter of 2023 to advance FAD issues. Some delegations expressed a reluctance to convene a special session in the absence of any new information.
92. The United Kingdom requested that the information provided in paragraph 24 of Resolution 19/02 on DFAD trajectories and ownership shall be made available for specific analysis upon justified request by any CPC in respect of its waters or by the IOTC Scientific Committee and relevant Working Groups with immediate effect. No objection was expressed to this request.

IOTC-2022-S26-PropD *On a high-seas boarding and inspection scheme.*

93. The proponents withdrew this proposal when it became clear consensus would not be reached.
94. The Commission **AGREED** to revive the Working Group on High-Seas Boarding and Inspection (WGHSBI). To this end, the Commission **AGREED** to the following steps:
- (i) France(OT) will contact Members and ascertain their interest in participating in the WG.
 - (ii) Interested Members would work virtually on a Terms of Reference for the WGHSBI.
 - (iii) Once a draft TOR is available, the WG will decide on the modality of the WG (virtual or in-person), and when it convenes for the first time, it will finalise the TOR before commencing its work.
95. China made the statement on High Seas and Boarding Inspection provided in [Appendix 10](#).

IOTC-2022-S26-PropE *Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs).*

96. The basis for this proposal was Resolution 15/02 and a recommendation made by the Scientific Committee at its the 24th Session to clarify certain provisions related to data reporting. The proponents withdrew this proposal when it became clear consensus would not be reached.

IOTC-2022-S26-PropL *On establishing a programme for transshipment by large-scale fishing vessels.*

97. The aim of this proposal was to mitigate economic losses by large-scale fishing vessels due to the COVID-19 pandemic using cost effective approaches and, at the same time, ensuring transparency of transshipment operations. The proponents withdrew this proposal as there was a request for more time to consider it. The proponents indicated they would develop the proposal through intersessional work and discussion, with a view to submitting it at the next Commission meeting.

IOTC-2022-S26-PropM&J *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence.*

98. There was no consensus on this proposal (a combination of proposals M and J) and the proponents agreed to withdraw it, noting their disappointment in the lack of agreement on Management Measures for a stock assessed to be overfished and subject to overfishing by the SC.
99. The Commission **AGREED** to the possibility of convening a Special Session of the Commission in accordance with Article VI(5) of the IOTC Agreement for the purpose of reaching agreement on a yellowfin tuna rebuilding plan.
100. The Commission **REQUESTED** that a Heads of Delegations meeting be convened by the second week of July 2022 to agree on a process to convene a series of meetings with the Contracting Parties objecting to Resolution 21/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock* and other interested Contracting Parties to explore ways to address their concerns.

101. A list of potential questions (IOTC-2022-S26-REF07) that might be posed to the above-mentioned objecting parties was brought to the attention of the Commission by Japan.
102. These meetings shall be concluded by 31 January 2023. If, by that date, the Chairperson and the Vice-Chairpersons of the Commission considers that there is a possibility to reach agreement on a new or revised yellowfin tuna rebuilding plan, the Chairperson and Vice-Chairpersons shall call, after consultation with HODs, for a Special Session, which shall take place in the first quarter of 2023.
103. The main objective of the Special Session is to discuss and agree on conservation and management measures concerning yellowfin tuna through a revision of Resolution 21/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock* and/or consideration for new or additional proposals.
104. The Commission **RECALLED** IOTC Circular 2022-04 in which Seychelles raised concerns about some ambiguity in the instructions contained in Paragraph 14 of Resolution 21/01 and Paragraph 13 of Resolution 19/01 (which preceded it and remains applicable for some Members). The Commission **AGREED** that the formulation of Paragraphs 14a and 14b (on over catches) from Proposal M&J (below) clarifies the intent of the comparable provisions in Resolutions 21/01 (para. 14) and 19/01 (para. 13), and forthwith shall guide Members in their implementation of these two conservation and management and measures.

Over catch of annual limit

14. If over catch of an annual limit for a given CPC listed in paragraph 5 to 13 occurs, catch limits for that CPC shall be reduced as follows:

- a. for over-catch of limits set forth in Resolution 19/01, in 2020 and/or 2021, 100% of that over-catch shall be deducted over the following two years limit in 2022 and/ or 2023. [A CPC shall notify the IOTC Secretariat, within 30 days of the publication of the allocation limits of its ratio of deduction (s) for that period]; and*
- b. over-catch in 2022 and following years, 100% of that over-catch shall be deducted over the the following two years' limit. A CPC shall notify the IOTC Secretariat, within 30 days of the publication of the allocation limits of the ratio of deduction (s) for that period."*

105. Seychelles made the statement on Proposal M&J provided in Appendix 10.
106. India made a statement provided in Appendix 10.

IOTC-2022-S26-PropN *On conservation and management of skipjack tuna.*

107. The proponents withdrew this proposal when it became clear consensus would not be reached.
108. India made a statement provided in [Appendix 10](#).

14. Any Other Business

14.1 Cooperation with other organisations and institutions

109. The Commission **NOTED** paper IOTC-2022-S26-08 that listed the bodies with which it is currently collaborating.
110. The Commission **NOTED** documents IOTC-2022-S26-09, IOTC-2022-S26-10 and IOTC-2022-S26-11 which contained draft instruments for collaborative arrangements between the Indian Ocean Tuna Commission and the Secretariat for the International Whaling Commission, the Overseas Fishery Cooperation Foundation of Japan, and the Southern Indian Ocean Fisheries Agreement Meeting of the Parties, respectively.
111. The Commission **RECALLED** that IOTC has been collaborating with OFCF (Japan) for 20 years to improve systems of collecting and processing data on resources related to tuna fisheries in the Indian Ocean and **NOTED** the interventions of CPCs expressing their appreciation of the contribution that OFCF (Japan) has made in this important area of work.
112. Australia noted that the form of the Agreement between the IOTC and SIOFA goes beyond what was initially agreed would be a letter of intent. In the interests of progressing the issue Australia agreed not to block consensus, however, noted that it does not consider memorandums of understanding to be legally binding.

