

TCAC Chair's Explanatory Memo

6 December 2025

Dear Colleagues,

I look forward to seeing you all soon for TCAC16 in Perth, Australia. I will soon complete consultations and then finish the requested papers to inform discussions. In the meantime, I have prepared a draft agenda for your consideration (<https://iotc.org/documents/TCAC/16/01a>).

I am writing this from Manila, where the WCPFC has just adopted a management procedure for South Pacific albacore and agreed to adopt an implementing measure in 2026 and negotiate allocation. This initiative was driven by the small island developing State members of the Forum Fisheries Agency (FFA) with the aim of reducing fishing mortality to a level that would rebuild the profitability of this important fishery. The FFA agreed on an allocation formula for their EEZs, and now the WCPFC will negotiate high seas allocation to implement the management procedure. It's an important breakthrough as the management procedure will apply across high seas and the southern EEZs of the small island developing States who proposed the measure.

This approach is consistent with the WCPFC tropical tuna measure, which also applies limits across all EEZs and high seas, reflecting the migratory nature of the tuna fisheries. Similar to albacore, the key provisions of the tropical tuna measure were promoted by the PNA (i.e., Parties to the Nauru Agreement) members who wished to limit fishing effort within their EEZs and high seas to ensure the long-term sustainability and economic viability of their fisheries.

I describe these achievements because they demonstrate that it is possible to successfully negotiate compatible EEZ and high seas limits that implement sustainability obligations while addressing equity concerns of small island and coastal developing States. These achievements required significant compromises by all and were only possible because all delegations were represented by officials with a mandate to negotiate. More work is required, but the adopted measures provide a critical foundation as they apply limits to both EEZs and high seas and explicitly consider the special requirements of developing States.

I encourage all delegations to keep this example in mind as we negotiate an IOTC relevant allocation framework. Success will require commitment, consultation and compromise. With this in mind, I have drafted an agenda for the TCAC16 that is based on our workplan and builds on progress-to-date. I thought it might be helpful to provide some explanation

of my thoughts on the agenda and encourage members to keep providing feedback as we prepare for February.

4. ELECTION OF VICE-CHAIRS

TCAC14 agreed that in-person meetings would prepare and adopt reports in-session, utilising the collective rapporteuring of the Chair, Vice-Chairs and the Secretariat. The two elected Vice-Chairs serve an important role, contributing to the preparation of an accurate report and providing balanced support to the Chair. However, we currently only have one Vice-Chair, David Wilson from South Africa. At TCAC16, I will call on members to nominate and elect a second Vice-Chair to ensure an ongoing balance in this important role.

5. TCAC WORKPLAN

I will briefly summarise progress to-date and confirm decisions that have been made, conditional on a satisfactory package-deal. TCAC needs to ensure a common understanding of its agreed workplan before proceeding.

The secretariat will then present an update on the shiny app, guiding the members on how to use the shiny app by outlining when relevant management measures for the 5 relevant species had come into effect as well as summarise the previous discussions on this matter. The secretariat will also present its proposed methodology for assigning catch history in 5x5 squares that overlap maritime boundaries.

6. JURISDICTION

TCAC15 instructed me to prepare a paper on options to address artisanal/small-scale fisheries within an allocation framework. This is connected to the discussion at TCAC15 on the inclusion of EEZs in the IOTC allocation framework. The IOTC Agreement and previous resolutions very clearly include EEZs in the mandate of the IOTC, reflecting the migratory characteristics of the tuna fisheries. But not all tuna are the same, and some CPs have repeatedly expressed concerns about the treatment of artisanal/small-scale fisheries.

In order to partly address this, TCAC13 agreed to exclude neritic tunas from the initial scope of TCAC negotiations and first focus on five oceanic fisheries that are clearly migratory and urgently require whole-of-IOTC management: yellowfin, bigeye, skipjack, albacore and swordfish. As a result, our first resolution will exempt neritic tunas, which therefore substantially excludes many artisanal and small-scale fisheries.

But we now need to find a more sophisticated solution for those artisanal/small-scale fisheries that catch oceanic tuna. Unfortunately, the IOTC has struggled to adopt a workable definition of artisanal/small-scale fisheries and relies on a stop-gap definition for reporting purposes that includes all fisheries inside an EEZ by vessels less than 24m. This is not an official definition but is used as a working definition for reporting purposes, including the IOTC Record of Authorised Vessels. It is noteworthy that IOTC Resolution 23/03 only exempts vessels below 12m, not indicating whether they are artisanal or small-scale.

Given that many industrial fishing vessels are smaller than 24m, this means that the IOTC is unable to accurately report catches by artisanal/small-scale fisheries, diluting the

importance of critical community and livelihood fisheries that are lost within a combined bucket with industrial fleets up to 23.9m. It also means that the IOTC is unable to customise necessary conservation and management resolutions to avoid any adverse impacts on artisanal livelihood fisheries. The combined fishing mortality of artisanal/small-scale, and all industrial vessels less than 24m inside an EEZ is substantial and inherently requires conservation and management. However, without any differentiation, it is impossible to protect artisanal and coastal fishing communities from adverse impacts, while also ensuring the long-term sustainability of their fisheries.

IOTC has previously tried to agree on a definition. In 2022, the 18th meeting of the Working Party on Data Collection and Statistics (WPDCS) considered a proposal from the secretariat to differentiate fishing operations into 7 categories: recreational (< 24m), subsistence (>15 m), small-scale (>15m), semi-industrial (15 – 24m), semi-industrial (high seas) (< 24m), industrial (\geq 24m), and exploratory (\geq 24m) (IOTC, 2022). However, this proposal was not adopted as no agreement could be reached on the definitions.

