
WORKING TOWARDS FURTHER PROGRESS ON THE DEVELOPMENT OF AN ALLOCATION OF FISHING OPPORTUNITIES FOR IOTC SPECIES

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PURPOSE: The purpose of this working paper is to provide further input and clarifications into the Commission's discussion of the Report of the 12th Session of the IOTC Technical Committee on Allocation Criteria (TCAC012), and to consider constructive ways to move the process forward prior to the TCAC013 meeting to be held in Oman later this year.

BACKGROUND: Noting the departure of the former TCAC Chairperson at the end of November 2023 (contract ended 30 November 2023), and that the next TCAC meeting isn't scheduled until 21-24 October 2024 (in Oman), we believe it is important to continue an open and transparent dialogue on how to move the development of an allocation scheme forward between TCAC meetings. Thus, rather than waiting for the TCAC013 meeting, we are providing this working paper with the intention of encouraging and stimulating important discussions both at the S28 meeting, and also intersessionally between S28 and TCAC013.

DISCUSSION: Provided at **Appendix I** are a series of potential improvements for sections of the draft allocation scheme published by the IOTC Secretariat as paper [IOTC-2024-TCAC13-REF02](#) (TCAC013 page). We believe that the published draft (drafted by the previous TCAC Chairperson) does not adequately reflect the opinions and input from CPCs at TCAC012, and as such we are providing and proposing alternative text at S28 for the purposes of transparency, negotiation, and potential inclusion in a revised allocation scheme in the near future.

To assist with the interpretation of some of the broader proposed improvements, we provide the following explanatory notes:

Eligibility: CNCPs: The allocation of fishing opportunities by the IOTC shall be applied in a manner that encourages CNCPs to become CPs, when they are eligible to do so.

Biomass distribution: At this time, the IOTC is not in a position to determine the distribution of stock biomass for any IOTC species at a fine scale (i.e. by EEZ). However, there may be an opportunity for some IOTC species to be differentiated between EEZ's and high seas distribution in the future. Where possible, efforts should be made to determine biomass distribution for potential incorporation into a system of allocation in the future when that information is available for consideration. Consistent with the sovereign rights of Coastal States, their allocation must include a portion that is based on the level of resources and fishing opportunities of each relevant IOTC fish species in their EEZ. The IOTC does not hold the data to quantitatively determine where fishing opportunities and resources are more heavily concentrated. Thus, the use of EEZ area has been incorporated as a proxy for biomass within the allocation scheme. In the longer term a more sophisticated measure of relative abundance for each species may be considered.

Socio-Economic indicators: We strongly believe that the allocation scheme must accommodate the dependency of Coastal States, particularly, Developing Coastal States (including Small Island Developing States and Least Developing Countries), on fisheries in the IOTC Area of Competence, measured by the contribution of those fisheries to social and economic needs. At this time we believe we have several options available for consideration in the development of an Allocation Scheme, based on dependency. The following are a set of indices that are under consideration and for simulation purposes. The broad goal of including

a sub-set of these indicators is to ensure consideration of the vulnerability of a CPC (UNFSA Article 24(2a)); recognise small-scale/artisanal fisheries (UNFSA Article 24(2b)); and to ensure a disproportionate burden (UNFSA Article 24(c)) is not brought to bear on developing countries:

- 1) Human Development Index¹ (HDI);
- 2) Gross National Income² (GNI);
- 3) Small Island Developing State³ (SIDS) and/or Least Developed Country⁴ (LDC);
- 4) Universal vulnerability index⁵ (UVI);
- 5) Per capita fish consumption⁶ (PCFC).

Allocation compliance: Although we believe that the record of compliance and/or cooperation by eligible participants with the IOTC's Conservation and Management Measures should be an element of an allocation system, this should be limited to a penalty for over-catch of a CPC's allocation for a given species [and the collection and reporting of relevant catch statistics]. However, should a robust quantification of compliance with highly relevant CMMs be agreed to by the Commission, we may be willing to consider how best to incorporate into the allocation scheme.

Historical catches: We consider that, for the sole purpose of calculating allocation of future fishing opportunities, all historical catches taken within an Exclusive Economic Zone, within the IOTC Area of Competence, shall be attributed solely to the CPC with jurisdiction over that area, regardless of the flag State of the vessel/s that took such catches. Any other approach would significantly derogate from sovereign rights under UNCLOS. Therefore, any catches made during previous provision of access to fisheries resources within an area under national jurisdiction (e.g. via access agreements or other arrangement) shall be attributed solely to the CPC with jurisdiction over that area rather than to any other CPC. The incorporation of temporary quota transferability has been incorporated to ensure market access is maintained.

Temporary quota transferability: We consider that the incorporation of temporary quota transferability is required to ensure market access and stability are maintained. CNCPs shall not be eligible to temporarily transfer to, or receive a temporary transfer from, another CPC.

RECOMMENDATION: That the Commission NOTE paper IOTC-2024-S28-07, that provides options for simplifying the allocation regime currently under negotiation, and that these will be further refined and presented by supportive partners at the upcoming TCAC013 meeting in Oman, later this year. The proponents are seeking intersessional input/feedback from all CPCs.

¹ Human Development Index (HDI) status: <http://hdr.undp.org/en/composite/HDI>. *Somalia currently does not have an official Human Development Index (HDI) from the UNDP, which is based on 4 quantified factors. However, as 2 of the 4 factors have been quantified, and they measure within the 'low' HDI status, we have assigned Somalia to this category for the purposes of allocation of fishing opportunities.

² Gross national income (GNI) status: <https://data.worldbank.org/indicator/NY.GNP.PCAP.CD>. Atlas method (current US\$).

³ Small Island Developing State (SIDS) status: <https://sustainabledevelopment.un.org/topics/sids/list>. United Nations Department of Economic and Social Affairs and the OECD.

⁴ Least Developed Country (LDC) <https://www.un.org/development/desa/dpad/least-developed-country-category.html>. United Nations Department of Economic and Social Affairs and the OECD.

⁵ Universal Vulnerability Index (UVI): <https://sdgs.un.org/sites/default/files/2021-09/The%20Commonwealth%20Universal%20Vulnerability%20Index.pdf>

⁶ Per Capita Fish Consumption (PCFC). Food and Agriculture Organisation of the United Nations.

APPENDIX I

IOTC RESOLUTION ~~YYYY/XX~~
ON THE ALLOCATION OF FISHING OPPORTUNITIES FOR IOTC SPECIES

Keywords: Allocation principles; allocation criteria; sustainability; sovereign rights.