113. The Commission **AGREED** on the text of the instruments (available [\[here\]](#)) and **REQUESTED** that these be sent to the respective organisations for their consideration.
114. The Commission **AGREED** that, if required, the Executive Secretary and the Chairperson can liaise between the organisations on any further un-substantive amendments to the instruments, and if they are not substantive, the Executive Secretary shall sign the instruments on behalf of the Commission once they are approved. The final texts of the instruments will be made available [\[here\]](#).

14.2 Recruitment of a new Executive Secretary

115. The Executive Secretary informed the Commission that the IOTC Chairperson and FAO have approved the Vacancy Announcement, and this would be posted in the week following S26.
116. In accordance with Rule V.2 of the IOTC Rules of Procedure (2022), the Commission **CONFIRMED** that the IOTC Chairperson, Ms Jung-re Riley Kim (Korea) and Vice-Chairpersons, Mr Adam Ziyad (Maldives) and Mr Qayiso Mketsu (South Africa) will serve on the recruitment panel.
117. In accordance with Rule V.4 of the IOTC Rules of Procedure the Commission **AGREED** that the Executive Secretary will remain in function until the successor has taken up duties.
118. The Commission **RECALLED** that, in accordance with the newly adopted procedure for the selection and recruitment of the IOTC Executive Secretary, 3 to 5 candidates will be identified by the selection panel as suitable for the position, and the FAO Director-General will nominate one of those candidates to the Commission for approval. The Commission **AGREED** to use the procedure outlined in [Appendix 9](#) to vote on the Director-General's nomination.

14.3 Date and place of the 27th Session of the Commission and its subsidiary bodies in 2023

119. The Commission **THANKED** Mauritius for its generous offer to host the 27th Session of the Commission, the 20th Session of the Compliance Committee, the 20th Session of the Standing Committee on Administration and Finance, and the 6th Session of the Technical committee on Management Procedures in Mauritius from 30 April to 12 May 2023. The full calendar of 2023 meetings is provided in [Appendix 8](#).
120. The Commission **AGREED** to the possibility of adding two Special Sessions to the 2023 calendar to discuss (i) FAD issues and (ii) yellowfin tuna, following the processes referred to in paragraphs 91 and 100, respectively.
121. The Commission also **THANKED** Thailand for its generous offer to host the 28th Session of the Commission and associated meetings (dates to be confirmed) in Thailand in 2024.

15. Adoption of the report of the 26th Session of the Commission

122. The report of the 26th Session of the Indian Ocean Tuna Commission (IOTC-2022-S26-R) was **ADOPTED** by correspondence on 5 August 2022.

APPENDIX 1.

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- 1. OPENING OF THE SESSION**
- 2. LETTERS OF CREDENTIALS**
- 3. ADMISSION OF OBSERVERS**
- 4. CLARIFICATION OF THE STATUS OF THE UNITED KINGDOMS MEMBERSHIP IN THE IOTC**
- 5. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**
- 6. UPDATE ON THE IMPLEMENTATION OF DECISIONS OF THE COMMISSION IN 2021 (S25)**
- 7. AMENDMENTS TO THE IOTC PROCEDURES**
 - 7.1. Regarding a procedure for the selection and appointment of the IOTC Executive Secretary
 - 7.2. Proposal to amend Appendix I of the IOTC Rules of Procedure
 - 7.3. Proposal to amend Appendix V of the IOTC Rules of Procedure
- 8. REPORT OF THE SCIENTIFIC COMMITTEE**
 - 8.1. Overview of the 2021 SC24 Report
 - 8.2. Discussion on any related conservation and management measures
- 9. REPORT OF THE TECHNICAL COMMITTEE ON ALLOCATION CRITERIA**
 - 9.1. Overview of the TCAC09 Report
- 10. REPORT OF THE TECHNICAL COMMITTEE ON MANAGEMENT PROCEDURES**
 - 10.1. Overview of the TCMP05 Report
- 11. REPORT OF THE COMPLIANCE COMMITTEE**
 - 11.1. Overview of the CoC19 Report
 - 11.2. Adoption of the List of IUU Vessels
 - 11.3. Requests for accession to the status of Cooperating non-Contracting Party
- 12. REPORT OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE**
 - 12.1. Overview of the SCAF19 Report
 - 12.2. Adoption of the Programme of Work and Budget of the Commission
 - 12.3. Schedule of meetings for 2023-2024
- 13. CONSERVATION AND MANAGEMENT MEASURES**
 - 13.1. Current Conservation and Management Measures that require action by the Commission in 2022
 - 13.2. Review of objections received under Article IX.5 of the IOTC Agreement
 - 13.3. Any remaining proposals for Conservation and Management Measures (Contracting Parties), noting that, some proposals will be considered under other agenda items, as relevant.
- 14. ANY OTHER BUSINESS**
 - 14.1. Cooperation with other organisations and institutions
 - 14.1.1. IOTC collaborative arrangements – an overview
 - 14.1.2. Proposed LOI with the International Whaling Commission
 - 14.1.3. Proposed MOU with the Overseas Fishery Cooperation Foundation of Japan
 - 14.1.4. Proposed MOU with the Southern Indian Ocean Fisheries Agreement
 - 14.2. Recruitment of a new Executive Secretary
 - 14.3. Date and place of the 27th Session of the Commission and the meetings of its associated subsidiary bodies in 2023
- 15. ADOPTION OF THE REPORT OF THE 26th SESSION OF THE COMMISSION**

