



06 May 2025

IOTC CIRCULAR 2025-18

Dear Madam / Sir

OBJECTION FROM SOMALIA TO IOTC RESOLUTIONS 25/03, 25/04, 25/08 AND 25/09

Please find attached a communication from Somalia regarding its objections, in accordance with Article IX (5) of the IOTC Agreement, to:

- Resolution 25-03 *On establishing catch limits for skipjack tuna in the IOTC area of competence* [[download here](#)]
- Resolution 25-04 *On establishing catch limits for bigeye tuna in the IOTC area of competence* [[download here](#)]
- Resolution 25-08 *On the conservation of sharks caught in association with fisheries managed by IOTC* [[download here](#)]
- Resolution 25-09 *On the conservation of shortfin and longfin mako sharks caught in association with IOTC fisheries* [[download here](#)]

which were adopted at the 29th Session of the IOTC.

An extension period of 60 days will therefore be applied to the entry into force of Resolutions 25/03 and 25/04. Thus they will now enter into force on the 21 October 2025, unless a total of more than one-third of the members also object before this time. Resolutions 25/08 and 25/09 will enter into force on the 1 January 2026 in accordance with the provisions specified in those Resolutions.

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

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

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

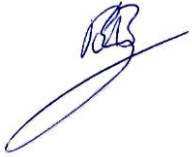
7. The Secretary shall notify each Member of the Commission immediately upon receipt of each objection or withdrawal of objection.

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, Panama. **Intergovernmental Organisations, Non-Governmental Organisations.** Chairperson IOTC. **Copy to:** FAO Headquarters, FAO Representatives to CPCs.

This message has been transmitted by email only

Yours sincerely

A handwritten signature in blue ink, appearing to be 'PB', with a long, sweeping horizontal line extending to the right.

Paul de Bruyn
Executive Secretary

Attachment:

- letter from Somalia



FEDERAL GOVERNMENT OF SOMALIA
MINISTRY OF FISHERIES AND BLUE ECONOMY
OFFICE OF THE MINISTER

Ref: MFBE/OM/554/04/25

Date: -23/04/2025

Subject: Formal Objection by the Federal Republic of Somalia to Adopted Resolutions at the 29th Session of the IOTC Commission

Dear Chair, Distinguished Members of the Commission, and the Secretariat,

In accordance with Article XXII of the Agreement for the Establishment of the Indian Ocean Tuna Commission (IOTC Agreement) and the relevant Rules of Procedure, the Federal Republic of Somalia respectfully submits this formal objection to several resolutions adopted during the 29th Session of the Indian Ocean Tuna Commission (IOTC), convened in La Réunion in May 2025.

Somalia has consistently engaged in good faith negotiations and supported the cooperative management of tuna and tuna-like species. However, despite these efforts, several recently adopted measures severely undermine Somalia's sovereign rights, fisheries development aspirations, and the livelihoods of its artisanal fishing communities. Somalia's objections are grounded firmly in the legal principles enshrined in UNCLOS, the UN Fish Stocks Agreement (UNFSA), the IOTC Agreement, and well-established international practice recognizing the special requirements of developing States.

Despite Somalia's constructive engagement, the recent measures adopted by the Commission perpetuate a structural imbalance where allocation and reduction principles overwhelmingly reward CPCs that historically expanded their catches—regardless of environmental or equity considerations—while marginalizing States like Somalia who are seeking to develop their fisheries responsibly. These frameworks maintain the status quo of profitability and control by historically dominant actors, with little regard for the sovereign rights, future aspirations, and equitable access needs of developing coastal States.

Somalia's fisheries sector is a vital component of its national recovery, economic growth, and food security strategies. The Somali Exclusive Economic Zone (EEZ), located in one of the most biologically productive regions of the Indian Ocean and along a major migratory pathway for tuna stocks, remains critically important not only to Somalia but to millions across the region who depend on these valuable shared resources. Historically underutilized due to decades of conflict, insecurity, and underinvestment, Somalia's EEZ requires regulatory frameworks that enable, rather than constrain, responsible development.

Somalia categorically rejects any regulatory approach that institutionalizes historical inequities under the guise of conservation or management. Somalia will not agree to measures that entrench past imbalances, close off future development pathways, and deny coastal communities the right to sustainably benefit from their resources. Somalia's objection rests upon obligations and principles under:

- UNCLOS Article 62 (Rights of Coastal States to Develop Fisheries in Their EEZs);
- UNFSA Articles 24–25 (Special Assistance to Developing States);
- IOTC Agreement Article V (Sustainable Development and Equity).