The Indian Ocean Tuna Commission (IOTC),

CONSIDERING the objective of the Commission is to promote cooperation among ~~its Members~~CPCs with a view to ensuring, through appropriate management, the conservation and optimum utilization of stocks covered by the Agreement and encouraging sustainable development of fisheries based on such stocks, as referenced in Article V.1 1 of the IOTC Agreement;

MINDFUL that allocation ~~regimesschemes~~ can contribute to the sustainable management of fish stocks, in particular for fish stocks ~~at~~ levels below maximum sustainable yield or their target/limit reference points ~~/ OR / that are depleted, or at or below production levels~~, by providing a transparent and equitable (according to a set of agreed principles) means of distributing fishing opportunities;

NOTING in this regard IOTC ~~2010-Resolution 10/01 for the conservation and management of tropical tuna stocks in the IOTC area of competence~~ endorsed by the IOTC at its 2010 meeting in Busan, Korea, pursuant to which the Commission mandated the Technical Committee on Allocation Criteria to “*discuss allocation criteria for the management of tuna resources in the Indian Ocean and recommend an allocation quota system or any other relevant measures*”;

RECALLING the principles, rights and obligations of all States, and provisions of treaties and other international instruments relating to marine fisheries, and in particular, relating to highly migratory species, including those contained in:

The United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS);

The Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, of 4 August 1995 (UNFSA);

The Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 1993 (The 1993 Compliance Agreement);

The 1995 FAO Code of Conduct for Responsible Fisheries;

Other relevant instruments adopted by the Food and Agriculture Organization of the United Nations; and,

The relevant resolutions of the United Nations General Assembly;

RECALLING global commitments to open and transparent decision-making;

NOTING the sovereign rights of coastal States in accordance with the international law of the sea, including those contained in the above international instruments, for the purposes of exploring and exploiting, conserving and managing the living resources, including highly migratory species, within the 200 nautical mile Exclusive Economic Zone under their jurisdiction, and the need for the allocation regime not to prejudice such rights;

RECOGNIZING-~~NOTING~~ the ~~established economic~~ interests, and historical fishing patterns ~~and fishing practices~~ of ~~Members-CPCs of the IOTC historically~~ fishing in the IOTC area of competence;

RECOGNIZING the interests, aspirations, needs, and special requirements of developing States, as stated in various international instruments, in particular least-developed States and Small Island Developing States (SIDS) that are coastal States in the IOTC area of competence, including their requirement to equitably participate in the fishery for highly migratory fish stocks in this area;

UNDERLINING the results and recommendations from the KOBE process;

DESIRING to cooperate to address developing coastal States interests, aspirations, needs, and special requirements and the rights of coastal States regarding fisheries resources in their exclusive economic zone; ~~while recognizing the historic economic interests and rights of all IOTC Contracting Parties and Cooperating Non-Contracting Parties involved in fisheries for IOTC fish stocks;~~

ADOPTS, in accordance with the provisions of Article IX.1 of the Agreement, the following:†

Article 1. USE OF TERMS

1.1. For the purposes of this Resolution:

- (a) ~~["Agreement" means the Agreement for the Establishment of the Indian Ocean Tuna Commission;]~~
- (b) **"Allocation"** means a fishing opportunity represented as a percentage share of the Total Allowable Catch (TAC) for a given fish stock pursuant to this Resolution.
- (c) **["Allocation Cycle"** means the allocation process for each stock beginning with the issuance of the report containing the Scientific Committee's advice for the stock and ending with the expiry of the Allocation Period for that stock;]
- (d) **"Allocation Period"** means the period during which an allocation established pursuant to this Resolution remains valid as determined pursuant to Article 10;
- (e) **"Coastal State CPC"** means a State that is a CPC which is situated wholly or partly in the IOTC Area of Competence;
- (f) ~~["Compliance Committee" means the permanent committee provided for in Article XII.5 of the Agreement and established pursuant to the IOTC Rules of Procedures (2014);]~~
- (g) **"Contracting Party"** or **"CP"** means a party to the IOTC Agreement;
- (h) **"Contracting Parties and Cooperating Non-Contracting Parties"** are jointly referred to as **"CPCs"**;
- (i) **"Cooperating Non-Contracting Party"** or **"CNCP"** means any non-Member of the Commission, which voluntarily ensures that vessels flying its flag fish in a manner which conforms with the Conservation and Management Measures adopted by the IOTC and have been admitted as a ~~a~~ Cooperating Non-Contracting Party to the IOTC, as defined in Rule IX of the IOTC Rules of Procedure (2023, or any subsequent superseding version);
- (j) **["Developing State"**, which includes least developed States and Small Island Developing States, means a State that is a CPC whose developing status is defined by [the human development index categories of the United Nations Development Program⁷ (and subsequent revisions) and the United Nations Department of Economic and Social Affairs⁸ (and subsequent revisions)];]
- (k) **"Fish Stocks"** or **"Stocks"** means highly migratory species as referenced in Article III and Annex B of the Agreement and listed in Article 5;

⁷ United Nations Development Program... (reference will be added at the time of adoption of resolution)

⁸ United Nations Department of Economic and Social Affairs... (reference will be added at the time of adoption of resolution)

- (l) **“Fishing Opportunity”** means, in the context of allocations, access rights of CPCs to catch a share of a given fish stock managed by the IOTC;]
- (m) **“IOTC Area of Competence”** means the area under the IOTC mandate as defined in Article II of the Agreement and set out in *Annex A to the Agreement* and amended pursuant to the decision in the 4th Session of the Commission to modify the western boundary of the IOTC Area of Competence from 30°E to 20°E;
- (n) **“Management Procedures”** means IOTC Resolutions adopted for the sustainable exploitation of harvested stocks through a set of formal actions, usually consisting of data collection, stock assessment (or other indicators), and harvest control rules, able to iteratively and adaptively provide robust decisions to manage a fishery;
- (o) **“Member”** means a Member of the Commission as specified in Article IV of the Agreement;]
- (p) **“New Entrant”** means a State or regional economic integration organization which has become a Contracting Party to the Agreement subsequent to the adoption of this Resolution;
- (q) “Non-Coastal State CPC”, means a State that is a CPC which is not situated wholly or partly in the IOTC Area of Competence;
- ~~(q)(r)~~ **“Regional Economic Integration Organization CPC” or “REIO CPC”** means the regional economic integration organization defined in Article IV of the Agreement ~~that is a CP at the time of the adoption of this Resolution;~~
- ~~(r)(s)~~ **“Significant non-compliance”** means violations identified by the Commission pursuant to Article 7.2, ~~[which constitute repeated or systematic disrespect-breach of the Agreement, the IOTC’s Conservation and Management Measures, adopted by IOTC Resolution including this Resolution, which the Commission deems a significant-substantial threat to the conservation-sustainable exploitation of IOTC fish stocks;]~~
- ~~(s)(t)~~ **“Small Island Developing States” or “SIDS”** are States whose status has been defined by the United Nations Department of Economic and Social Affairs⁹ (and subsequent revisions);
- ~~(t)(u)~~ **“Stock Assessment Cycle”** means a cyclical schedule of stock assessments approved by the Commission for scientific advice provided by the Scientific Committee related to the status of fish stocks listed in Article 5 in its stock assessment reports for such stocks. Stock Assessment cycles may vary by stock;]
- ~~(u)(v)~~ **“TAC”** means the Total Allowable Catch established by the Commission for a stock listed in Article 5 ~~-,taking into account advice from the Scientific Committee];~~
- ~~(v)(w)~~ **“TAC Period”** means the period for which a TAC for a given fish stock remains valid and unchanged by the Commission. The TAC Period is determined by the Commission.