APPENDIX 3.
LIST OF DOCUMENTS

Document	Title
IOTC-2022-S26-01a	Provisional agenda for S26 (v17 March).
IOTC-2022-S25-01b	Provisional agenda for S26 (v17April).
IOTC-2022-S26-01c	Provisional agenda for S26 (v16May)
IOTC-2022-S26-02	Progress on the requests for action made to the Secretariat.
IOTC-2022-S26-03	Regarding the procedure for the selection and appointment of the IOTC Executive Secretary
IOTC-2022-S26-03_add1	Regarding the development of a proposal for a permanent procedure to select the Executive Secretary
IOTC-2022-S26-04	Proposal to amend Appendix V of the IOTC Rules of Procedure
IOTC-2022-S26-05	Proposal to amend Appendix I of the IOTC Rules of Procedure
IOTC-2022-S26-06	Conservation and management measures that include a reference to the year 2022.
IOTC-2022-S26-07	Review of objections received under Article IX.5 of the IOTC Agreement.
IOTC-2022-S26-08	IOTC collaborative arrangements — an overview
IOTC-2022-S26-09	Proposed Letter of Intent between IOTC and the International Whaling Commission (IWC).
IOTC-2022-S26-10	Proposed MOU between IOTC and the Overseas Fishery Cooperation Foundation of Japan (OFCF Japan).
IOTC-2022-S26-11	Proposed MOU between IOTC and and the Southern Indian Ocean Fisheries Agreement (SIOFA).
IOTC-2022-S26-12	Working Paper for Evaluating the impact of Reducing FAD fishery on MSY
IOTC-2022-S26-PropA	On measures complementing Resolution 2101 on an interim plan for rebuilding the Indian Ocean yellowfin tuna stock (European Union)
IOTC-2022-S26-PropB	Harvest control rules for skipjack tuna in the IOTC area of competence (European Union)
IOTC-2022-S26-PropC	On management of fish aggregating devices (FADs) in the IOTC area of competence (European Union)
IOTC-2022-S26-PropD	On a high-seas boarding and inspection scheme (European Union)
IOTC-2022-S26-PropE	Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) (European Union)
IOTC-2022-S26-PropF	On a regional observer scheme (European Union)
IOTC-2022-S26-PropG	On a Management Procedure for bigeye tuna in the IOTC area of competence (Australia)

Document	Title
IOTC-2022-S26-PropH	On establishing a programme for transshipment by large-scale fishing vessels (Indonesia)
IOTC-2022-S26-PropI	On establishing a programme for transshipment by large-scale fishing vessels (Japan)
IOTC-2022-S26-PropJ	On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence (Seychelles)
IOTC-2022-S26-PropK	On a regional observer scheme (Seychelles)
IOTC-2022-S26-PropL	On establishing a programme for transshipment by large-scale fishing vessels (Korea)
IOTC-2022-S26-PropM	On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence (Maldives)
IOTC-2022-S26-PropN	PropN. On conservation and management of skipjack tuna in the IOTC area of competence (Maldives)
IOTC-2022-S26-PropO	PropO. On climate change as it relates to the India Ocean Tuna Commission (Maldives)
Reference documents	
IOTC-2022-S26-REF01	Note from the FAO Legal Counsel regarding agenda item 4 (FAO)
IOTC-2022-S26-REF02	On the management of drifting FADs -DFADS (Kenya et al)
IOTC-2022-S26-REF03	On the management of anchored FADs -AFADS (Kenya)
IOTC-2022-S26-REF04	SC Chairpersons presentation to S26
IOTC-2022-S26-REF05	On the management of drifting FADs -DFADS (Kenya et al)
IOTC-2022-S26-REF06	List of questions about objections to Resolution 21-01 (Japan)
Statement01	Mauritius
Statement02	China
Statement03	France(OT)
Relevant reports from other meetings	
IOTC-2022-CoC19-R	Report of the 19 th session of the IOTC Compliance Committee.
IOTC-2022-SCAF19-R	Report of the 19 th session of the IOTC Standing Committee on Administration and Finance.
IOTC-2021-TCAC09-R	Report of the 9th session of the Technical Committee on Allocation Criteria.
IOTC-2021-SC24-R	Report of the 24th Session of the IOTC Scientific Committee
IOTC-2021-TCMP05-R	Report of the 5 th session of the Technical Committee on Management Procedures
NGO Statements	

Document	Title
IOTC-2022-S26-INF01	Harvest strategies and allocation – A chicken and egg scenario? (Holmes and Miller)
IOTC-2022-S26-INF02	International Seafood Sustainability Foundation position statement
IOTC-2022-S26-INF03	The Pew Charitable Trusts' Statement
IOTC-2022-S26-INF04	Oceana, PEW, WWF policy brief
IOTC-2022-S26-INF05	WWF statement
IOTC-2022-S26-INF06	International Game Fish Association Position Statement
IOTC-2022-S26-INF07	Sustainable Indian Ocean Tuna Initiative statement
IOTC-2022-S26-INF08	Global Tuna Alliance statement
IOTC-2022-S26-INF09	Blue Marine Foundation
IOTC-2022-S26-INF10	SharkProject Observer Statement
IOTC-2022-S26-INF11	SWIOTUNA position to the 26th Session of the IOTC

APPENDIX 4.