Throughout the 29th Session, Somalia submitted concrete legal language proposals aimed at improving fairness and operational feasibility, actively participated in working groups and informal consultations, and showed flexibility where possible without compromising its core interests. Unfortunately, Somalia's constructive proposals were not sufficiently accommodated in the final adopted texts.

Accordingly, Somalia formally objects to the following Resolutions:

- Resolution 25/04 – On establishing catch limits for bigeye tuna;
- Resolution 25/03 – On establishing catch limits for skipjack tuna;
- Resolution 25/09 – On the conservation of shortfin and longfin mako sharks;
- Resolution 25/08 – On the conservation of sharks caught in association with fisheries managed by IOTC.

The detailed legal, technical, and developmental grounds for Somalia's objections are presented in Annexes I–IV attached to this communication.

The Federal Republic of Somalia remains fully committed to sustainable and science-based management of tuna and tuna-like species, to cooperative engagement with all CPCs under the IOTC framework, and to the pursuit of fairness, equity, and development-centered fisheries governance. Somalia respectfully requests that this formal objection be duly recorded in the official records of the Commission.

In upholding this objection, Somalia reaffirms that sustainable conservation cannot exist without fairness. As it has been wisely said: *"Until justice rolls down like waters, conservation will remain a hollow word. Only through equity can the oceans be truly saved."*

Respectfully submitted,

Minister
H.E. Dr. Ahmed Hassan Adan
Federal Republic of Somalia



Attached Annexes

- Annex I – Formal Objection to Resolution 25/04 (Bigeye Tuna Catch Limits)
- Annex II – Formal Objection to Resolution 25/03 (Skipjack Tuna Catch Limits)
- Annex III – Formal Objection to Resolution 25/09 (Shortfin and Longfin Mako Sharks Conservation)
- Annex IV – Formal Objection to Resolution 25/08 (Conservation of Sharks Associated with IOTC Fisheries)

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FEDERAL GOVERNMENT OF SOMALIA
MINISTRY OF FISHERIES AND BLUE ECONOMY
OFFICE OF THE MINISTER

Ref: MFBE/OM/SS/04/25

Date:-23/04/2025

Annex I – Formal Objection by Somalia to Resolution 25/04 on Establishing Catch Limits for Bigeye Tuna

Pursuant to Article XVI, paragraph 3 of the IOTC Agreement, the Federal Republic of Somalia formally objects to Resolution 25/04 titled “On Establishing Catch Limits for Bigeye Tuna in the IOTC Area of Competence”, adopted at the 29th Session of the Commission.

Somalia’s grounds for objection are as follows:

- 1. Violation of the Right to Equitable Development**
The resolution freezes access to Bigeye Tuna resources based on historical catch levels without providing any growth pathway for developing coastal States like Somalia. This perpetuates discrimination against Somalia’s sovereign right to sustainably develop its fisheries sector, contrary to:
 - Article V of the IOTC Agreement;
 - Articles 61(4) and 62(2) of UNCLOS;
 - Articles 24 and 25 of the UN Fish Stocks Agreement.
- 2. Entrenchment of Historical Injustice**
The continued reliance on historical catch data structurally disadvantages States like Somalia that were unable to build historical records due to conflict and marginalization. This perpetuates inequities instead of correcting them.
- 3. Absence of Development Safeguards**
The resolution lacks mechanisms such as development reserves, transitional quotas, or a review clause to support gradual integration of emerging coastal States into the fishery. This omission contradicts past IOTC commitments (e.g., Resolutions 16/01 and 18/05).
- 4. Breach of Procedural Fairness**
Despite Somalia’s active and constructive participation, including submission of alternative texts, Somalia’s concerns were not meaningfully reflected in the final adopted measure.
- 5. Contradiction of Sustainable Development Goals (SDGs)**
The resolution undermines SDG 14.b (access for small-scale artisanal fishers) and SDG 10 (reducing inequality).

Somalia’s Position

Somalia formally objects to the binding application of Resolution 25/04 to its fleet and EEZ. Somalia reserves the right to develop its Bigeye Tuna fisheries and requests a future review

to ensure equitable allocation frameworks aligned with international law and IOTC principles.