Article 2. PURPOSE AND SCOPE

- 2.1 This Resolution shall form the basis and manner for the Commission to determine and share in a fair, equitable and transparent manner allocations of fish stocks.
- 2.2 Any allocation, or part thereof, may be taken either within or beyond areas of national jurisdiction within the IOTC Area of Competence, without prejudice to the sovereign rights of CPCs. Fishing access to any area under the national jurisdiction of a CPC shall remain at the sole discretion of that CPC.

⁹ As referenced in footnote (2).

Article 3. GUIDING PRINCIPLES

3.1 The following principles shall guide the Commission's decisions in determining allocations established pursuant to this Resolution, without prejudice to the sovereign rights and obligations of coastal States for the purpose of exploring and exploiting, conserving and managing the living marine resources within areas under national jurisdiction and the rights and obligations of all States to engage in fishing on the high seas, consistent with international law and Article IV of the Agreement.

3.2 Allocations shall:

- (1) provide a fair, equitable and transparent mechanism to quantitatively allocate fishing opportunities from the TACs of fish stocks caught in the IOTC area of competence;
- (2) contribute to the sustainable management and use of IOTC stocks by factoring in their status and by [ensuring] that the total fishing opportunities and resulting fishing mortality of a stock do not exceed the TAC established for that stock;
- ~~(3) [be implemented in a compatible way for fish stocks in their entirety throughout the IOTC Area of Competence, as per Article 7 of the UN Fish Stocks Agreement];~~
- (4) [be established and implemented in a way that considers the compliance of CPCs with the Agreement and CMMs, and as a result, deters non-compliance that directly impacts the effectiveness of this Resolution;]
- (5) take into account the challenges and disproportionate burden faced by developing coastal States in fulfilling their obligations to implement and comply with the IOTC Agreement and CMMs, including the implementation of this Resolution, in particular by Small Island Developing States and least developed States who are vulnerable due to their socio-economic dependency on IOTC fish stocks including for food security, and shall take into account these challenges and their special requirements:
 - (a) by factoring these needs and dependency when establishing their allocations, and,
 - (b) by identifying ways in which IOTC ~~Members~~ CPCs may, through the IOTC Secretariat, assist those States in implementing these obligations;
- (6) take into account the respective interests and aspirations of coastal State CPCs, particularly those of developing coastal States, in further developing their fisheries in the IOTC area of competence, and by identifying ways in which IOTC Members, through the IOTC Secretariat, may assist those States in this objective;
- (7) [take into account the ~~respective established~~ interests, and historical fishing patterns ~~and fishing practices~~ of CPCs who have fished in the IOTC Area of ~~e~~Competence;]
- (8) take into account the desire to manage the socio-economic impacts on all CPCs from the shift of current fishing patterns resulting from the implementation of this Resolution; and,
- ~~{~~(9) reflect the attribution to coastal CPCs of historical catches taken within their respective EEZ in the IOTC Area of Competence regardless of the flag State of the vessel/s that took the catch.~~}~~ For the sole purpose of calculating future fishing opportunities, all historical catches taken within an area under the national jurisdiction of a CPC shall be attributed solely to that CPC, regardless of the flag State of the vessels that took such catches. Therefore, any catches made during previous provision of access to fisheries resources within an area under national jurisdiction (e.g. via access agreements or other arrangement), shall be attributed solely to the CPC with jurisdiction over that area rather than to any other CPC. This attribution will be given effect in a way that is without prejudice to the responsibilities of flag States to report catch under international law, including under UNFSA. Historical catches include those estimated by the IOTC Secretariat, approved by the IOTC Scientific Committee and endorsed by the IOTC.

Where historical high seas catches are used they shall be attributed to the flag State that took the catches.

(10) shall not prejudice the international legal framework for the high seas, including the rights and responsibilities of States in respect of fishing on the high seas under UNCLOS and UNFSA.

Article 4. ELIGIBILITY

CPs

4.1. Each CP at the time of the adoption of this Resolution is eligible to receive an allocation for one or more fish stocks under this Resolution.

4.2. The allocations for ~~the fishing fleet represented by the Taiwan, Province of China~~Invited Experts in the IOTC Area of Competence shall be treated in the same way as those for other distant water fishing ~~fleets represented by~~ Contracting Parties. At this stage the proposal should be amended to provide a specific allocation to Taiwan, Province of China as a long-term participant in the fishery, but as a sub-allocation to China as is the current practice within the FAO system.

CNCP

4.3 A CNCP at the time of the adoption of this Resolution is eligible to receive an allocation as described in Article 6.11.

New Entrant

4.4 A ~~Coastal State~~ ~~CP~~ that is a new entrant is eligible to receive ~~a~~ an allocation as described in Article 6.10.

~~4.5 CPCs may lose eligibility to an allocation pursuant to Article 7.2.~~

Article 5. SCOPE

5.1. This Resolution shall ~~initially~~ be implemented for the following fish stocks¹⁰:

- a) Yellowfin tuna;
- b) Big-eye tuna;
- c) Skipjack tuna;
- d) Albacore; and,
- e) Swordfish.

~~OPTION 1~~

~~{5.2 Unless the Commission has adopted an alternative allocation regime for the remaining fish stocks, the Commission shall prioritize the gradual implementation of this Resolution to the following remaining fish stocks:~~

- ~~(a) Indo-Pacific Blue Marlin~~
- ~~(b) Black Marlin~~

¹⁰ Southern Bluefin Tuna has been excluded as it is managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

- ~~(c) Striped marlin~~
- ~~(d) Indo-Pacific sailfish~~
- ~~{(e) Long tail tuna(f) Kawakawa~~
- ~~(g) Frigate tuna~~
- ~~(h) Bullet tuna~~
- ~~(i) Narrow barred Spanish mackerel~~
- ~~(j) Indo-Pacific king mackerel.}~~

OPTION 2

5.2 The Commission ~~{may / shall}~~ apply this Resolution to, or develop an alternative ~~regime resolution~~ for other IOTC stocks, ~~taking into account the advice of the Scientific Committee.~~

~~{5.3. In determining the priority order and timelines in which to establish allocations for stocks referred to in Articles 5.1 and 5.2, the Commission shall take into account the state of the stocks based on advice from the Scientific Committee, the data available for the stock, and whether a TAC has been established for the stock.}~~

Article 6. ALLOCATION STRUCTURE

Total Allowable Catch

- 6.1. Allocations to CPCs under this Resolution shall consist of fishing opportunities represented as percentage shares of the Total Allowable Catch (TAC) for fish stocks listed in Article 5.
- 6.2. Allocations to CPCs of a given fish stock shall be established ~~{in the order of priority determined by the Commission pursuant to Article 5}~~, based on allocation criteria contained in articles 6.5 to 6.11, pursuant to the process set out in Article 9, and shall be adjusted pursuant to Article 7.
- ~~6.3. The sum of allocations for a fish stock established for a given year shall not exceed the TAC for that stock for that year.~~
- 6.4 The TAC for each stock shall be apportioned based on the following:
- (1) ~~{(testing range 5-10%)}~~ of the TAC for that stock to be allocated based on the total Baseline Allocation criteria;
 - (2) ~~{(testing range 20-40%)}~~ of the TAC for that stock to be allocated based on the Coastal State Allocation criteria; and
 - (3) ~~{(testing range: 60-80%)}~~ of the TAC for that stock to be allocated based on the Catch-Based Allocation criteria.

