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**REPUBLIC OF KOREA'S VIEWS ON ALLOCATION CRITERIA FOR THE  
MAIN TARGETED SPECIES IN THE IOTC AREA OF COMPETENCE**

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**Submitted by : Republic of Korea**

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***Explanatory Memorandum***

As an IOTC Member that has a long fishing history and real interests in tuna fisheries in the IOTC area of Competence, the Republic of Korea has actively participated in the discussions on the allocation criteria since the first meeting of TCAC which was held in Kenya in 2011. Although there is an interim measure in force, Korea fully recognizes the urgent need for more effective conservation and management measures for Yellowfin tuna which is in a critical condition due to over-exploitation, and wishes to see further progress in combining the diverging positions on allocation criteria.

At the same time, Korea would like to remind CPCs that the optimum utilization of fishery resources also constitutes an essential part of the objectives of IOTC Agreement. In other words, Korea is of the view that if the outcome of any allocation of fishing opportunity results in a sudden, sharp decrease in or increase from any CPC's recent level of catch, the criteria for such an allocation would not only fail to achieve the objectives of IOTC Agreement but also make it very difficult for CPCs to reach an agreement.

There have been extensive discussions on allocation criteria, and Korea believes that it is now time for CPCs to improve and refine the criteria outlined in the both proposals rather than adhering to either one as is. The followings are a mixture of some of Korea's existing views and observations on the results of simulations.

**Stability Principle**

As CPCs may have noticed, the results of simulations for the two proposals show surprisingly sharp increases and/or decreases in allocation for some CPCs compared to the recent level of catches. If a CPC is to have a dramatic increase in fishing opportunity, it will inevitably entail dramatic decrease(s) in the fishing opportunity of some other CPC(s). For example, a part of the results of the simulations suggests around 10,000% increase for a CPC from current catch level. To prevent this kind of disproportionate fluctuation, the allocation criteria must have a principle which ensures that the allocation does not result in a dramatic increase or decrease for any particular CPC(s). For example, the Commission may wish to set the maximum level of increase at [20%], although it may also have to consider the necessity for diversifying such a level among CPCs depending on how big portion the catch of each CPC takes up in the TAC because 20% means a considerable amount for a CPC the current catch level of which is high and a negligible amount for a CPC the current catch level of which is low. In any case, there shouldn't be a disproportionate increase for any CPC and such a surplus must be equally re-distributed among all CPCs.

**Catch Attribution**

As Korea repeatedly mentioned in the previous TCAC meetings, the Government of Korea

maintains a very firm position on this particular element of allocation criteria and strongly believes that historical catches in the EEZ should be entirely attributed to the flag CPC(s) of fishing vessel(s) unless the fishing access Agreement in force at the time of fishing stipulates otherwise. We are talking about highly migratory species here and Korea's understanding is that the distant water fishing nations paid for the right to fish in the national jurisdiction of coastal states under the Agreement, and not for the tuna resource itself. Nevertheless, Korea is willing to make some concessions or compromises to some extent in relation to other elements of the criteria such as supplementary allocation taking into account of the special requirements of developing coastal states.

### **Baseline Historical Catch**

Korea proposed 50 years(1960-2009) as the baseline period for the historical catch in the 1<sup>st</sup> meeting of TCAC, and then recent 30 years in the 3<sup>rd</sup> meeting but none of these proposals were accepted. From the recent developments in the discussions of allocation criteria, Korea had the impression that most CPCs preferred a shorter baseline period because recent 5 years, 15 years and 17 years, etc. were used as candidate baseline period in the two proposals. Korea will not insist to use a longer baseline period but if CPCs are going to focus on the recent catch level, due consideration should be given to those CPCs the catches of which decreased in a substantial amount recently.

### **Fishing gear-specific Approach**

As Korea mentioned in the 4<sup>th</sup> meeting of TCAC, having different criteria for each fishery(fishing gear type) may be more relevant and reasonable. Purse seine fisheries have a relatively short history compared to longline fisheries and that fact makes it very difficult for the Commission to come up with a single baseline period for the historical catch. Also, it is very difficult to manage purse seine fisheries by setting a specific catch limit for each CPC due to the nature of purse seine fishing operation. It is a widely accepted approach to control purse seine fisheries by limiting fishing effort or fishing capacity as we can see in the practices of other tuna RFMOs, while it has proven effective to control longline fisheries by setting catch limits. Therefore, Korea is still of the view that a uniform approach for both purse seine fisheries and longline fisheries may not be the best option.

### **Compliance Score**

The EU's proposal is proposing correction factors which comprise [6%] of the TAC and the biggest factor among them is the IOTC compliance score. To promote and incentivize CPCs' overall compliance with the IOTC Agreement and CMMs adopted by Commission, a bigger portion of the TAC should be assigned for the correction factors. Also, Korea believes that the eligibility threshold level of [60%] needs to be raised. In addition, the Commission needs to treat each eligible CPC differently in terms of quota allocation based on the compliance score. In Korea's understanding, the principle of correction factors in the EU's proposal does not differentiate CPCs with different compliance scores. More favorable fishing conditions should be given as a reward to a CPC with a higher compliance score. By doing so, the Commission will be able to guarantee meaningful improvements in CPCs' compliance status. However, Korea is conscious of the difficulties and challenges that developing CPCs have, and therefore believes that a non-compliance of a developing CPC should not lead to a decrease in quota allocation if there is justifiable reason for the non-compliance.

**Conclusion**

Although there still exist practical problems as well as potential concerns about the proposed allocation criteria, Korea remains committed to narrowing the known gaps across the positions of CPCs and urges the Committee to endeavor to make a progress towards harmonized, comprehensive allocation criteria in near future. In the meantime, Korea would like to advise the Committee that Korea began to work on an alternative management measure just in case the Commission cannot reach an agreement on the allocation criteria in a timely manner.