

Sultanate of Oman

Ministry of Agriculture, Fisheries Wealth & Water Resources



سُلْطَانَةُ عُومَانِ
وَزَارَةُ الثَّرْوَةِ الثَّوَابِيَّةِ وَالْمَسْكُونَةِ وَالْمَآثِرِ

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Date :

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الموافق :

To: Indian Ocean Tuna Commission

Ms Jung-re Riley Kim
Chairperson

Ref. Consultation process regarding the Conservation and management of
Yellowfin tuna in the Indian Ocean- IOTC REF: IOTC2022-210 of 20 July 2022

Ref. Oman's proposal to adopt a new Conservation Measure that shall amend RES
21/01, in relation to Oman, on an Interim Plan for rebuilding the Indian Ocean
yellow fin tuna stock in the IOTC Area of Competence

I refer to your communication dated 20 July 2022 (IOTC ref. IOTC2022-210).

As you know, the existing management and conservation measures to rebuild the yellowfin tuna stock in the Indian Ocean Tuna Commission (IOTC) area of competence (Resolutions 18/01, 19/01 and 21/01) have been objected by some Contracting Parties, and therefore are not bound to implement the measures therein.

Indeed, you state in your communication that:

- In the Annual Meeting of May 2022, ... "at least eight Members expressed their concerns and/or a lack of support to adopt a new yellowfin proposal (IOTC-2022-S26-PropM&J_Rev1) and the proposal was subsequently withdrawn."
- "Currently, India has objected to yellowfin tuna resolutions 21/01 and 19/01 (but is legally bound by Res 18/01); Indonesia, Iran, Madagascar, Oman and Somalia have objected to Res 21/01 (but are legally bound by Res 19/01); and all other IOTC Members are bound by Res 21/01".

In your communication, you also indicated that at S26,

- "the Commission agreed to the possibility of convening a Special Session of the Commission for the purpose of reaching agreement on a yellowfin tuna rebuilding plan."



- The Commission requested that a Heads of Delegations meeting be convened to agree on a process to convene a series of meetings with the Contracting Parties objecting to Resolution 21/01 and other interested Contracting Parties to explore ways to address their concerns".

In your letter you also stated that ... "IOTC Heads of Delegations met on 19 July 2022 and agreed to the below process to collect information from objectors and hold a series of meetings with objecting Contracting Parties (CPs) and interested CPs to explore ways to address concerns".

Oman has objected to Res 21/01 and indicated at S26, that it did not support PropM&J_Rev1.

As stated in RES 21/01, it is an **interim plan** for rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence.

Oman is seeking to agree on a **plan** for rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence, considering a fair solution for the developing coastal States that had confirmed time ago to the Commission about its intention to develop a minimum industrial tuna fleet.

In the present Communication, Oman submits a proposal to lift the objection to RES 21/01 and, as you suggest, **to adopt a new Conservation Measure that shall amend RES 21/01, in relation to Oman, on an Interim Plan for rebuilding the Indian Ocean yellow fin tuna stock in the IOTC Area of Competence.**

With this amended RES to RES 21/01 Oman agrees to support a robust management and conservation measure that will allow the yellowfin tuna stock to rebuild, but taking more into account the interest of developing coastal States.

To date, no meeting has been convened with objecting Contracting Parties (CPs) and interested CPs who have already adopted RES 21/01 not only to address concerns, but to seek solutions that will allow CPs such as Oman to lift its objection to RES 21/01 (Objection received from India, Indonesia, the Islamic Republic of Iran, Madagascar, Oman and Somalia: does not apply to these CPCs. Resolution 19/01 remains binding for Indonesia, the Islamic Republic of Iran, Madagascar, Oman and Somalia. Resolution 18/01 remains binding for India. Resolution 21/01 entered into force on 17 December 2021)

With this purpose, Oman respectfully submits the following proposal to adopt a new Conservation Measure on this matter.



Oman's proposal to support a new Conservation Measure that shall amend RES 21/01, in relation to Oman, on an Interim Plan for rebuilding the Indian Ocean yellow fin tuna stock in the IOTC Area of Competence

I. Introduction

Striving to become a developed country, the Sultanate of Oman is building a productive and diversified economy, founded on innovation, integration of roles, and equal opportunities; leveraging Oman's competitive advantages, driven by the private sector towards integration into the world economy and active contribution to international trade; to ultimately achieve inclusive and sustainable development, based on effective economic leadership that operates within an institutional framework of coherent and contemporary economic policies and legislations, to ensure financial sustainability and diversify public revenues. Source: Oman 2040 Vision Plan <https://www.oman2040.om/vision-en.html>

The Sultanate of Oman overlooks a coastline that extends for 3,165km, starting in the farsourhteast; where the Indian Ocean and the Arabian Sea lie, to the Sea of Oman, at Musandam in the North.

