



**SOUTH PACIFIC ALBACORE ROADMAP INTERSESSIONAL WORKING GROUP
(SPA-RM-IWG05)**

ELECTRONIC MEETING
09:00 – 13:00 Pohnpei Time, Friday, 2 August 2024

Information Paper on Elements of Allocation Frameworks in other tRFMOs

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Prepared by the Secretariat

1. The purpose of this paper is to support the discussions in the South Pacific Albacore Roadmap Intersessional Working Group on the development of an allocation framework for South Pacific Albacore. It provides an overview of previous information provided to the Commission in the context of discussions on allocation frameworks in the fourth workshop on the Development of a Revised WCPFC Tropical Tuna Measure (TTMW4): the criteria for allocation ([WCPFC-TTMW4-2023-IP01](#)), the link between allocation and harvest strategies ([WCPFC-TTMW4-2023-IP02](#)) and how other tuna RFMOs (tRFMOs) have approached allocation ([WCPFC-TTMW4-2023-IP03](#)).
2. This paper draws on these earlier papers to provide a summary of some of the relevant elements which may be of assistance to the Intersessional Working Group in considering allocation in the context of South Pacific Albacore. It is not a substitute for the detail in those papers but summarises allocation criteria and the progress of other RFMOs, and provides suggested steps for the development of the allocation framework. The various caveats in those papers also apply here, including anticipation of a long-term negotiation process to reach an agreed allocation framework.

Criteria for Allocation in the WCPF Convention and UNFSA

3. A number of criteria for allocation are found in the WCPF Convention and the UN Fish Stocks Agreement and were raised by CCMs in the context of discussions on tropical tuna. These may also be generally applicable to South Pacific Albacore, with any necessary adjustments in light of the particular characteristics of the stock.
 - Article 10(3) of the WCPF Convention: In developing criteria for allocation of the total allowable catch or the total level of fishing effort the Commission shall take into account, inter alia:
 - (a) The status of the stocks and the existing level of fishing effort in the fishery.

- (b) The respective interests, past and present fishing patterns and fishing practices of participants in the fishery and the extent of the catch being utilized for domestic consumption.
 - (c) The historic catch in an area.
 - (d) The needs of small island developing States, and territories and possessions, in the Convention Area whose economies, food supplies and livelihoods are overwhelmingly dependent on the exploitation of marine living resources.
 - (e) The respective contributions of participants to conservation and management of the stocks, including the provision by them of accurate data and their contribution to the conduct of scientific research in the Convention Area.
 - (f) The record of compliance by the participants with conservation and management measures.
 - (g) The needs of coastal communities which are dependent mainly on fishing for the stocks.
 - (h) The special circumstances of a State which is surrounded by the exclusive economic zones of other States and has a limited exclusive economic zone of its own.
 - (i) The geographical situation of a small island developing State which is made up of non-contiguous groups of islands having a distinct economic and cultural identity of their own but which are separated by areas of high seas.
 - (j) The fishing interests and aspirations of coastal States, particularly small island developing States, and territories and possessions, in whose areas of national jurisdiction the stocks also occur.
- Article 30 of the WCPFC Convention: The recognition of the importance of the special requirements and interests of developing coastal States, especially SIDS and Territories.
 - (2)(b) The need to avoid adverse impacts on subsistence, small-scale and artisanal fishers.
 - (2)(c) The need to avoid a disproportionate burden on SIDS and Territories.
 - Article 5 of the WCPF Convention: The need to conserve and manage stocks in their entirety and take coastal communities into account.
 - Articles 8 and 10 of the WCPF Convention: Without prejudice to the sovereign rights of coastal States for the purpose of exploring and exploiting, conserving and managing highly migratory fish stocks within areas under national jurisdiction and the requirement for compatible measures.
 - Article 25(1)(b) of the UN Fish Stocks Agreement: The requirement of States Parties to assist developing States, in particular small island developing States, to enable them to participate in high seas fisheries for such stocks, including facilitating access to such fisheries.

- PNA+ at TTMW3: Recognition of the need for climate justice, as Pacific Island countries and communities, through no fault of their own, face severe economic damage and a threat to their existence and cultures as a result of climate change.
4. This is a comprehensive list but does not provide sufficient guidance on how allocation might be agreed upon based on those criteria. There may be a need to narrow down the large number of proposed criteria into a few core criteria, together with any additional factors that should be taken into account. FFA Members at TTMW3 identified certain key criteria for the allocation of tropical tuna: economic dependence, equal shares, development status, special circumstances, adjacency, and catch/effort history. Consideration may also need to be given to weighting or giving priority to certain criteria or the adjustment of criteria in light of extenuating circumstances.

Allocation Frameworks of other tRFMOs

5. The tRFMOs have adopted different approaches to the development of allocation frameworks, some more successful than others. There is considerable variation in the precise approach adopted by tRFMOs, nevertheless some general observations can be made. Issues that would seem to need to be addressed under an allocation framework, in addition to criteria for allocation, include
- How best to take into account the needs of developing and/or coastal States.
 - The eligibility for allocations, including the question of new entrants.
 - The scope of the application of allocation frameworks: e.g., different fisheries/stocks and their priority.
 - The metric for allocations: e.g., catch, effort, values or proportions.
 - The period of validity of allocations: e.g., annual, multi-year.
 - The use of allocations: e.g., transferability, chartering.
 - How to address over-catch and under-catch.
6. There are also a number of challenges that appear to have arisen in relation to allocation frameworks at other tRFMOs:
- While basic criteria have generally been agreed, there are few examples of decisions to weight or prioritize certain criteria over others.
 - There does not appear currently to be a systematic approach among tRFMOs to addressing the needs of developing States.
 - Where there are agreed criteria, allocation of quota or limits tends to be on a stock-by-stock or fisheries basis. Often allocations are made on an interim, or de facto basis as a way to implement management plans for rebuilding stocks over several years.
 - Allocations to new entrants to the fishery may sometimes be at the expense of the health of the fish stocks.

- Agreement on the transferability of catch or quota allocations has been hampered by some complex questions, including those relating to the mechanism for transfers, the monitoring of transfers, and the potential for increased pressure on stocks.
- While some provision may be made for addressing underage and overage of catch allocations, these are subject to specific limitations and conditions, which depend on the tRFMO and negotiation among the members.
- Gaining agreement on an allocation regime takes considerable time and effort.

Development of an allocation framework for South Pacific Albacore

7. It is expected that the development of an allocation framework for South Pacific Albacore will require a planned approach so that consensus can be reached. This may take into account the following general steps.
 - The identification of the characteristics of the South Pacific Albacore fishery, which may impact an allocation framework.
 - Narrowing down a large number of possible criteria for allocation into a few core criteria, together with any additional factors that should be taken into account.
 - The possible weighting or priority to be attached to certain criteria, or the adjustment of criteria in extenuating circumstances.
 - Consideration of any required scientific information or technical analysis so that the criteria may be effectively used in an allocation process.
 - Agreement on the metrics (catch/effort; value/proportion) and period of validity of allocations.
 - Consideration of some of the possible modalities of allocation, such as transferability, underage and overage, and monitoring.

Recommendations

1. The IWG will note elements of the allocation framework suggested in this document and provide any other elements as needed.
2. Noting the potentially lengthy process of developing an allocation framework, the IWG may consider and provide recommendations on general views related to approaches to commence discussions on allocation issues, timeline, relations with the development of SP albacore management procedure, etc.