2022 REVISIONS TO THE IOTC RULES OF PROCEDURE

1. New Appendix II The Adopted procedure for the selection and appointment of the IOTC Executive Secretary

- 1) A Vacancy Announcement is drafted by technical departments with support of the Human Resources Division (“CSH”) as is done for all senior (D1 and above) staff positions. The draft Vacancy Announcement is shared with the Chairperson of the Body concerned who is invited to provide views thereon.
- 2) The Vacancy Announcement is issued and posted for 30 days¹.
- 3) A first review and screening of candidates is undertaken by CSH based on the minimum criteria and qualifications set out in the Vacancy Announcement.
- 4) A second review is undertaken by the offices of the relevant Deputy Director-General and the relevant Director (D2) and three representatives of the Members of the Article XIV Body to establish a shortlist of candidates for interview. The interview shortlist must contain at least seven candidates including at least one female candidate. If there is no female candidate in the shortlist, the Panel Report must contain a justification. If the interview shortlist does not contain seven candidates, the Report must contain a justification.
- 5) An Interview Panel is established, which is composed of:
 - a) the relevant Deputy Director-General or Director (D2);
 - b) two Senior FAO officers;
 - c) three representatives of the Members of the Article XIV Body;
 - d) one external member, to be selected by other Interview Panellists from among three candidates proposed by CSH; and
 - e) one representative of CSH, without the right to participate in decision-making. The role of the CSH representative is to offer administrative support to the panel. He/She will not be involved in interviewing or assessing the candidates.
- 6) Interviews of shortlisted candidates are conducted by the Interview Panel, which will prepare a report. The Panel Report will identify a minimum of three and a maximum of five qualified candidates. If no female candidate is selected at this stage, the Panel Report must contain a justification.
- 7) Both the shortlist of candidates for interview as well as the three to five candidates submitted to the Director-General is compiled with due regard to gender and geographic balance in line with the policy of the Organization. If this balance is not achieved, the Panel Report must contain a justification for this. All efforts should be made to reach a decision by consensus.
- 8) Reference checks are undertaken by CSH.
- 9) The Panel Report is submitted for consideration by the Director-General.
- 10) The Director-General identifies for appointment one candidate, from the proposed candidates identified in the Panel Report, whose name and curriculum vitae are referred to the relevant Article XIV Body for approval in accordance with the provisions of the treaty concerned. The name and curriculum vitae, and a written statement that reference checks have been conducted, will be transmitted to the Article XIV Body Chairperson, who will keep the information confidential, within ten weeks of the closure of the Vacancy Announcement.
- 11) Upon approval of the Body, an offer is issued to the candidate. Should there be non-approval, the Director-General will propose to the Body another candidate, identified in the Panel Report, recommended for appointment. In case none of the candidates identified in the Panel Report are approved by the Body, the Vacancy shall be reissued.
- 12) Upon acceptance, the Director-General appoints the candidate.

¹ Unless the Article XIV Body requests for a longer period up to maximum 45 days

2. New Rule V.2 An associated amendment required for the new procedure for the selection and appointment of the IOTC Executive Secretary

RULE V.2: THE SECRETARIAT

The Executive Secretary of the Commission shall be appointed by Director-General with the approval of the Commission, in accordance with the procedure set out at Appendix II. The three IOTC representatives referred to in Appendix II shall be the IOTC Chairperson and two Vice-Chairpersons, unless otherwise decided by the Commission. These IOTC representatives shall conduct themselves impartially with the objective of ensuring an IOTC view is represented throughout the recruitment process.

3. New Appendix I A revision of the standard text for IOTC letters of credentials

APPENDIX I
LETTER OF CREDENTIALS

Dear IOTC Executive Secretary,

Upon instructions of [the Head of state, the head of government, the minister for foreign affairs or the minister concerned] I wish to inform you that [name of IOTC Contracting Party (Member)] will participate in the [...Number...] Session of the Indian Ocean Tuna Commission (IOTC) [and/or any Committee of the Commission] and will be represented by the following delegation (or by [Title and Name] if the delegation is constituted by one person):

[Title and Name] – Head of delegation

[Title and Name] – Alternate

[Title and Name] – Expert

[Title and Name] – Adviser

The delegation is authorised to fully take part in the proceedings of the Session on behalf of the Government (or Authority concerned for Regional Economic Integration Organisation e.g. EU) of [name of IOTC Member] in accordance with Article VI.1 of the *Agreement for the Establishment of the Indian Ocean Tuna Commission*.

[Title and Name], Head of Delegation or, in his/her absence, the Alternate designated in this Letter of Credentials, is authorised to take any decision required in relation with this Session, including to vote on behalf of the Government (or Authority concerned for Regional Economic Integration Organisation e.g. EU) of [name of IOTC Member] at this Session.

.....Signature.....

[on behalf of, Head of state, the head of government, the minister for foreign affairs or the minister concerned]

APPENDIX 5.