The fisheries sector is one of the most important economic sectors and among the key sources of income for the national economy, thanks to the Omani coasts overlooking the Indian Ocean, the Arabian See, the Sea of Oman and the Arabian Gulf. It is natural therefore to find that fishing is the main source of income for a considerable number of Omani individuals and companies in the coastal areas. On top of that there is an emerging industry fishing sector including processing and canning factories, and also aquaculture projects.

The number of marine fishing port in Oman stands at 25, ranging in size and facilities, between ports that provide most of the necessary needs of the fishing fleet in the port area, and others that provide some protections and berths that serve the actual needs of the site. The fishing ports are distributed over the coastal governorates of Oman (Musandam, Al Batinah North, Al Batinah South, Muscat, Al Sharqiah South, Al Wusta, and Dhofar.

As a responsible Contracting Party, and as developing coastal State, Oman of course is committed to addressing the situation of yellowfin stocks in the Indian Ocean, which are vital for a sustainable tuna fishery and to the livelihood of thousands of fisheries communities in the region.

Precisely for that reason, Oman would like to remind that any Conservation Measure (CM) and Recommendation to be approved

- must recall the recommendations adopted by the KOBE II, held in San Sebastian, Spain, June 23 – July 3 2009; implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis and such a freeze **should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States;**
- needs to consider the objectives of the Commission to maintain stocks in perpetuity and with high probability, at levels not less than those capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including **the special requirements of developing States in the IOTC area of competence;**
- must being mindul of Article XVI of the IOTC Agreement **regarding the rights of Coastal States** and of Article 87 and 116 of the UN Convention of the Law of the Sea regarding the **right to fish on the high seas;**
- must recall also the recommendations adopted by the KOBE III, held in La Jolla, California, 12- 14 July 2011; considering the status of the stocks, each RFMO should consider a scheme for reduction of overcapacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, **by developing coastal State ;**
- take into account that Article V.2b of the Agreement for the Establishment of the Indian Ocean Tuna Commission give full recognition to the special interests and needs of Members in the region that are developing countries, in relation to the conservation and management and optimum utilization of stocks covered by this Agreement and **encouraging development of fisheries based on such stocks;**
- further noting that Article V.2d and Article 24(c) of UNFSA, require the Commission to keep under review the economic and social aspects of the fisheries based on the stocks covered by this Agreement bearing in mind, in particular, **the interests of**



developing coastal States. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States.

Thus, in Oman's opinion, the conservation burden which needs to be assumed in order ensure the sustainable tropical tuna fisheries in the Indian Ocean must be by all CPCs, but never constraining the access to the development of a **minimum** fishery for a developing coastal State.

In this regard, since 2006 (*by Letter 24 May 2006 ref. CoC08 [E]-add4 Sultanate of Oman Fleet Development Plan*) Oman has continuously reported in different meetings to the IOTC Oman's plans to restructure the artisanal fleet and to develop an industrial fleet that would be completed before 2025.

As coastal State it has the right to develop an industrial tuna fishing and has a plan to carry out investments in farming, canneries (which is already under construction) , and even processing of tuna loins.

More recently, Oman announced its intention as coastal State to register purse seiner vessels with a view to continue developing a tuna industry.

To this respect, a number of purse seiners will be registered in the Omani Ship Registry and licences will be granted. To this respect, IOTC has already recorded in June 2022 one purse seiner in the Authorized Vessels List that is undertaken normal fishing operations in the IOTC Area of Competence.

On 29 August 2022, the Sultanate of Oman provided you the answers to the three questions raised. As widely explained in those answers, Oman strongly believes that RES 21/01 establishes an unfair playing field for coastal developing States. It does so by maintaining an allocation reference year (2014) that clearly benefits some of the major harvesters in the Indian Ocean, while particularly penalizes developing countries such as Oman which for a long period did not have the needed resources to organize the data collection of YF tuna landings to yearly report to the IOTC.

On 10 October 2022, we sent you a new Communication (ref. 223181987), where Oman has reiterated its commitment to fully cooperate with IOTC on this critical matter. Consequently, to be in a position to support a new -or amended- Conservation and Management Measure (CMM), Oman would like to emphasized its position.

II. Reference reporting years

Oman confirms its formal commitment to accept a relevant decrease of Yellowfin catches to be implemented in accordance with a plan across the coming years.

This plan would need a transition period to readapt the allocation of the quota among its artisanal fleet, longline vessels, tuna purse seiners, and others. Oman will be in a position to provide figures in the coming months.

