

08 October 2024

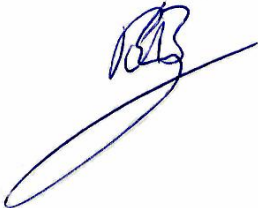
**IOTC CIRCULAR
2024-53**

Dear Madam / Sir

A COMMUNICATION FROM SOMALIA REGARDING THE ALLOCATION REGIME

Please find attached a communication from Somalia.

Yours sincerely



Paul de Bruyn
Executive Secretary

Attachment:

- letter from Somalia

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, 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

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

Wasaaradda Kalluumaysiga Iyo Dhaqaalaha
Buluuga ah

Xafiiska Wasiirka



FEDERAL GOVERNMENT OF SOMALIA
Ministry of Fisheries and Blue Economy
Office Of the Minister

جمهورية الصومال الفدرالية

وزارة الثروة السمكية

والاقتصاد الأزرق

مكتب الوزير

REF: MFBE/OM/ 3372024

Date: 03/10/2024

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**SUBJECT: STATEMENT BY THE FEDERAL REPUBLIC OF SOMALIA ON THE
DRAFT RESOLUTION ON ALLOCATION REGIME**

My attention has been drawn to the ongoing preparation of a draft Resolution on Allocation Regime, which is intended to be tabled for adoption by the Indian Ocean Tuna Commission. It is noted that this draft resolution intends to introduce an allocation regime (quotas) for all tuna and tuna-like species as specified in Annex B of the IOTC Agreement, both in the EEZs of IOTC member states, and in the international waters (high seas) of the Indian Ocean.

As indicated in various IOTC and other international research documents, Somalia EEZ and surrounding international waters constitute the richest tuna fishing region in the Indian Ocean. Despite this fact, Somalia does not economically benefit from this fishery, and its tuna stocks are exploited by IUU fishers, particularly distant waters fishing fleets. The Government of the Federal Republic of Somalia is determined to address this untenable situation.

We note that the criteria proposed in the allocation regime contains provisions which have created the current unsustainable tuna fishing, and which will continue to lock out coastal member states from developing their tuna fisheries.

In particular, we note the following:

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A: Inclusion of EEZs in the applicable geographical area

1. Whilst it is appreciated that sustainable management of migratory fish species must include both the EEZs and international waters, the sovereign rights and obligations of member states in their EEZs must be respected.
2. As the scientific committee and other research reports have established, tuna in the Indian ocean does not migrate or spread uniformly across the ocean. The fish follows specific patterns breeds in specific areas, and congregates in particular spots of feeding.
3. This leads to different abundances of tuna in different EEZs, and surrounding international waters.
4. Consequently, the right and obligation of member states to conduct stock assessments and set sustainable total allowable catches (TACs) in their waters in line with UNCLOS.

Therefore, Somalia position on this matter is that the allocation regime should exclude EEZs of member states.

B: Historical Catch Criteria

5. As was the case with IOTC Resolution 21/01 on allocation of yellowfin tunas, the draft allocation regime proposes to entrench, and protect historical tuna fishing patterns in the ocean.
6. It should be appreciated that the current unsustainable tuna fishing in the Indian ocean has been caused by the distant waters fishing fleets, and other nations that receive the highest allocations under existing criteria.
7. Historical catch criteria protects the status quo, which creates an entitlement of major fishing nations who have always benefitted from the fishery.
8. This criteria automatically leads to low allocation to coastal countries like Somalia, which means that they are denied access to tuna stocks, even in the EEZs, and hence they cannot license enough vessels to create sustainable tuna industries.
9. This is against Article V(2)(d) of the IOTC Agreement, on 'the economic and social aspects of the fisheries', 'bearing in mind, in particular, the interests of developing coastal states'.

10. It cannot be a fair and sustainable management measure to continue to reward those who have overexploited tuna fisheries in the Indian ocean with the biggest allocations, at the expense of coastal countries who have not exploited or economically benefited from the fishery. If we are to go by the internationally established 'polluter pay principle', historical catch criteria should be used to reward those who have harvested least stocks, and punish to who have harvested most stocks.

In line with equitable principle espoused under the IOTC Agreement, historical catch criteria should either be used akin to 'polluter pay principle' and applied only in the high seas, or abandoned altogether.

C: Criteria on size of EEZ, and other factors:

11. It is noted that the proposal provides that there will be a reserved quota (%) for coastal states, which may be allocated based on size of the EEZ, Gross National Income (GNI) or Human Development Index (HDI).
12. It is unclear and unfair to allocate coastal states, which are majority in the commission, an arbitrary percentage, while reserving a higher percentage for non coastal states.
13. Further, there is need to include a criteria which takes into account the spatial distribution of tuna stocks and fishing efforts in the ocean.

EEZs of countries and surrounding international waters which are major tuna breeding or feeding areas are the main tuna fishing grounds along the migration paths. Such countries should receive proportionately higher allocations since their marine ecosystems contribute more to sustainability of tuna stocks.

Somalia therefore is opposed to this resolution and any other resolution that does not address these concerns. We reiterate our commitment to a fair and equitable sustainable conservation of Indian ocean tunas, in line with our rights and obligations under UNCLOS.

I Thank You,

H.E Ahmed Hassan Aden
Minister



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