



30 July 2026

IOTC CIRCULAR 2026-32

Dear Madam / Sir

OBJECTION FROM SOMALIA TO IOTC RESOLUTIONS 26/01, 26/02, 26/06 AND 26/08

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

- Resolution 26/01 On establishing interim catch limits for yellowfin tuna in the IOTC Area of Competence [[download here](#)]
- Resolution 26/02 On establishing interim catch limits for swordfish in the IOTC Area of Competence [[download here](#)]
- Resolution 26/06 Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) [[download here](#)]
- Resolution 26/08 On promoting the objectives of IOTC through cooperation with the BBNJ agreement (The agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction) [[download here](#)]

which were adopted at the 30th Session of the IOTC.

An extension period of 60 days will therefore be applied to the entry into force of Resolutions 26/01, 26/02, 26/06 and 26/08. Thus they will now enter into force on the 18 November 2026, unless a total of more than one-third of the members also object before this time.

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.

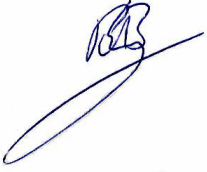
Distribution

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

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

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'P' and 'B' followed by a long horizontal stroke.

Paul de Bruyn
Executive Secretary

Attachment:

- letter from Somalia



FEDERAL GOVERNMENT OF SOMALIA
MINISTRY OF FISHERIES AND BLUE ECONOMY
OFFICE OF THE DIRECTOR GENERAL

Reference: WKDHB/XAG/00123/26

Date: 28/07/2026

To:
The Executive Secretary
Indian Ocean Tuna Commission
Abis Centre, Providence
P.O. Box 1011
Victoria, Seychelles

Subject: Objections by the Federal Republic of Somalia to IOTC Resolutions 26/01, 26/02, 26/06 and 26/08 pursuant to Article IX (5) of the IOTC Agreement

Dear Dr. Paul de Bruijn,

The Federal Republic of Somalia presents its compliments to the Secretariat of the Indian Ocean Tuna Commission and has the honour to refer to the adoption, at the Commission's 30th Annual Session in 2026, of the following Resolutions:

- Resolution 26/01, On Establishing Interim Catch Limits for Yellowfin Tuna in the IOTC Area of Competence;
- Resolution 26/02, On Establishing Interim Catch Limits for Swordfish in the IOTC Area of Competence;
- Resolution 26/06, Mandatory Statistical Reporting Requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties; and
- Resolution 26/08, On Promoting the Objectives of IOTC through Cooperation with the BBNJ Agreement.

Pursuant to Article IX, paragraph 5, of the Agreement for the Establishment of the Indian Ocean Tuna Commission, the Federal Republic of Somalia hereby formally registers its objections to the above-mentioned Resolutions.

Somalia remains firmly committed to the conservation and sustainable management of marine resources and supports transparent, science-based, equitable and non-discriminatory conservation and management measures.

According to Article V(2) (c) of the IOTC Agreement, conservation and management measures should be adopted on the basis of scientific evidence, not negotiating power of contracting parties. These resolutions are not based on scientific evidence, are discriminatory, are not transparent and equitable for developing coastal states, hence Somalia objects to their adoption. The specific grounds for Somalia's objections are set out below:

1. Resolution 26/01 — Yellowfin Tuna

Somalia's objection is not an objection to conservation. From a scientific and factual fishing patterns, it is evident that Somalia EEZ is the richest in terms of yellowfin among all EEZs in the Indian ocean. The 5,000 MT allocation to Somalia has therefore no relationship to any EEZ yellowfin MSY estimations, hence is unscientific, and therefore outside IOTC agreement provisions. The proposal goes against Somalia's UNCLOS sovereign rights and obligations, is a threat to our artisanal fishers rights who are already harvesting higher volumes than this allocation, hence endangering their livelihoods.

The interim catch limits are not a product of scientific evidence, but rather an outcome of non-transparent negotiating power of CPCs, as can be attested by the allocation table. Somalia cannot identify any justifiable reason for this differential treatment of CPCs, a situation that is not supported by the aspirations of the IOTC Agreement.

Somalia is also concerned that provisions relating to overage deductions, catch-limit adjustments, transfers, chartering, and vessel exports impose disproportionate consequences on developing coastal States and discourage the lawful exercise of the right of objection. Conservation measures should not preserve the historical advantages and market position of industrial fleets while limiting the ability of developing coastal States to build national fishing capacity and participate equitably in the fishery.

2. Resolution 26/02 — Swordfish

Somalia supports the sustainable management of swordfish, the Management Procedure and sound scientific advice. Somalia notes that the most recent stock assessment determined that swordfish is not overfished and is not subject to overfishing. Its objection concerns the legal, developmental and allocation consequences of the Resolution.