REVISED DETAILED OPERATIONAL BUDGET FOR 2023

Item Description	2023 (US\$)
Capacity Building	
Data compliance and support missions	20,000
Ad-Hoc Compliance Capacity Building activities	25,000
Legal assistance	12,000
Regional Workshop on Compliance Issues (travel budgeted elsewhere)	5,000
Sub-Total US\$	62,000
Co-funding extra budgetary science and data grants	
Consultants budget line will be used as required for any new grants	0
Sub-Total US\$	0
Co-funding extra budgetary compliance grants	
Consultants budget line will be used as required for any new grants	0
Sub-Total US\$	0
Consultants/Service Providers	
Driver/Office Helper (NPP contract)- \$1 000/month	12,000
Information technology consultant (NPP) - \$1 650 / month	19,800
TCAC Consultants (Chair & simulation expert)	50,000
Consultant – maintenance of compliance utilities and platforms (ePSM)	20,000
Compliance consultant - data inputting (NPP) - \$1 300 / month	15,600
Prioritised activities supporting the work of the Scientific Committee. 1) Review of CPUE standardisation of tropical tunas and development of improved indices for assessment taking into account factors identified by the - \$30 000 2) External Peer review of Tropical Tuna stock assessments as specified by the SC24 – \$60 000 3) Genetic research to determine the effective population size of key shark species (SMA) using CKMR methods - \$100,000 4) Develop standardised CPUE series for the main fisheries for longtail, kawakawa, and Spanish mackerel in the Indian Ocean – \$20,000 5) Biological research (collaborative research to improve understanding of spatio-temporal patterns in age and growth and reproductive parameters for albacore tuna – \$45,000 6) Data Mining and Development of gillnet CPUE series for billfishes (Particularly Black Marlin and Sailfish) – \$20,000 7) Continuation of MSE for priority IOTC species, including peer review of the BET OM – \$110,000 8) Enhance the use of electronic tools to support data collection in artisanal fisheries - \$20,000	405,000
Contingency for work proposed by the Commission	20,000
Sub-Total US\$	542,400
Duty Travel (Staff and Non-Staff)	
IOTC Staff Travel 2023 (Meetings and field activities, excluding logistics support)	120,000
External experts (Science) 2023	45,000
Sub-Total US\$	165,000
Meetings	
Contingency for TCAC if held in Seychelles (or travel for logistics support)	0
Commission, CoC, SCAF, TCMP travel for logistics support and incidentals	17,000
Contingency Working Parties if held in Seychelles (or travel for logistics support)	0
Contingency for Scientific Committee if held in Seychelles (or travel for logistics support)	0
Sub-Total US\$	17,000
Interpretation	
CoC, SCAF, TCMP, S27	55,000
TCAC (TBD)	40,000
SC	40,000
Sub-Total US\$	135,000
Translation	
Translation - IOTC Consultants	100,000
Travel for consultants	15,000
Sub-Total US\$	115,000
Equipment	
IT equipment (hardware and accessories as needed)	15,000
Office furniture and facilities (Desks, chairs, flooring, partitions to create new work areas)	20,000
Sub-Total US\$	35,000
General Operating Expenses	
Web Hosting, Email hosting and website admin	7,600
Software and licenses	5,000
Subscriptions (eg. journals and newspapers)	1,000
Office Tel and mobile phones - \$6000 / yr; Data Lines (internet) - \$42,000 / yr	48,000
Postal & Pouch - \$300 /yr + distribution of printed materials \$2000 /yr	2,300
Vehicle Insurance and Vehicle Maintenance (Insurance 800/yr, Maint \$1,000 / yr; Vehicle Petrol/Diesel - \$1,600 / yr; Vehicle Cleaning - \$400 / yr)-	3,600
Cleaning of Premises - expected to be included in new lease	0
Maintenance of photocopiers and printers, including toners	1,500
Office Supplies and miscellaneous (Stationery; Kitchen; Bathroom; Newspapers; Water)	7,000
Sub-Total US\$	76,000
Contingencies	
As required by the Financial Regulations	10,000
Operating Expenditures Total US\$	1,157,400

APPENDIX 6.
IOTC BUDGET FOR 2023 AND INDICATIVE BUDGET FOR 2024

		Actuals 2021	2022	2023	2024
1	Staff costs				
1.1	Professional				
	Executive Secretary (D1)	194,950	194,797	209,731	213,926
	<i>Science</i>				
	Science Manager (P5)	146,089	145,473	157,578	160,729
	Stock Assessment Expert (P4)	126,716	127,083	137,920	140,679
	Fishery Officer (Science P3)	97,898	96,944	105,643	107,756
	<i>Compliance</i>				
	Compliance Manager (P5)	141,066	140,200	151,972	155,011
	Compliance Coordinator (P4)	133,861	134,717	143,330	146,197
	Compliance Officer (P3)	14,327	96,949	103,146	105,209
	<i>Data</i>				
	Data Coordinator (P4)	128,836	129,837	137,920	140,679
	Statistician (P3)	97,705	96,944	105,643	107,756
	Fishery Officer (P2) Data	-	0	89,230	91,014
	Fishery Officer (P1) Data	62,743	63,145	69,083	70,464
	<i>Admin.</i>				
	Administrative Officer (P3/P4)	123,567	124,965	128,190	130,753
1.2	General Service				
	Administrative Assistant	18,517	13,599	20,478	20,887
	Office Associate	15,649	11,174	17,430	17,778
	Database Assistant	18,525	13,595	20,478	20,887
	Office Assistant	11,277	8,373	13,121	13,384
	Driver	9,804	7,196	0	0
	Overtime	-	5,100	5,100	5,202
	Total Salary Costs	1,341,530	1,410,092	1,615,993	1,648,313
1.3	Employer Pension and Health	383,417	411,844	437,021	445,762
1.4	Employer FAO Entitlement Fund	579,938	703,368	670,875	684,293
1.5	Adjustment entitlement fund	(7,886)			
1.6	Improved Cost Recovery Uplift	66,613	73,234	78,993	80,573
	Total Staff Costs	2,363,611	2,598,537	2,802,883	2,858,940
2	Operating Expenditures				
2.1	Capacity Building	0	40,000	62,000	62,000
2.2	Co-funding Science/Data grants	-33,009	0	0	0
2.3	Co-funding Compliance grants	0	0	0	0
2.4	Misc. Contingencies	0	0	0	0
2.5	Consultants/Service Providers	202,958	588,200	542,400	542,400
2.6	Duty travel	0	165,000	165,000	165,000
2.7	Meetings	18,503	145,000	17,000	17,000
2.8	Interpretation	101,597	135,000	135,000	135,000
2.9	Translation	86,608	110,000	115,000	115,000
2.10	Equipment	16,166	25,000	35,000	35,000
2.11	General Operating Expenses	68,076	75,000	76,000	76,000
2.12	Printing	0	0	0	0
2.13	Contingencies	0	10,000	10,000	10,000
	Total OE	460,899	1,293,200	1,157,400	1,157,400
	SUB-TOTAL	2,824,510	3,891,737	3,960,283	4,016,340
3	Additional Contributions Seychelles	-122,831	-20,100	-28,750	-28,750
4	FAO Servicing Costs	120,983	175,128	178,213	180,735
5	Deficit Contingency	-	0		
6	Meeting Participation Fund	25,000	25,000	-	250,000
				-	-
	GRAND TOTAL	2,847,661	4,071,765	4,109,745	4,418,326