Criteria for Allocations

Baseline Allocation

6.5 A Baseline Allocation consisting of ~~{5-10%}~~ of the TAC for a given fish stock shall be allocated equally ~~between among~~ all CPCs.

Coastal State Allocation

6.6 (1) Coastal State CPCs shall be eligible to receive a share of the TAC, which shall comprise the following components:

(a) [35% / 45%] to be shared in equal portion by all Coastal State CPCs;

(b) [47.5% / 55%] to address:

[OPTION 1:

- i. their ***Vulnerability***, as dependent on the exploitation of fish stocks, including for meeting the nutritional requirements of their populations or portions thereof (UNFSA Article 24(2a)): [33%]
 - ~~P~~er capita fish consumption (PCFC),
 - ~~C~~ommonwealth-Universal vulnerability index (EUVI);
- ii. ***Priority Sectors***, to avoid adverse impacts on, and ensure access to, fish stocks by subsistence, small scale and artisanal fishers and women fish workers, as well as indigenous people in developing coastal State CPCs, particularly in small island developing State CPCs (UNFSA Article 24(2b)): [34%]
 - ~~[proportion of fish workers employed in small scale and artisanal fisheries (dependent on domestic statistics/reporting), and]~~
 - Small Island Developing State (SIDS) status and Least Developing Coastal States (LDCS); and,
- iii. to address any ***Disproportionate burden*** on developing coastal State CPCs that may directly or indirectly result from conservation actions taken pursuant to this Resolution (UNFSA Article 24(c)): [33%]
 - [fisheries (whole sector) contribution to GDP (dependent on domestic statistics/reporting and World Bank), and]
 - [the proportion of the total export value made up of fisheries exports (dependent on domestic statistics/reporting and World Bank).]

[OPTION 2:

- i. *Human Development Index (HDI) status:*
 Status weighting = low (1), medium (0.75), high (0.50), Very high (not applicable).
 Proportion = [30% / 40%] for developing coastal States;
- ii. *Gross National Income (GNI) status:*
 Status weighting = low (1), low-middle (0.75), upper-middle (0.5), high (0.25).
 Proportion = [30% / 40%] for developing coastal States;
- iii. *Small Islands Development Status (SIDS):*
 Status weighting = yes (1), no (0).
 Proportion = [40% / 20%] for developing coastal States;]

~~[(c) [17.5% / 0%] –~~In the absence of data supporting an indicator based on spatial stock abundance, the size of the area under national jurisdiction within the IOTC Area of Competence, as a proportion of the overall IOTC Area of Competence:

EEZ size weighting:

- ~~>0.0-≤1.0%~~ of the IOTC Area of Competence (weighting = 1)
- ~~>1.0-≤2.0%~~ of the IOTC Area of Competence (weighting = 2)
- ~~>2.0-≤3.0%~~ of the IOTC Area of Competence (weighting = 3)
- ~~>3.0-≤4.0%~~ of the IOTC Area of Competence (weighting = 4)
- ~~>4.0-≤5.0%~~ of the IOTC Area of Competence (weighting = 5)
- ~~>5.0-≤6.0%~~ of the IOTC Area of Competence (weighting = 6)
- ~~>6.0-≤7.0%~~ of the IOTC Area of Competence (weighting = 7)
- ~~>7.0-≤8.0%~~ of the IOTC Area of Competence (weighting = 8).~~]~~

(2) Subject to Article 11, the above indicators may be amended by the Commission to replace the existing indicators or to include additional indicators that are more precise, internationally agreed upon and reflective of the special consideration of developing Coastal State CPCs. Such amendments may take place when data on dependency and/or vulnerability become available. Allocations of developing coastal State CPCs shall be adjusted to reflect the new indicators once approved by the Commission for the subsequent Allocation Cycle.

(3) At least 60 days before the annual Commission meeting, the IOTC Secretariat shall advise the Commission of any statistical changes that may affect the indicators referenced in paragraph (1)(b). In the subsequent Allocation Cycle, the IOTC Secretariat shall reflect this change for that CPC's allocation in the Allocation Table submitted for the Commission's approval.

[(4) Outermost Regions

The Regional Economic Integration Organisation CPC is eligible to receive an allocation pursuant to Article 6.6(1) [(a) and] (c) in respect of its Outermost Regions whose exclusive economic zones are situated in the IOTC Area of Competence.]

Catch-Based Allocation

[6.7. (1) Each CPC shall ~~be eligible to~~ receive a Catch-Based Allocation consisting ~~of~~ a share of the TAC for one or more stocks established based on the historical catches of the CPC for each stock determined based on the criteria provided in Article 6.8.

- (2) ~~[The Catch-Based Allocation shall be normalised for each eligible CPC as a percentage of the stock specific TAC.]~~

6.8(1)(a) Subject to paragraphs (2) and (3) Article 6.9 and Article 6.12, the historical catch used to determine a CPC's Catch-Based Allocation for a given stock shall be based on the best nominal catch data provided by the CPC and, where relevant, verified and validated or re-estimated through a process approved by the Commission for each stock, and averaged over the reference period: following periods:

- (i) ~~— For tropical tuna, albacore and swordfish stocks:~~

[Option 1: 2000-2016,

Option 2: 2012-16,

Option 3: best 5 years averaged from within the period 1950-2016,

Option 4: 2000-2018].

~~(ii) — [For other stocks:~~

~~Best 5 years averaged from within the period of 1950 to [most recent year with data / 2019] / OR A time period to be determined by the Commission].~~

~~-(b) In determining the best estimates of nominal catch data pursuant to paragraph (a), catches taken by any vessels on the IOTC IUU Vessels List created pursuant to Resolution 18/03 and all of its predecessor and successor lists, for the relevant period shall be excluded.]~~

- (2) ~~{~~For the sole purpose of allocations pursuant to this Resolution, ~~for a portion of / % of~~ historical catches taken within an area under national jurisdiction of a CPC shall be attributed solely to the CPC with jurisdiction over that area, within the reference period in Article 6.12 regardless of the flag of the vessels that took and reported such catches.~~}~~
- (3) ~~{~~The spatial separation of historical catches, by each CPC, as between areas within and beyond national jurisdiction shall be made on the following basis (see Appendix II for further explanation)~~, excluding those taken by vessels on the IOTC IUU Vessels List created pursuant to Resolution 18/03, and any predecessor or successor lists~~~~}~~:

(a) Where the IOTC Secretariat holds fine-scale spatial information about the distribution of a CPCs' catches that information shall be used to spatially attribute the catch history;

(b) Any CPC may provide fine scale spatial information to the IOTC Secretariat no later than 31 December [YYYY] prior to the implementation of this resolution~~60 days before the Commission annual meeting~~. Once vetted by the IOTC Secretariat, that information shall be used to spatially attribute the catch history for that CPC;