Annex II – Formal Objection by Somalia to Resolution 25/03 on Establishing Catch Limits for Skipjack Tuna

Pursuant to Article XVI, paragraph 3 of the IOTC Agreement, the Federal Republic of Somalia formally objects to Resolution 25/03 titled *“On Establishing Catch Limits for Skipjack Tuna in the IOTC Area of Competence”*, adopted at the 29th Session of the Commission.

Somalia’s grounds for objection are as follows:

- 1. Failure to Guarantee Future Access Rights**

The measure imposes limits without ensuring a growth reserve or future access pathway for developing coastal States, including Somalia, whose skipjack fisheries remain underdeveloped.

- 2. Historical Catch Bias**

The allocation formula privileges CPCs with significant historical catch records, disregarding structural factors that prevented Somalia from building comparable records.

- 3. Marginalization of Development Aspirations**

The absence of dedicated developmental pathways undermines Somalia’s ability to sustainably expand skipjack fisheries as part of its food security and economic recovery goals.

- 4. Violation of Equity Principles**

The resolution fails to recognize the special requirements of developing States under Article V of the IOTC Agreement and relevant UNCLOS and UNFSA provisions.

Somalia’s Position

Somalia formally objects to the application of Resolution 25/03 to its fleet and EEZ. Somalia reserves the right to seek equitable opportunities for future participation in skipjack tuna fisheries development.

Annex III – Formal Objection by Somalia to Resolution 25/09 on the Conservation of Shortfin and Longfin Mako Sharks

Pursuant to Article XVI, paragraph 3 of the IOTC Agreement, the Federal Republic of Somalia formally objects to Resolution 25/09 titled “*On the Conservation of Shortfin and Longfin Mako Sharks*”, adopted at the 29th Session of the Commission.

Somalia's grounds for objection are as follows:

1. **Disproportionate Burden on Artisanal Fisheries**
The blanket prohibition on retention and strict discarding rules imposes operational and economic hardships on Somalia's artisanal fishers, for whom mako sharks are incidental bycatch.
2. **Neglect of Constructive Proposals**
Despite Somalia's submission of flexible alternative language during negotiations, including suggestions for socio-economic mitigation measures, the final text failed to accommodate these concerns.
3. **Undermining Sustainable Livelihoods**
The measure disregards the livelihood realities of small-scale fisheries in developing States, undermining both SDG 14.b and fundamental equity principles.
4. **Lack of Capacity Support**
No transitional support, technical assistance, or compensation frameworks were established to mitigate the severe impacts on developing coastal States like Somalia.

Somalia's Position

Somalia formally objects to the application of Resolution 25/09 to its artisanal fleet. Somalia reserves the right to seek differentiated management approaches that recognize its developmental and socio-economic context.

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Annex IV – Formal Objection by Somalia to Resolution 25/08 on the Conservation of Sharks Associated with IOTC Fisheries

Pursuant to Article XVI, paragraph 3 of the IOTC Agreement, the Federal Republic of Somalia formally objects to Resolution 25/08 titled “*On the Conservation of Sharks Caught in Association with Fisheries Managed by the IOTC*”, adopted at the 29th Session of the Commission.

Somalia's grounds for objection are as follows:

1. **Imposition of Infeasible Gear and Retention Restrictions**
The prohibition of wire traces, mandatory live releases, and full retention bans disproportionately burden Somali small-scale fishers who lack the means to immediately comply with such technical requirements.
2. **Failure to Recognize Sovereign Rights within EEZs**
The resolution applies stringent standards without acknowledging Somalia's sovereign right under UNCLOS to manage fisheries within its EEZ according to its own conditions and developmental priorities.
3. **Neglect of Socio-Economic Transition Needs**
The resolution lacks a phased implementation framework or exemptions for CPCs with predominantly artisanal fleets, ignoring Somalia's development status and operational realities.
4. **Inadequate Response to Legal and Technical Proposals**
Somalia's submitted language requesting flexibility, transitional periods, and differentiated obligations for small-scale fleets was not incorporated.

Somalia's Position

Somalia formally objects to the application of Resolution 25/08 to its artisanal fisheries. Somalia reserves the right to implement shark conservation measures consistent with national realities, UNCLOS principles, and equitable fisheries development objectives.