1%

APPENDIX 7.
IOTC CONTRIBUTIONS FOR 2023

Country	World Bank Classification in 2020	OECD Membership	Average catch for 2018-2020 (in metric tons)	Base Contribution	Operations Contribution	GNI Contribution	Catch Contribution	Total Contribution (in USD)
Australia	High	Yes	5,053	\$13,699	\$17,124	\$146,124	\$13,660	\$190,607
Bangladesh	Middle	No	145	\$13,699	\$0	\$36,531	\$79	\$50,309
China	Middle	No	69,665	\$13,699	\$17,124	\$36,531	\$37,668	\$105,022
Comoros	Middle	No	12,154	\$13,699	\$17,124	\$36,531	\$6,572	\$73,926
Eritrea	Low	No	498	\$13,699	\$17,124	\$0	\$269	\$31,092
European Union	High	Yes	257,496	\$13,699	\$17,124	\$146,124	\$696,148	\$873,095
France(Terr)	High	Yes	0	\$13,699	\$0	\$146,124	\$0	\$159,823
India	Middle	No	171,178	\$13,699	\$17,124	\$36,531	\$92,557	\$159,911
Indonesia	Middle	No	396,897	\$13,699	\$17,124	\$36,531	\$214,604	\$281,959
Iran, Islamic Republic of	Middle	No	258,760	\$13,699	\$17,124	\$36,531	\$139,913	\$207,267
Japan	High	Yes	12,744	\$13,699	\$17,124	\$146,124	\$34,454	\$211,401
Kenya	Middle	No	4,634	\$13,699	\$17,124	\$36,531	\$2,505	\$69,860
Korea, Rep of	High	Yes	20,742	\$13,699	\$17,124	\$146,124	\$56,076	\$233,023
Madagascar	Low	No	8,514	\$13,699	\$17,124	\$0	\$4,604	\$35,427
Malaysia	Middle	No	23,966	\$13,699	\$17,124	\$36,531	\$12,959	\$80,313
Maldives	Middle	No	143,365	\$13,699	\$17,124	\$36,531	\$77,518	\$144,872
Mauritius	Middle	No	24,026	\$13,699	\$17,124	\$36,531	\$12,991	\$80,345
Mozambique	Low	No	5,578	\$13,699	\$17,124	\$0	\$3,016	\$33,839
Oman	High	No	80,044	\$13,699	\$17,124	\$146,124	\$43,280	\$220,227
Pakistan	Middle	No	51,194	\$13,699	\$17,124	\$36,531	\$27,681	\$95,035
Philippines	Middle	No	0	\$13,699	\$0	\$36,531	\$0	\$50,230
Seychelles	Middle	No	134,686	\$13,699	\$17,124	\$36,531	\$72,826	\$140,180
Somalia	Low	No	0	\$13,699	\$0	\$0	\$0	\$13,699
South Africa	Middle	No	758	\$13,699	\$17,124	\$36,531	\$410	\$67,764
Sri Lanka	Middle	No	110,905	\$13,699	\$17,124	\$36,531	\$59,967	\$127,321
Sudan	Low	No	170	\$13,699	\$0	\$0	\$92	\$13,791
Tanzania	Middle	No	11,111	\$13,699	\$17,124	\$36,531	\$6,008	\$73,362
Thailand	Middle	No	20,497	\$13,699	\$17,124	\$36,531	\$11,083	\$78,437
United Kingdom	High	Yes	388	\$13,699	\$0	\$146,124	\$1,049	\$160,872
Yemen	Low	No	29,425	\$13,699	\$17,124	\$0	\$15,910	\$46,733
			Total	410,974	410,974	1,643,898	1,643,898	4,109,745

The World Bank has replaced GNP with gross national income (GNI per capita). GNI more fairly compares nations with widely different populations and standards of living.