(c) Catches reported for 5x5 or 1x1 degree grid squares that:

i) wholly fall within areas under national jurisdiction are to be considered as being taken in areas under national jurisdiction of a ~~coastal State~~CPC;

ii) wholly fall within the high seas are to be considered as being taken in the high seas;

iii) overlap one or more areas under national jurisdictions of ~~a CPC~~coastal States and/or the high seas, shall be distributed proportionately by area. In cases where there is disagreement by one or more CPCs, the supporting evidence shall be provided to, and considered by the Commission ~~in accordance with the process established by the Commission pursuant to Article 6.8(1)(a)~~;

iv) are taken by ~~a vessels of a coastal State~~ CPC fishing within its own area under national jurisdiction, shall be considered as being taken within that CPCs' area under national jurisdiction;

~~v) are taken by vessels flagged to a Member State of the REIO CPC within the exclusive economic zone of the REIO's Outermost Regions shall be considered as being taken within that REIO CPC's national jurisdiction;~~

~~vi) are taken by vessels of a CPC fishing within the exclusive economic zone of that CPC's Overseas Territories shall be considered as being taken within that CPC's national jurisdiction.~~

(d) Catches reported or estimated without associated spatial effort data (as required by IOTC Resolution 15/02, or any superseding Resolution), shall be considered as being taken on the high seas by that CPC. In cases where the flag State is in disagreement with another CPC, supporting evidence shall be provided for consideration by the Commission ~~in accordance with the process established by the Commission pursuant to Article 6.8(1)(a);~~

(e) ~~Notwithstanding paragraph 6.8(3)(d) and unless otherwise demonstrated by the coastal flag State, Catches by small artisanal vessels of a limited range of a coastal State CPC in its~~ coastal fisheries as defined in Resolution 15/02 are assumed to have been taken within the area under the national jurisdiction of that coastal State CPC, irrespective of whether spatial effort data is available.†

Correction for Extenuating Circumstances

- 6.9 (1) A CPC whose ability to fish for stocks covered by this Resolution has been severely restrained or impeded by extenuating circumstances may seek to have its allocation for that stock adjusted or have it, or a portion, carried forward. The CPC shall submit a formal documented request to the IOTC Secretariat at least 60 days before the Commission annual meeting for a decision of the Commission.
- (2) Extenuating Circumstances include but are not limited to:
- (a) engagement in war or other military conflicts;
 - (b) engagement in civil conflicts;
 - (c) widespread piracy in the fishing area;
 - (d) environmental disasters, such as a tsunami;
 - (e) spatio-temporal impacts of climate change on fishing once adequate and stable indicators are adopted by the Commission based on advice from the Scientific Committee; and,
 - (f) global pandemic, which have directly affected the fishing capacity of the CPC.

New Entrant

- 6.10 (1) Each †Coastal State‡ CP that is a new entrant shall receive †an /50% of the‡ allocation for one or more stocks based on the relevant allocation criteria provided by Articles 6.5 to 6.9 in respect of the Allocation Cycle that follows its acceptance of the IOTC Agreement. †The CP shall submit a request to the Commission for its approval at least 60 days before the Commission annual meeting.‡ ~~†The CP shall receive 100% of the allocation in the following Allocation Cycle.‡~~
- (2) For the purposes of determining an initial Catch-Based Allocation to a new entrant CP₂€, the existing nominal catch history data estimated by the IOTC Secretariat and vetted through the data review and verification process adopted by the Commission pursuant to Article 6.8(1)(a), the IOTC science process shall be used.
- (3) A new entrant CPC€ may submit alternative nominal catch data for consideration, in accordance with IOTC Resolution 15/02 (or subsequent revision), for review and verification

through the data review and verification process adopted by the Commission pursuant to Article 6.8(1)(a).-

CNCP

6.11 ~~{(1) A CNCP at the time of the adoption of this Resolution is eligible to receive an allocation for stocks ~~in the green zone of the Kobe plot based on the advice from the Scientific Committee~~ if the CNCP expressed a real interest in fishing in the IOTC area of competence when it submitted its application for CNCP status. Such a CNCP is eligible to receive ~~{50%}~~ of the allocation for each fish stock for which it is eligible, until such time as it becomes a CP when it will receive 100% ~~following payment of its contribution to the Commission pursuant to Article XIII of the Agreement~~. A CNCP shall submit its request to receive an allocation to the Commission for its approval at least 60 days before the Commission annual meeting.~~

Transition for Implementation of this Resolution

~~{6.12 Allocations established on the basis of catches attributed pursuant to Article 6.8(2) shall be initially implemented in a step-wise approach during a period of ~~{5 /OR 10}~~ years for each stock through annual increments during this period on the basis of the following schedule and formula:}~~

~~{Option 1:~~

~~Option 1A~~

| 56-Years Transition Period | | | | | | |
|---------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------|
| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 + |
| 60% | 70% | 80% | 90% | 100% | 100 % | 100% |

~~Option 1B~~

| 10-Years Transition Period | | | | | | | | | | |
|---------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------------|---------------------|
| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 | Year 11+ |
| % | % | % | % | % | % | % | % | % | % | 100% |

~~Option 2:~~

| SPECIES | Transition Period {6 / 10 Years} | | | | | |
|---------------------------|---|-------------------|-------------------|-------------------|-------------------|------------------------------|
| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 .../ OR 10 |
| Yellowfin Tuna | % | % | % | % | % | 100% |

| | | | | | | |
|--------------------------|---|---|---|---|---|-----------------|
| | | | | | | |
| Skipjack Tuna | % | % | % | % | % | 100% |
| | | | | | | |
| Big Eye Tuna | % | % | % | % | % | 100% |
| | | | | | | |
| Albacore | % | % | % | % | % | 100% |
| | | | | | | |
| Swordfish | % | % | % | % | % | 100% |
| | | | | | | |
| Other IOTC Stocks | % | % | % | % | % | 100% |

Article 7. ADJUSTMENTS WITHIN ALLOCATION PERIOD

7.1 Over-catch

(a) Where a CPC over catches its allocation of a stock in a given calendar year, 100% of the over-caught allocation shall be deducted from that CPC's allocation for the calendar year following the availability of the catch data demonstrating the over-catch.

(b) Where a CPC over catches its allocation of a stock for two (2) or more consecutive years, the Commission may deduct 120% of the over-caught allocation from that CPC's allocation for the calendar year following the availability of the catch data demonstrating the over-catch. ~~The Commission may increase the percentage of adjustment for stocks in poor condition.~~

(c) A CPC may seek to defer the deduction to the following calendar year, in which case, the percentage of adjustment shall be increased to 150% of the over-caught allocation.

(e) A CPC seeking to adjust its allocation pursuant to this Article shall submit a written request at least 60 days before the Commission annual meeting.

~~(f) To ensure proper monitoring of IOTC allocations, in addition to actions taken pursuant to Articles 8.1(2) and (3), CPCs shall report catches of allocated stocks and other data in accordance with IOTC Resolutions 1501 and 1502 (or subsequent revisions).~~

Under-catch

7.2 (1) Upon a documented request from a CPC submitted no later than 31 October to the IOTC Secretariat, the Commission may, without prejudice to future allocations, authorize the carry-forward

of up to a maximum of 20% of that CPC's allocation for a fish stock for the calendar year to the allocation of that CPC for the same stock for the calendar year following the availability of the catch data demonstrating the under-harvest.