However, Oman cannot accept 2014, 2015 or the average of years 2017-2018-2019 years as "reference year".

A difference allocation reference year for developing coastal States such as Oman would need to be accepted by the Commission.

Historic reported YF catches to IOTC by some CPs. The starting point is to review the historic reports of YF catches of the CPs

YEAR	OMAN	INDIA	KOREA	FRANCE	JAPAN	PAKISTAN	IRAN	CHINA	INDONESIA
1975	5 128	4 069	128	3 683	18 129	3 368	2 782	765	4 353
1976	6 082	5 035	357	3 393	13 299	3 358	1 275	604	6 356
1980	8 251	4 768	849	3 064	12 427	4 919	1 958	227	6 203
1981	4 814	3 505	618	4 409	12 427	7 400	2 450	808	7 661
1982	7 081	1 584	157	1 928	10 287	10 400	7 981	827	5 535
1983	8 486	4 586	131	2 629	10 287	8 145	893	491	5 674
1984	7 136	2 249	177	7 250	12 597	37 700	9 540	1 487	5 838
1985	6 363	2 534	10	3 283	16 660	40 947	10 684	2 517	6 145
1986	7 595	5 074	8	5 604	13 298	41 012	8 570	2 440	6 850
1987	6 218	15 575	3	3 032	14 217	56 755	9 645	3 894	9 068
1988	6 776	16 348	4 405	8 676	41 070	33 547	5 475	8 568	11 303
1989	5 140	14 498	15	6 087	7 478	43 731	46 351	3 341	10 406
1990	7 227	9 170	372	4 309	3 216	44 023	38 135	9 450	12 343
1991	8 309	13 695	225	3 096	4 437	37 836	45 282	17 715	15 569
1992	9 605	11 855	8	6 340	4 343	39 538	16 678	30 817	20 049
1993	12 621	19 370	8	5 161	3 878	43 149	35 819	15 057	24 064
1994	12 031	21 477	5	8 542	2 592	65 143	39 635	12 778	27 118
1995	11 811	11 708	71	8 779	3 766	59 431	35 677	16 727	43 759
1996	12 488	9 980	2 882	6 575	3 976	80 888	31 227	18 219	50 531
1997	13 566	11 415	7 460	7 510	2 554	51 910	30 799	16 166	45 000
1998	13 261	7 433	9 849	8 978	1 016	49 512	37 694	16 431	53 121
1999	11 625	8 634	11 865	6 772	1 863	47 734	31 252	14 543	27 085
2000	13 656	8 051	13 436	4 256	1 562	53 532	34 567	14 378	20 153
2001	20 610	7 130	17 139	7 208	348	53 532	34 567	14 378	1 834
2002	18 833	10 286	34 733	8 788	2 150	78 808	53 101	17 810	34 639
2003	21 404	25 317	52 843	11 542	4 173	80 820	63 174	16 361	2 360
2004	20 513	22 915	44 821	15 657	3 517	77 640	57 186	22 308	3 761
2005	21 772	18 455	31 036	17 579	3 444	71 070	44 495	22 616	4 290
2006	20 083	19 271	18 352	21 430	3 589	37 849	32 000	19 555	3 867
2007	22 809	21 045	21 248	18 349	1 011	46 161	37 643	11 650	2 826
2008	19 611	7 961	21 001	15 844	969	33 007	22 182	5 435	29 909
2009	21 068	3 259	26 002	21 218	702	46 298	22 589	3 820	453
2010	34 941	7 283	20 494	22 343	235	52 350	21 201	4 893	26 735
2011	44 261	7 803	28 406	32 187	1 777	51 025	23 732	3 562	20 289
2012	45 859	8 655	27 543	34 618	3 235	48 064	21 671	4 263	31 293
2013	45 332	7 208	25 079	32 427	10 406	55 326	23 513	4 072	32 807
2014	52 430	15 183	41 458	17 159	5 183	62 885	31 047	3 478	25 275
2015	53 726	20 983	43 261	19 244	11 721	61 660	33 719	3 369	1 793
2016	49 301	19 499	40 058	13 932	8 164	64 596	29 062	4 003	1 612
2017	47 217	26 837	42 051	37 488	6 000	45 369	30 057	3 382	2 963
2018	44 702	37 033	41 467	33 554	10 790	42 318	27 206	2 597	2 635
2019	42 705	68 795	38 250	20 795	3 687	44 290	24 524	2 065	35 567
2020		71 600							36 517

Oman has not significantly increased the yellowfin catches.