APPENDIX 8.
CALENDAR OF MEETINGS FOR 2023

Meeting	Date
Special Session of the Commission (SS- <i>Yellowfin</i>)	1st quarter 2023
Special Session of the Commission (SS- <i>FADs</i>)	1st quarter 2023
Catch Documentation Scheme Working Group (CDSWG)	13-14 February
Working Party on Implementation of Conservation and Management Measures (WPICMM)	15-17 February
Technical Committee on Management Procedures (TCMP)	20-23 February tbc
MSE Task Force	6-8 March
Working Party on Ecosystems & Bycatch – data preparation (WPEB-DP)	15-17 March
Compliance Committee (CoC)	30 April-2 May
Standing Committee on Administration and Finance (SCAF)	3 May
Report adoption: CoC (am) / SCAF (pm)	4 May
Technical Committee on Management Procedures (TCMP)	5-6 May
Commission (S27)	8-12 May
Working Party on Tropical Tunas – data preparation (WPTT-DP)	29 May – 2 June
Working Group on Electronic Monitoring Systems (WGEMS)	12-14 June
Technical Committee on Allocation Criteria (TCAC) 1 st meeting	19-23 June
Working Party on Neritic Tunas (WPNT)	3-7 July
Working Party on Temperate Tunas (WPTmT)	18-22 July
Working Party on Ecosystems and Bycatch (WPEB)	4-8 September
Working Party on Billfish (WPB)	11-14 September
Ad hoc Working Group on FADs (WGFAD)	4-8 October
Technical Committee on Allocation Criteria (TCAC) 2 nd meeting	16-19 October
Working Party on Methods (WPM)	25-27 October
Working Party on Tropical Tunas (WPTT)	30 October-4 November
Working Party on Data Collection and Statistics (WPDCS)	27 November-1 December
Scientific Committee (SC)	4-8 December

APPENDIX 9.**VOTING PROCEDURE FOR THE SELECTION OF THE IOTC EXECUTIVE SECRETARY**

In accordance with the IOTC Rules of Procedure, 3 to 5 applicants will have been identified as suitable and the CV of the Director General's nomination will be circulated to Heads of Delegations.

1. A Heads of Delegation meeting, by videoconference, will be convened 7 working days after the CV is circulated and HODs will be requested to vote: "in favour" or "against" (ROP X.6). This will be an electronic secret ballot (ROP X.4). Eligibility of participants will be according to the Credentials provided for S26 or an official change.
2. If the candidate receives more "in favour" votes than "against" votes then that candidate will be confirmed to the DG for appointment
3. If the candidate receives more "against" votes than "in favour" then the DG will be requested to propose another candidate to the Commission, and the voting process will be repeated.

APPENDIX 10.

STATEMENTS BY MEMBERS

China

AI. 13 On Proposal D *On a high-seas boarding and inspection scheme*

High seas boarding and inspection is one of the effective means of fishery management. In some regions, China agrees with the establishment of high seas boarding and inspection measure mainly because the conventions or agreements establishing these regional fisheries management organizations explicitly require the relevant RFMOs to establish high seas boarding and inspection measure. For example, the Southern Indian Ocean Fisheries Agreement explicitly requires to establish "rules concerning the boarding and inspection of vessels operating in the region" in paragraph 1(h), Article VI (Functions of the Conference of the Parties). However, paragraph 3, Article 10 of the IOTC Agreement only refers in general terms to the establishment of effective methods for monitoring fishing activities, and does not mention the establishment of a regime of high-seas boarding and inspection.

The boarding and inspection of third-party vessels on the high seas is an assignment of high seas rights under the United Nations Convention on the Law of the Sea and must be clearly stipulated in regional agreements.

Therefore, this delegation believes that under the existing IOTC Agreement, the IOTC, the commission has no authority to establish a high seas and inspection regime. This delegation does not agree with this EU proposal.

India

AI. 13 Proposals B, M, J and N (*On yellowfin and skipjack*)

Delegation from India wish to submit its observations to some of the proposals tabled during the 26th Session of the Commission. These observations pertain specifically to the following Proposals:

1. Proposal B - Harvest Control Rules for Skipjack Tuna in the IOTC area of competence; Submitted by: European Union
2. IOTC-2022-S26-PropJ[E] :On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area Of Competence: Submitted By: Seychelles
3. IOTC-2022-S26-PropM[E]: On An Interim Plan For Rebuilding the Indian Ocean Yellowfin Tuna Stock in The IOTC Area Of Competence: Submitted By: Maldives and
4. IOTC-2022-S26-PropN[E]: On Conservation and Management of Skipjack Tuna in The IOTC Area Of Competence: Submitted By: Maldives

We acknowledge the importance of Conservation and Management of Skipjack Tuna and Yellowfin Tuna Stocks in the Indian Ocean. We wish to mention that India is one of the founding members of the Indian Ocean Tuna Commission and had been working tirelessly to ensure the sustainability of the species under the mandate of the Commission, which we pledge to continue; and for protecting the legitimate rights of the Members of the Commission, especially of the Coastal States. However, it is disappointing to note that, of late, the proponents while conceptualizing the management measures for tuna and tuna like species, are failed to address the legitimate sovereign rights of the Coastal States, which are enshrined under the UNCLOS and also well-defined under the IOTC Agreement for the purposes of exploring and exploiting, conserving and managing the living resources, including the highly migratory species, within a zone of up to 200 nautical miles under its jurisdiction.

It appears that none of the proposals mentioned above give due respect to the Article 16 of the IOTC Agreement and the provisions of the Law of the Sea. It is observed that the proponents want to bring the artisanal fishery subject to catch reduction, which is not a practical approach to deal with the issue. We need to be mindful that the artisanal fishery is confined within the national jurisdiction and plays an important role in food security, and livelihood support to millions of poor fishermen in the least developed and developing coastal Sates of the Indian Ocean Region.