Somalia is not listed among CPCs assigned a binding catch limit. However, paragraph 12 creates a pathway toward a future binding limit where catches exceed 1,500 tonnes on average over two consecutive years. Somalia's earlier swordfish estimates were based on limited sampling, while expanded national coverage and catch reconstruction may produce substantially higher figures. Improved reporting must be treated as correction of historical under-recording, not as new fishing expansion or a basis for prematurely restricting Somalia's future participation.

Any future limit based principally on recent and incomplete records would fail to reflect Somalia's extensive EEZ capacity, coastal-State rights, and legitimate development aspirations. Although paragraphs 14 and 15 state that future allocation and developing coastal-State rights shall not be prejudiced, paragraph 12 may in practice constrain those rights before Somalia's fishery and data system are fully developed.

Somalia also objects to paragraphs 16, 17 and 18, which restrict chartering arrangements and vessel exports involving CPCs that exercise their lawful right of objection. A treaty-based procedural right should not carry punitive commercial or developmental consequences for a developing coastal State seeking lawful investment, technology transfer and national fleet development.

3. Resolution 26/06 — Mandatory Statistical Reporting

Somalia supports accurate, complete, and timely fisheries reporting. However, paragraphs 4(d)–(e), 5 and 8(d) impose disproportionate geospatial, size-sampling, and historical-data validation requirements on developing coastal States with predominantly artisanal fisheries and historically limited data systems.

These provisions may disadvantage legitimate historical catches merely because they were previously under-sampled, reconstructed or reported late. They may consequently prejudice Somalia's fisheries-development interests and future allocation claims by preserving historical data inequalities favouring States with long-established industrial monitoring systems.

Somalia cannot accept a system under which scientifically justified corrections to historical catches are constrained by timelines or review processes that may penalize a developing coastal State for improving its data. The jurisdictional differentiation required for statistical reporting must not be construed as determining ownership or future allocation entitlements. Catches reported as taken within Somalia's EEZ must remain clearly identified as catches taken within Somalia's national jurisdiction, irrespective of vessel flag.

Somalia will continue to discharge its applicable statistical reporting obligations while completing the scientific reconstruction of its 2017–2025 and later fisheries data, supported by the expansion of national data collection from six to more landing sites.

4. Resolution 26/08 — Cooperation with the BBNJ Agreement

Somalia remains firmly committed to the conservation and sustainable use of marine biodiversity and supports appropriate cooperation among competent international and regional bodies. This objection is not directed against the objectives of the BBNJ Agreement. It concerns the potential legal, institutional, and developmental consequences of Resolution 26/08 for Somalia as a developing coastal State with high-seas areas adjacent to its EEZ. Resolution 26/08 establishes institutional pathways through which area-based management tools, marine protected areas, emergency measures and other BBNJ-related actions may be considered as binding within the IOTC framework. Such processes could affect tuna fisheries, highly migratory stocks, food security, lawful licensing and chartering arrangements and future fishing opportunities without an explicit requirement for prior meaningful consultation with the adjacent coastal State concerned.

Cooperation between IOTC and the BBNJ framework must not expand IOTC's mandate, duplicate existing processes, prejudice coastal-State rights and legitimate interests, or predetermine national positions concerning implementation of the BBNJ Agreement. Any proposed measure concerning high-seas areas adjacent to a coastal State's EEZ should be supported by transparent scientific justification, an assessment of transboundary and socioeconomic effects and the full and effective participation of the adjacent coastal State.

Somalia recalls that, during the plenary, it cautioned against converting the previous non-binding Recommendation into a binding Resolution before CPCs had sufficient opportunity to examine the legal, institutional, financial, administrative, and jurisdictional implications. Somalia considers that such assessment should precede, rather than follow, the creation of binding obligations.

Accordingly, pursuant to Article IX, paragraph 5, of the IOTC Agreement, Somalia shall not be bound by Resolutions 26/01, 26/02, 26/06 and 26/08.

Somalia will nevertheless continue to cooperate constructively with the Commission and its Members on conservation, scientific research, data reporting and responsible fisheries management, consistent with the IOTC Agreement, UNCLOS, its sovereign rights and its national development priorities.

Somalia respectfully requests the Executive Secretary to circulate this communication to all IOTC Members and to retain it as part of the official record of the Commission.

Yours sincerely,

Yours faithfully,



H.E. Abdi Dirshe,
Head of Somalia Delegation to IOTC, and
DIRECTOR GENERAL
Ministry of Fisheries and the Blue Economy
FEDERAL REPUBLIC OF SOMALIA