~~— (2) In determining the portion of allocation that may be carried forward, the Commission shall consider:~~

~~(a) the advice from the Scientific Committee regarding the status of the stock;~~

~~(b) whether the stock is normally caught by that CPC as a target fishery or as a bycatch in a mixed stock fishery; and,~~

~~(c) any extenuating circumstance, as referenced in Article 6.9, that would have severely restrained or impeded the CPC's ability to fish and caused the under harvest.~~

7.3 The IOTC Secretariat shall reflect any adjustments to allocations made pursuant to Article 7 in the Allocation Table and share the revised table with all CPCs via IOTC Circular and on the website.

[7.42. Significant Non-Compliance

(a) ~~Upon advice from the Compliance Committee, t~~The Commission shall ~~may~~ review and ~~may~~ temporarily ~~reduce, or~~ withdraw the eligibility of ~~a CPCs to an allocation or temporarily reduce its allocation~~ where the Commission determines that the CPC has demonstrated ~~repeated~~ non-compliance with the Agreement, the IOTC's Conservation and Management Measures or Annex A of Appendix V of the IOTC Rules of Procedure (and subsequent revisions), ~~which that~~ the Commission deems a significant threat to the conservation of IOTC fish stocks, and no responsive actions have been taken by the CPC to implement, monitor and ensure compliance with the Agreement or the IOTC Conservation and Management Measures consistent with the IOTC Compliance Report established pursuant to Appendix V of the IOTC Rules of Procedure (and subsequent revisions).

(b) The Commission shall identify violations that constitute significant non-compliance which shall lead it to either temporarily withdraw eligibility of a CPC to an allocation or reduce the allocation for the specific species for which a violation has occurred by an amount to be determined by the Commission, based on advice and recommendations from the Compliance Committee. In making this determination, the Commission may factor the following examples of significant non-compliance:

(i) Repeated category 2 non-compliance as provided by Annex A of Appendix V of the IOTC Rules of Procedure (and subsequent revisions), in the absence of concrete remedial actions: including in particular:

(a) Notwithstanding any allocation adjustments made pursuant to Article 7.1, repeated over-catch or underreporting and/or failure to respect a catch limit reduction resulting from an over-catch pursuant to Article 7.1;

(b) Repeated failure to implement a retention ban on relevant species for 2 or more years; and,

(iii) Non-provision of catch data for [3] years or more with no quantifiable improvement in addressing the data gaps;

(c) The Commission shall reinstate a CPC's eligibility that has been temporarily withdrawn or readjust an allocation that has been reduced, where:

(i) the CPC has made significant progress in addressing the non-compliance issue; and,

(ii) the CPC has made a request in writing to the Commission for reinstating their allocation at least 60 days before the Commission annual meeting, providing information related to steps taken to address the non-compliance.]

Carry-Forward of Catch

~~7.3 (1) Upon a documented request from a CPC submitted no later than October 31 to the IOTC Secretariat, the Commission may, without prejudice to future allocations, authorize the carry forward of up to a maximum of 20% of that CPC's allocation for a fish stock for the calendar year to the allocation of that CPC for the same stock for the calendar year following the availability of the catch data demonstrating the under harvest.~~

~~———— (2) In determining the portion of allocation that may be carried forward, the Commission shall consider:~~

- ~~(a) the advice from the Scientific Committee regarding the status of the stock;~~
- ~~(b) whether the stock is normally caught by that CPC as a target fishery or as a bycatch in a mixed stock fishery; and,~~
- ~~(c) any extenuating circumstance, as referenced in Article 6.9, that would have severely restrained or impeded the CPC's ability to fish and caused the under harvest.~~

~~7.4 The IOTC Secretariat shall reflect any adjustments to allocations made pursuant to Article 7 in the Allocation Table and share the revised table with all CPCs.~~

Article 8. ALLOCATION USE AND TEMPORARY TRANSFERS

Allocation Use

~~8.1 Subject to the provisions of this Resolution, each CPC that receives an allocation pursuant to this Resolution:~~

- ~~(1) may use, fish or temporarily transfer this allocation;~~
- ~~(2) shall implement measures for its fishing fleets/vessels to ensure that their catches do not exceed that CPC's allocation;~~
- ~~(3) shall notify the Commission when its allocation has been fully caught; and,~~
- ~~(4) in accordance with Coastal States rights and obligations under international law, each coastal State CPC that receives an allocation pursuant to this Resolution:

 - ~~(a) may allocate its share to its fishing fleets in a manner, and to be fished in an area, it deems appropriate;~~
 - ~~(b) may transfer any portion of its allocation to foreign fleets fishing in waters under its jurisdiction, in a manner that it deems appropriate to meet the requirements of Article 8.2; and,~~
 - ~~(c) the coastal State CPC shall manage fisheries for fish stocks allocated pursuant to this Resolution and caught in waters under its jurisdiction in a manner to achieve a compatible outcome to the management measures implemented by the Commission for the same stock.~~~~

~~(5) A CPC that does not intend to fish or transfer its allocation pursuant to Article 8.2, in a calendar year period, is encouraged to notify, on a voluntary basis, the Commission in writing, within 60 days of the Commission annual meeting. The unused allocation may be re-allocated in accordance with Article 9.5.~~

Allocation Transfers

8.2 (1) CPs who wish to transfer, on a temporary basis, a portion or all of their allocations within an Allocation Period, shall notify the Commission in writing at least 60 days prior to the transfer occurring.

(2) Prior to 30 September of each year, a CP may transfer to another CP all or part of its allocation, without prejudice to any future agreements on the allocation of fishing opportunities, subject to the approval of the receiving CP.

(3) Before the transfer takes place, the transferring CP shall notify details (receiving CP, species, tonnage, other conditions set) of the transfer to the IOTC Executive Secretary for circulation to all CPCs within five (5) days by IOTC Circular and the website.

(4) Temporary transfers shall expire at the end of the calendar year in which the temporary transfer was made (i.e. at 23:59 hrs on 31 December).

~~(2) The written notification shall include the tonnage of fish to be transferred; the stock; the period; and, the CP to whom the allocation, or part thereof, will be transferred.~~

~~(3) The transfer shall take effect upon receipt by the IOTC Executive Secretary of the written acceptance from the receiving CP.~~

~~(4) The IOTC Executive Secretary shall notify all CPs of the written notification and the written confirmation of the transfer.~~

~~(5) When a transfer is notified after the Allocation Table has been approved by the Commission pursuant to Article 9, the IOTC Secretariat shall attach a revised Allocation Table when it shares the written notifications of the transfer with the Commission.~~

~~(6) Transfers of allocations are not permitted within the last 45 days of the Allocation Period.~~

~~(7) Permanent transfers of allocations are not permitted.~~

~~[(8) A CP who has received a transferred allocation~~

~~(a) must report the catch to the Commission;~~

~~(b) may not use this catch history for future allocations;~~

~~(c) may not transfer this allocation or a portion thereof to a CPC.]~~

~~8.3 CNCPs are not eligible to transfer any whole or part of their allocations, nor to receive any whole or part of an allocation from CPCs.~~

~~[8.4 A transferred allocation or part thereof shall not prejudice the determination of future allocations of CPCs.]~~

Article 9. IMPLEMENTATION.