On the contrary, it has substantially increased in recent years **the reporting** of catches. As explained in Oman Statement S26, sharp increases in the yellow fin catch corresponds to improved data collection and increased catches from the artisanal sector. As explained above it is important to highlight that the Fisheries administration of the Sultanate Oman has not always had the tools and staff to properly collect data about YF landings. For these and other reasons , it is not difficult to find relevant disparities in the catches reported to the IOTC across the years. For instance, Oman has also had sharp decreases, such as in 2009 with 7,991 mt compared with 21,045 mt in 2008..The case of Oman is pretty similar to what have happened to other CPs, who have also substantially increased or decreased the reporting of YF catches, for instance Maldives within two year time, Maldives increased **more than 100% its reported catches** (2010: 21,068 mt and in 2012 44,261 mt), or Iran who in 2013 declare 32,403 mt and had a relevant 50% increase one year after in 2014 with 46,216 mt and in 2018 reported 58,560 mt.

In recent years, other CPs have sharply increased the reporting of catches too.

Reference period for YF catch

RES 19/01 states in Point 6.b.: *b. In applying the catch reductions in paragraph 5, Small Island Developing State CPCs and Least Developed State CPCs can either choose between catches of yellowfin tuna reported for either 2014, or 2015 or their average catches for the period from 2017 to 2019.*

As explained above, Oman is not in a position to accept the average period of 2017 to 2019, or either 2014 or 2015. It would be hardly penalized, in particular, its plan to develop an industrial tuna fleet at the same time that it is implemented a restructure of its artisanal fleet.

Oman proposes to consider the average of reported catches of YF of the last three years 2020, 2021 and 2022.

2020	68785
2021	71,600
2022	71,000

<u>Average</u>		
<u>2020/2022</u>	<u>211,385</u>	<u>70,461 mt</u>

III. Proposal on YF catch limits

RES 21/01 states:

5. CPCs whose reported catches of yellowfin tuna for 2014 were above 5000t shall reduce their catches of yellowfin tuna **by 21%** compared to 2014 yellowfin tuna catch, except:

a. If those CPCs are Coastal Developing States, they shall reduce their catches of yellowfin tuna by **12%** compared to 2014 yellowfin tuna catch;

b. If those CPCs are Small Island Developing States or Least Developed States, they shall reduce their catches of yellowfin tuna **by 10%** compared to 2014 yellowfin tuna catch.

6. CPCs whose reported catches of yellowfin tuna for 2014 were below 5000t and their average catches of yellowfin tuna for the period from 2017 to 2019 inclusive, were above 5000t, shall reduce their catches of yellowfin tuna by 21% compared to 2014 yellowfin tuna catch, except;

Oman commits to not exceed the quantity of **70,461 mt** of Yellow fin during the years 2023 and 2024.

As Oman qualifies as a Coastal Developing State (see list of UN least developed countries), Oman will apply a reduction of 12,5%, to be applicable to the quantity of Yellow fin harvested by its purse seiner fleet in 2024 after that year, the Oman YF quota will be the result of the total quantity of YF harvested by Oman reduced by the reduction of the percentage applicable to the quantity harvested by its Purse Seiner fleet during 2024.

Considering the average reported catches of the period 2020-2022, **Oman agrees to consider 70,461 mt as the basis to set up catch limits.**

Oman shall limit total allowed YF catches in 2023 to 70,461 mt.

Oman shall limit total allowed YF catches in 2024 to 70,461 mt.

Oman shall limit total allowed YF catches as from 2025 to result of reducing the 12,5% to the YF harvested in 2024 by its tuna purse seiner fleet to the 70,461 mt quota.



To this respect, Oman is finalizing a restructuring plan to reorganize the artisanal fleet and its whole tuna industry.

Allocation Plan of YF quotas by harvesting areas.

Across the years, most of the YF catches have been caught inside the EEZ of the Sultanate of Oman by both artisanal and long-liners fleets.

Taking into account this fact and with a view to continue implementing the planned industrial fleet of purse seiners, Oman plans to split the licenses of YF quotas in two areas: inside and outside the EEZ.

Artisanal fleet, will continue leading the catches of YF, but just operating within the EEZ.

Long liners and purse seiners will be able to operate both inside and outside the EEZ.

In the coming weeks, Oman will determine appropriate methods for achieving these catch reductions, which could include capacity reductions, effort limits, etc., and will report to the IOTC Secretariat in their Implementation Report every year.

Oman respectfully requests you to organize a meeting with the support of IOTC Secretary to discuss the details of this proposal and the best way to implement it under the IOTC rules, for instance in the framework of a Special Session of the Commission.

I thank you for your usual co-operation.

Yours sincerely,

Mr Abdulaziz Al Marzuqi
Head of Delegation to IOTC
SULTANATE OF OMAN



cc Mr. Chris O'Brien

Executive Secretary Indian
Ocean Tuna Commission