Chair, we need to understand and differentiate the artisanal fisheries of coastal States, which is confined within the exclusive economic zone and the Industrial fishing undertaken, especially in the High Seas. While the industrial fishery is purely a commercial activity and its benefits are reaching to limited number of people, the benefits accrued by artisanal fishery remains bread and butter of a millions of fisher families and coastal communities. While the industrial fleet of DWFNs may found another grounds for fishing in the Atlantic Ocean, or in Pacific Ocean or in the Arctic Ocean and sustain their business, we need to think about the artisanal fishers of the developing coastal CPCs in the IOR. They have no choice! They have to survive only in their coastal villages and to deal with the same stocks available to them. They don't have capacity to venture for inter-continental fishing.

Delegation of India is of the opinion that first right on the tuna and other fishery resources in the Indian Ocean belongs to the traditional and small scale fishers of the IOR. Their fishing is mostly confined within the national jurisdiction and it is for their livelihood. They cannot be deprived of their rights and their livelihood cannot be snatched for the benefits of industrial fleets.

We also need to understand the practical aspects of implementation of the CMMs relating to HCRs or catch reduction. While it is very easy to regulate the industrial fleet doing the targeted fishing, it is not possible to regulate catch of artisanal fishing crafts, doing multi-species, multi-gear and non-targeted fishing in tropical waters for their livelihood needs.

We are ready to take the commitment for catch reduction by Authorised Fishing Vessels, those doing targeted tuna fishing as it is easy to regulate their catch and effort too. However, it is not practical to implement catch reduction in artisanal fishing crafts, where tuna is coming as by-catch due to multi-gear and non-targeted fishing.

We have noted that some of the proponents who are catching more than one hundred thousand tonnes of SKJ and will continue to maintain highest catch of more than one hundred thousand tonnes of SKJ even after adopting the proposed catch reduction from their mammoth catch share. It is clearly visible that the proponents who had been catching the largest share of YFT and SKJ, through these proposals they wish to maintain their largest shares of catches in future as well, based on their historical catches. However, at the same time, the proponents are expecting from other CPCs to freeze and reduce their catch even if the other CPCs are already catching very low quantity of tuna. Those CPCs who were catching less and in that way contributing to sustainability of stocks will be penalized, whereas the CPCs having higher catch in past would be rewarded with higher share in future as well through these proposals. Such biased proposals, which are intended to benefit only to a few proponents cannot be agreed to.

These proposals of HCR / catch reduction are not taking into account the availability of stocks within the EEZ proportionate to the size of the EEZ or number of dependant fisher populations in the coastal CPCs and other such important factors. These proposals are unfair, not equitable, not justifiable, against the interests of artisanal and small-scale fishers of the developing coastal States, and therefore, unacceptable to India.

The Delegation from India would like to suggest the CPCs to consider and agree upon for catch reduction in the high seas within the IOTC area of competence. The CPCs may consider to agree upon and adopt a proposal to implement complete moratorium for catching of Yellowfin Tuna and Skipjack Tuna in the high seas under the IOTC area of competence for at least 03 years by industrial fleets of the DWFNs, which will help in rebuilding the Yellowfin Tuna stocks and also to reduce the catch Skipjack Tuna below its MSY.

Thank you Chair.

Mauritius

Agenda Item 11.2: Adoption of the List of IUU Vessels: Statement by the Republic of Mauritius

The Republic of Mauritius reiterates that it does not condone IUU fishing and that it is not opposed to the adoption and implementation of any measure against IUU fishing provided that any such measure is taken or implemented in conformity with international law, including the rights of the Republic of Mauritius under such law.

However, since the Republic of Mauritius is the only State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, as the coastal State, **it** cannot endorse any recommendation for the inclusion on the IOTC IUU Vessels List of vessels reported by the "UK (OT)" or the United Kingdom purporting to act as the coastal State in relation to the Chagos Archipelago.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

Seychelles

This statement is issued by member states of the Indian Ocean Tuna Commission expressing concerns on the status of the Indian Ocean yellowfin tuna stock and on the negative impact of the objections by a number of CPCs to adopt a common rebuilding plan for yellowfin tuna.

We, on behalf of CPCs are deeply concerned about the state of yellowfin tuna in the Indian Ocean. We;

- recognise, with increasing concern, that the Indian Ocean stock of yellowfin tuna remains overfished, and subject to overfishing, and requires urgent action to support its recovery as clearly advised by the IOTC Scientific Committee during its 24th session;
- clearly understand the critical importance of effective conservation and management measures to restrict catches of yellowfin tuna to sustainable levels, while at the same time recognising the rights of coastal States and in particular, developing coastal States and Small Island Developing States, to develop their fisheries;
- further understand that to achieve the catch reductions necessary for the recovery of this shared stock, all CPCs catching yellowfin tuna are subject to shared but differentiated responsibilities and must negotiate in good faith in the spirit of cooperation envisaged in the Agreement for the Establishment of the Indian Ocean Tuna Commission;
- believe that any catch reduction measure established by the Commission would require the CPCs with current objections to the current rebuilding plan to withdraw their objections and engage in a responsible manner;
- are deeply concerned that, despite an overwhelming majority of CPCs expressing such a willingness to cooperate, effective interim measures to rebuild the yellowfin tuna stock have not been supported by all CPCs during the 26th Session of the Indian Ocean Tuna Commission;
- as a result, now call on all CPCs to take urgent and decisive action to address the state of yellowfin tuna in the Indian Ocean by addressing a clear procedural path that would lead as soon as possible, and in any case no later than during the 2023 annual session of the IOTC, to the adoption of the necessary catch reduction;
- strongly urge the six CPCs currently objecting the rebuilding plan to fulfil their obligations as members of the IOTC and to engage in good faith in the above referred IOTC process with the aim to find a consensual and commonly shared solution that would guarantee healthy yellowfin tuna stock and thus the future of fishery and coastal communities in the Indian Ocean