Allocation Administrative Process

9.1 (a) The IOTC Secretariat shall prepare for the Commission's adoption a Calendar and Process Map for the implementation of this Resolution.

~~— (b) During its first annual meeting following the adoption of this Resolution, the Commission shall review and consider the adoption of the Calendar and Process Map.~~

(a) The Commission shall consider matters of allocation as an agenda item in the annual meetings.

Allocation Tables

- [9.2 (a) At least 50 days prior to the Commission annual meeting and in accordance with the Calendar and Process Map, the IOTC Secretariat shall develop a draft Allocation Table for each stock to be allocated pursuant to this Resolution covering the Allocation Period for that stock based on the TAC for the stock.
- (b) The draft Allocation Tables shall include allocations for each eligible CPC established pursuant to the criteria in this Resolution, including any allocations pursuant to Articles 6.10 and 6.11, any adjustments pursuant to Articles 7.1, 7.2 and 7.3, and any corrections pursuant to Article 6.9.
- (c) The draft Allocation Tables do not confer allocation rights to CPCs until they are approved by the Commission.]
- 9.3 [The IOTC Secretariat shall also include in the draft Allocation Tables any transfers notified 60 days prior to the Commission annual meeting pursuant to article 8.2. The IOTC Secretariat shall adjust the draft Allocation Tables with any transfers notified after this deadline and circulate to the Commission in accordance with Paragraph 8.2 (5).
- 9.4 Upon receipt of the notification in Article 8.1(5), the IOTC Secretariat shall revise the relevant draft Allocation Tables by reallocating the proposed unused allocation to other CPCs based on the relevant allocation criteria.
- 9.5 30 days prior to the Commission annual meeting-, the IOTC Secretariat shall share with the CPCs any information and expert advice it may have regarding non-compliance of CPCs and recommendations emanated from the Compliance Committee regarding non-compliance of CPCs for consideration by the Commission in accordance with Article 7.2, and any requests made pursuant to articles 6.9, 6.10, 6.11, 7.1 and 7.3.
- 9.6 CPCs may seek revisions or corrections to the draft Allocation Tables through the process referred to in paragraph 6.8(1)(a)- to reconcile and validate catch data compiled and reported to the Commission.
- 9.7 The IOTC Secretariat shall update the draft Allocation Tables with any information submitted to the Commission in accordance with Article 9. It shall post the updated draft Allocation Tables on the IOTC Website at least 30 days prior to the Commission annual meeting.]

[Commission Approval

- 9.8 (a) At its annual meeting, the Commission shall consider for decision any allocation matter referred to in Articles 6.9, 6.10, 6.11, 7.1, 7.2, and 7.3 in approving the Allocation Tables submitted by the IOTC Secretariat.
- (b) The final Allocation Tables, including any decision by the Commission, shall be [adopted by Resolution and] made public as soon as possible after the Commission's decision.
- (c) The allocations contained in the Allocation Tables approved by the Commission constitute the final allocations of CPCs for the Allocation Period for each stock.]

Article 10. ALLOCATION PERIOD

- 10.1. Allocations for a given fish stock shall remain valid for the period determined by the Commission for that stock.

Article 11. FINAL CLAUSES**Term and Amendment of Resolution**

11.1 (1) This Resolution shall be reviewed after [~~10~~ **OR** 5 years] of its entry into force, and every [~~5~~] years thereafter.

~~11.2 This Resolution may be amended by a decision of the Commission [after the initial term set out in Article 11.1(1)], including to ensure that the allocation recognizes the interests, aspirations, needs and special requirements of Developing States, [in particular least developed States and Small Island Developing States that are coastal States]. [In this respect, this Resolution shall remain in effect until amended or replaced by the Commission.]~~

Safeguard

11.3 Consistent with Article IV.6 of the Agreement, nothing in this Resolution, nor any act or activity carried out pursuant to this Resolution, shall be considered or interpreted as changing or in any way affecting the position of any party to the Agreement with respect to the legal status of any area covered by the Agreement.



Appendix I
IOTC membership categories, Socio-Economic indicators, and other categories for simulation
(as of 12 April 2024)

| <u>N o.</u> | <u>CPC</u> | <u>Party status</u> | | <u>Membership category</u> | | | | <u>DCS</u> | <u>HDI¹¹ Bin (actual)</u> | <u>GNI¹² Bin (actual)</u> | <u>SIDS¹³</u> | <u>LDC¹⁴</u> | <u>UVI¹⁵ Bin (actual)</u> | <u>PCFC¹⁶ Bin (actual)</u> | <u>EEZ¹⁷</u> |
|-----------------|--|---------------------|-------------|----------------------------------|---------------------|---------------------|-------------|------------------------|--|--|--------------------------|-------------------------|--|---|-------------------------|
| | | <u>CP</u> | <u>CNCP</u> | <u>Coastal State CPC</u> | <u>DWFN CPC</u> | <u>REIO CPC</u> | | | | | | | | | |
| <u>1</u> | <u>Australia</u> | <u>True</u> | | <u>True</u> | | | | <u>n/a (very high)</u> | <u>0.25 (high)</u> | | | | <u>n/a</u> | <u>n/a</u> | <u>8</u> |
| <u>2</u> | <u>Bangladesh</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.75 (medium)</u> | <u>0.75 (low- middle)</u> | | <u>True</u> | | <u>4 (73)</u> | <u>4 (26.27)</u> | <u>1</u> |
| <u>3</u> | <u>China (incl. Taiwan, Province of China)</u> | <u>True</u> | | | <u>True</u> | | | | | | | | | | |
| <u>4</u> | <u>Comoros</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.75 (medium)</u> | <u>1 (low)</u> | <u>True</u> | <u>True</u> | | <u>3 (90)</u> | <u>3 (15.44)</u> | <u>1</u> |
| <u>5</u> | <u>European Union</u> | <u>True</u> | | | | <u>True</u> | | | | | | | | | |
| <u>6</u> | <u>France (OT)</u> | <u>True</u> | | <u>True</u> | | | | <u>n/a (very high)</u> | <u>0.25 (high)</u> | | | | <u>n/a</u> | <u>n/a</u> | <u>3</u> |
| <u>7</u> | <u>India</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.75 (medium)</u> | <u>0.75 (low- middle)</u> | | | | <u>2 (101)</u> | <u>2 (7.89)</u> | <u>4</u> |
| <u>8</u> | <u>Indonesia</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.50 (high)</u> | <u>0.75 (low- middle)</u> | | | | <u>1 (133)</u> | <u>5 (44.71)</u> | <u>4</u> |
| <u>9</u> | <u>Iran, Islamic Republic of</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.50 (high)</u> | <u>0.50 (upper- middle)</u> | | | | <u>4 (70)</u> | <u>3 (12.14)</u> | <u>1</u> |
| <u>10</u> | <u>Japan</u> | <u>True</u> | | | <u>True</u> | | | | | | | | | | |
| <u>11</u> | <u>Kenya</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.75 (medium)</u> | <u>0.75 (low- middle)</u> | | | | <u>5 (50)</u> | <u>1 (2.98)</u> | <u>1</u> |

¹¹ Human Development Index (HDI) status: <http://hdr.undp.org/en/composite/HDI>. *Somalia currently does not have an official Human Development Index (HDI) from the UNDP, which is based on 4 quantified factors. However, as 2 of the 4 factors have been quantified, and they measure within the 'low' HDI status, we have assigned Somalia to this category for the purposes of allocation of fishing opportunities.

