



21 March 2023

IOTC CIRCULAR 2023-21

Dear Madam / Sir

A COMMUNICATION FROM SEYCHELLES REGARDING 2023 ALLOCATED CATCH LIMITS FOR YELLOWFIN TUNA

Please find attached a communication from Seychelles.

Yours sincerely

Christopher O'Brien
Executive Secretary

Attachment:

- letter from Seychelles

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



Ministry of Fisheries and the Blue Economy

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Please address all correspondence to the Principal Secretary of Fisheries

Our Ref: PSF/IOTC/29

Date: 21 March 2023

Ms. Jung-re Riley Kim
Chairperson
Indian Ocean Tuna Commission

Dear Madam Chairperson

Subject: Circular 2022-56 on Allocation limits for yellowfin tuna in 2023

We take note of Circular 2022-56 on the allocation limits for yellowfin tuna for 2023, issued on 31st December 2022 by the Executive Secretary of the Indian Ocean Tuna Commission.

However, we regret having to come back to you once again, as we did in our letter of 5th January 2022, with regards to interpretation of the provisions of the respective resolutions establishing such limits.

From the application of the estimation for 2023 yellowfin tuna allocations, it appears that once again there have been some unforeseen complications in estimation of how overcatch penalties are to be applied across the years, associated with the transition from Resolution 19/01 to 21/01.

As such, I wish to bring your attention to section 7.7.3, specifically paragraph 138 of the report of the 25th Session of the Scientific Committee.

“7.7.3 Yellowfin tuna catch limits for 2022 and 2023 (Res. 19/01 and 21/01)

The SC **NOTED** the comment from Seychelles regarding the need of a more precise interpretation of para. 14.a of Res. 21/01 which determines how overcatch from Res. 19/01 should be accounted for in 2022 and 2023 and **ACKNOWLEDGED** that Seychelles will bring this matter to the attention of the Commission for further clarification.”

This is due to an overlap in application of Resolution 21/01 and 19/01 with regards to payback of overcatch, when both resolutions are interpreted and applied in conjunction. As example, a CPC who had an overcatch in 2020 applicable under Resolution 19/01 will be subjected to paying 50% of the overcatch under the specified Resolution, and 100% of the same overcatch under Resolution 21/01 due to the overlapping years in both Resolutions. As such the total payback will equate to 150% rather than 100%.

The two CPC's adversely impacted by this oversight in the drafting of the revised interpretation of Resolution 21/01, as was agreed by the Commission at the 26th Session, are Seychelles and China. As such, Seychelles would be grateful to having the opportunity during the 27th Session of the Commission to address this issue in order that the correct principle is applied for determining the allocation of yellowfin tuna for 2023 for the two respective CPC's in question.

I thank you for your consideration, and I would appreciate if you would circulate this letter to all CPCs.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'R. Clarisse', written above the printed name.

Roy Clarisse (Mr.)
Principal Secretary