



23 February 2023

IOTC CIRCULAR 2023-11

Dear Madam / Sir

OBJECTION FROM COMOROS TO IOTC RESOLUTION 23/02

Please find attached a communication from Comoros regarding its objection, in accordance to Article IX (5) of the IOTC Agreement, to [Resolution 23-02](#) *On Management of Drifting Fish Aggregating Devices (DFADs) in the IOTC area of competence*, which was adopted at the 6th Special Session of the IOTC.

According to this Article, an extension period of 60 days (until 8 August 2023) now applies before Resolution 23/02 comes into force, unless one-third of the members also object.

The relevant paragraphs (5, 6 and 7) of Article IX on the ensuing process are reproduced herein for your reference.

5. Any Member of the Commission may, within 120 days from the date specified or within such other period as may be specified by the Commission under paragraph 4, object to a conservation and management measure adopted under paragraph 1. A Member of the Commission which has objected to a measure shall not be bound thereby. Any other Member of the Commission may similarly object within a further period of 60 days from the expiry of the 120-day period. A Member of the Commission may also withdraw its objection at any time and become bound by the measure immediately if the measure is already in effect or at such time as it may come into effect under this article.

6. If objections to a measure adopted under paragraph 1 are made by more than one-third of the Members of the Commission, the other Members shall not be bound by that measure; but this shall not preclude any or all of them from giving effect thereto.

7. The Secretary shall notify each Member of the Commission immediately upon receipt of each objection or withdrawal of objection.

Yours sincerely

Christopher O'Brien
Executive Secretary

Attachment:

- letter from Comoros

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Somalia, South Africa, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom, Yemen. **Cooperating Non-Contracting Parties:** Liberia. **Intergovernmental Organisations, Non-Governmental Organisations.** Chairperson IOTC. **Copy to:** FAO Headquarters, FAO Representatives to CPCs.

This message has been transmitted by email only

UNION DES COMORES

MINISTÈRE DE L'AGRICULTURE, DE LA PÊCHE, DE L'ENVIRONNEMENT, DU TOURISME ET DE L'ARTISANAT

DIRECTION GÉNÉRALE DES RESSOURCES HALIEUTIQUES

HEAD OF DELEGATION TO IOTC

N°23/004/MAPETA/DGRH

Subject: Objection to IOTC Resolution 23-02 in accordance with Article IX, paragraph 5 of the IOTC Agreement

Reference: IOTC Circular 2023/09 dated 9 February 2023

Dear Executive Secretary,

Following to the above-mentioned Circular informing of the Conservation and Management Measures adopted by the IOTC at its 6th Special Session, held in Mombasa, Kenya from 3 to 5 February 2023, we have the honour to hereby reiterate the Union of Comoros' position on Resolution 23-02 *On Management of Drifting Fish Aggregating Devices (DFADs) in the IOTC area of competence*.

This Resolution was adopted following a vote which our delegation firmly opposed, stressing that the use of vote gives a very poor image of the IOTC and shows the wrong direction taken by our organization in terms of governance of common goods such as tuna resources.

The Comorian delegation indicated on several occasions at this Session that the draft presented by Indonesia and 10 other CPCs, adopted as Resolution 23-02, will have disproportionate social and economic consequences on Small Island countries in the western Indian Ocean of which the Union of Comoros is a part, due to the strong reduction of the purse seine fishing activity it entails and, furthermore, to a reduced supply of fish products to canneries and local markets by this fleet, thereby affecting food security for many populations.

Comoros has always been supportive of the adoption of Conservation and Management Measures aiming to establish sustainable tuna fisheries and has made every possible effort to implement them and fulfil its obligations. Regarding Resolution 23-02, the Union of Comoros wishes to point out that it does not object to FAD fishing management but cannot accept that such an important measure is not based on scientific advice.

Finally, Comoros emphasizes the unbalanced nature of several provisions of Resolution 23-02 that place a disproportionate burden on the purse seine fleet and on the Indian Ocean Small Island countries which depend on this fishery, not commensurate with the efforts required from fleets using anchored FADs or other gears whose impacts on the resource and the environment are equally important.

As the text proposed for adoption and adopted by a vote which 7 CPC opposed (including the European Union which represents several nations), has not been changed to address our concerns and sound governance rules, I hereby notify the Commission of the objection from the Union of Comoros to Resolution 23-02, in accordance with Article IX, paragraph 5 of the IOTC Agreement.

We request that the decision of the Union of Comoros be duly notified to all of the IOTC State parties in accordance with Article IX, paragraph 7 of the IOTC Agreement.

Please accept, Mr Executive Secretary, the assurance of our highest consideration.

SAID BONA