¹² Gross national income (GNI) status: <https://data.worldbank.org/indicator/NY.GNP.PCAP.CD>. Atlas method (current US\$).

¹³ Small Island Developing State (SIDS) status: <https://sustainabledevelopment.un.org/topics/sids/list>. United Nations Department of Economic and Social Affairs and the OECD.

¹⁴ Least Developed Country (LDC) <https://www.un.org/development/desa/dpad/least-developed-country-category.html>. United Nations Department of Economic and Social Affairs and the OECD.

¹⁵ Universal Vulnerability Index (UVI): <https://sdgs.un.org/sites/default/files/2021-09/The%20Commonwealth%20Universal%20Vulnerability%20Index.pdf>

¹⁶ Per Capita Fish Consumption (PCFC). Food and Agriculture Organisation of the United Nations. [\(link too-be-provided\)](#)

¹⁷ Exclusive Economic Zone (EEZ) status: <http://www.marinerregions.org/>.

| | | | | | | | | | | | | | | |
|-----------|---------------------------|------------------|-----------------|--------------------|-------------------|--|------------------|------------------------|----------------------------|-----------------|-------------|------------------|------------------|------------------|
| <u>12</u> | <u>Korea, Republic of</u> | <u>True</u> | | | <u>True</u> | | | | | | | | | |
| <u>13</u> | <u>Madagascar</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>1 (low)</u> | <u>1 (low)</u> | | <u>True</u> | <u>5 (43)</u> | <u>1 (3.89)</u> | <u>2</u> |
| <u>14</u> | <u>Malaysia</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>n/a (very high)</u> | <u>0.50 (upper-middle)</u> | | | <u>1 (137)</u> | <u>6 (53.33)</u> | <u>1</u> |
| <u>15</u> | <u>Maldives</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.50 (high)</u> | <u>0.50 (upper-middle)</u> | <u>True</u> | | <u>6 (23)</u> | <u>7 (87.30)</u> | <u>2</u> |
| <u>16</u> | <u>Mauritius</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>n/a (very high)</u> | <u>0.50 (upper-middle)</u> | <u>True</u> | | <u>2 (114)</u> | <u>4 (23.51)</u> | <u>3</u> |
| <u>17</u> | <u>Mozambique</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>low</u> | <u>1 (low)</u> | | <u>True</u> | <u>5 (6)</u> | <u>3 (13.46)</u> | <u>1</u> |
| <u>18</u> | <u>Oman</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>n/a (very high)</u> | <u>0.25 (high)</u> | | | <u>4 (69)</u> | <u>4 (29.30)</u> | <u>1</u> |
| <u>19</u> | <u>Pakistan</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>1 (low)</u> | <u>0.75 (low-middle)</u> | | | <u>6 (9)</u> | <u>1 (1.58)</u> | <u>1</u> |
| <u>20</u> | <u>Philippines</u> | <u>True</u> | | | <u>True</u> | | | | | | | | | |
| <u>21</u> | <u>Seychelles</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.50 (high)</u> | <u>0.25 (high)</u> | <u>True</u> | | <u>2 (10)</u> | <u>6 (52.89)</u> | <u>3</u> |
| <u>22</u> | <u>Somalia</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>1 (low)*</u> | <u>1 (low)</u> | | <u>True</u> | <u>7 (1)</u> | <u>1 (2.40)</u> | <u>2</u> |
| <u>23</u> | <u>South Africa</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.50 (high)</u> | <u>0.50 (upper-middle)</u> | | | <u>3 (86)</u> | <u>2 (6.52)</u> | <u>1</u> |
| <u>24</u> | <u>Sri Lanka</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>0.50 (high)</u> | <u>0.75 (low-middle)</u> | | | <u>2 (109)</u> | <u>4 (28.57)</u> | <u>1</u> |
| <u>25</u> | <u>Sudan</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | | | | | | | <u>1</u> |
| <u>26</u> | <u>Tanzania</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>1 (low)</u> | <u>1 (low)</u> | | <u>True</u> | <u>3 (87)</u> | <u>2 (6.23)</u> | <u>1</u> |
| <u>27</u> | <u>Thailand</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>n/a (very high)</u> | <u>0.50 (upper-middle)</u> | | | <u>2 (115)</u> | <u>4 (28.48)</u> | <u>1</u> |
| <u>28</u> | <u>United Kingdom</u> | <u>True</u> | | <u>True</u> | <u>[True]</u> | | | <u>n/a (very high)</u> | <u>0.25 (high)</u> | | | <u>n/a</u> | <u>n/a</u> | <u>2</u> |
| <u>29</u> | <u>Yemen</u> | <u>True</u> | | <u>True</u> | | | <u>True</u> | <u>1 (low)</u> | <u>0.75 (low-middle)</u> | | <u>True</u> | <u>7 (7)</u> | <u>TDB</u> | <u>1</u> |
| <u>30</u> | <u>Liberia</u> | | <u>True</u> | | <u>True</u> | | | <u>1 (low)</u> | <u>1 (low)</u> | | <u>True</u> | | | |
| | <u>TOTAL (30)</u> | <u>28</u> | <u>1</u> | <u>[24]</u> | <u>[5]</u> | | <u>21</u> | <u>-</u> | <u>-</u> | <u>4</u> | | <u>19</u> | <u>19</u> | <u>24</u> |

Appendix II

Example of how catches shall be separated on EEZ boundaries

Example without any supporting evidence

| | |
|----------------------------------|--------------------------------|
| <u>EEZ State A</u> (30% by area) | <u>High Seas</u> (50% by area) |
| <u>EEZ State B</u> (20% by area) | |

EEZ State A = 30% of the quota

EEZ State B = 20% of the quota

High Seas = 50% of the quota

Example with supporting evidence from verified logbook data

| | |
|--|--|
| <u>EEZ State A</u> (30% by area) (50% of catch) | <u>High Seas</u> (50% by area) (10% of catch) |
| <u>EEZ State B</u> (20% by area) (40% of catch) | |

EEZ State A = 50% of the quota

EEZ State B = 40% of the quota

High Seas = 10% of the quota

Example with limited supporting evidence

| | |
|---|---|
| <u>EEZ State A</u> (30% by area) (No verifiable catch records) | <u>High Seas</u> (50% by area) (No verifiable catch records) |
| <u>EEZ State B</u> (20% by area) (40% of the catch verified by logbook data) | |

EEZ State A = $0.3 / 0.8 * 60\% = 22.5\%$ of the quota

EEZ State B = 40% of the quota

High Seas = $0.5/0.8 * 60\% = 37.5\%$ of the quota