Rather than try again to negotiate an agreed definition, I would like to propose an alternative path where CPs will self-define their artisanal/small-scale fisheries within an agreed framework of characterisations. Special consideration would then be given to artisanal and livelihood fisheries, delaying their inclusion into the allocation quota for an agreed period of years; thereby providing time for capacity building, monitoring, reporting and management systems to be established. This would ensure that these artisanal and community livelihood fisheries are treated equitably, and governments have sufficient time to implement necessary systems, supported by regional and global development grants. Precedents exist in the WCPFC where large sequential GEF grants were repeatedly provided to build the capacity of Indonesia, Philippines and Vietnam to monitor, report and manage highly diverse artisanal fisheries that catch substantial amounts of oceanic tuna.

Following consultations, I intend to prepare a paper outlining a draft characterisation framework that would guide self-identification and reporting by CPs. This will be based on the FAO Hidden Harvest project that have developed a very useful characterisation matrix for fisheries. I intend to propose 3 - 4 categories that would receive a stepped level of special consideration and temporary exclusion from the allocation framework while necessary systems were established. This would then form the basis for large grant proposals to development funds such as the GEF to fund this work.

7. SPECIAL REQUIREMENTS OF DEVELOPING STATES

TCAC15 instructed me to prepare a paper on options to distribute the allocation criteria recognising the special requirements of developing States. I have been consulting on this and intend to distribute this paper before the end of the year. I recognise that the TCAC has been negotiating socio-economic indicators and formula to allocate similar criteria for a number of years but am concerned that there is still no consensus. My preference is to keep things simple and avoid complex formula that require extensive negotiations, but I will be guided by members if there is a strong view. My intention is to narrow down options in February and call for a decision.

Given that we have not yet agreed on how to distribute the special requirements criteria among developing States, I have suggested to the secretariat that the simulation tool

allow for this criterion to simply be evenly distributed among all developing States, as defined by the United Nations. This is a temporary approach until TCAC decides otherwise.

8. BASELINE AND THREE CRITERIA RATIO/WEIGHTINGS

TCAC15 instructed me to prepare a paper on options to distribute the 'Baseline' criteria. This criterion will provide a small equal quota to all CPs. I will distribute a brief paper outlining options for this criterion and eligibility and call for a decision on the preferred option at TCAC16.

Consultations have also identified that it would be helpful to discuss the percentage of the TAC that would be assigned to this criterion for subsequent equal distribution among all CPs. With this in mind, I will suggest broader options for the percentages that will be assigned to each of the three criteria: baseline, special requirements of developing States, catch history/biomass. Following discussion, I hope that we can then decide on 2 or 3 options for subsequent decision.

9. CATCH HISTORY, CATCH ATTRIBUTION AND PROXIES

Catch history has been identified as one of the three criteria, reflecting global practice in RFMOs. However, this inherently requires data and agreement on how that data is attributed. Unfortunately, as discussed repeatedly, IOTC has a problem with data. There is a lack of data on coastal fisheries due to the complex nature of artisanal fisheries and capacity challenges, and some distant water fishing fleets have historically opposed the provision of 1x1 data (despite its provision in other RFMOs), creating problems for spatially assigning catch to the correct jurisdiction.

Nevertheless, TCAC15 made some progress on the question of catch attribution, refining the options to be considered. In order to further progress consensus, I would like to propose that TCAC16 consider forming an informal working group that includes CPs who have a direct interest in this matter (i.e coastal CPs with a history of foreign fishing inside their EEZs, and distant water fishing CPs with a history of fishing inside foreign EEZs). I will distribute a draft terms of reference for this group to limit discussions to achievable outcomes, and will seek views on whether this working group should be chaired by one of the CPs with an interest, or a CP with no interest.

TCAC discussions and bilateral consultations have also clearly identified that some form of agreement on the use of a proxy for biomass, in place of catch history in some circumstances, will be necessary in order to achieve consensus, or as close to consensus as we can achieve. While there are still significant questions on the use of a proxy in place of catch history, and some serious concerns from some CPs, I will encourage TCAC16 to consider a way forward to resolve this issue.

10. COMPLIANCE

TCAC15 instructed me to prepare a paper on options for assessing and addressing quota compliance. Compliance will be fundamental to the successful implementation of an allocation framework and requires an accountable and transparent process. However, given the substantial agenda for TCAC16, and our workplan prioritising TCAC17 for compliance discussions, I would like to propose that we defer this paper and discussion to TCAC17.

11. CHAIR'S SUMMARY AND FUTURE OF THE TCAC

TCAC15 noted that TCAC16 would be a defining meeting. If TCAC16 does not make significant progress on key issues, members will need to conclusively discuss whether or how to continue. The TCAC16 should also discuss revising the current workplan if appropriate. As a result, we agreed that a dedicated item would be included in the agenda of TCAC16 to discuss the future of the TCAC. I would then report this to the Commission for its consideration.

My hope is that TCAC16 will make significant progress, but just in case, I will prepare a schedule that provides a decision point at lunchtime on the 3rd day. We must then determine if we are making sufficient progress to continue, or whether we should suspend negotiations and focus the afternoon discussion on the future of the TCAC.

Due to the TCAC14 decision to adopt our report in-person, I will schedule the 4th day to focus on report-clearing.

I wish you all well and safe travels.

Yours sincerely,



Professor Quentin Hanich

Chair - IOTC Technical Committee for Allocation Criteria (TCAC)