

Proposal for the Adjustment of Southern Bluefin Tuna Allocation Percentages

Submitted by: Indonesia

A. Background

Indonesia acknowledges the collective effort of CCSBT members to sustainably manage Southern Bluefin Tuna (SBT) stocks through equitable quota allocation. However, Indonesia's current allocation of **5.7785%** remains significantly lower than its actual fishing capacity, historical catch, and domestic dependency. This discrepancy has resulted in Indonesia being subject to **paybacks** in recent years due to unavoidable quota overages, while several other members consistently accumulate substantial **carry forwards**, indicating underutilization of their assigned quotas. This condition highlights the need to reassess the distribution of allocation quotas among members in order to fulfil the optimum utilization of the SBT as accorded by the 1982 United Nations Convention on the Law of the Sea (UNCLOS) based on the equitable principle.

In light of these circumstances, Indonesia proposes a revision to the allocation quota to better reflect current needs and actual utilization among members, and to enable equitable access and sustainable utilization of the SBT resource. Indonesia reaffirms that the UNCLOS, particularly Article 64, forms the basis in international law on the management of marine living resources, including highly migratory species, which entails the management of southern bluefin tuna. UNCLOS has established the sovereign rights and shared responsibilities of coastal states in the conservation and utilization of living marine resources, including highly migratory species, particularly those occurring within their exclusive economic zones (EEZs).

Against this backdrop, Indonesia has actively submitted proposals for the revision of its allocation within the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) for several years. During CCSBT 30, Members expressed openness to further discussing Indonesia's request for an increased allocation, which could include a broader review of allocation percentages. It was also suggested that long-term arrangements could be considered at CCSBT 31, provided that a relevant paper was submitted well in advance—specifically at least 60 days prior to the meeting—to allow sufficient time for stakeholder consultations. In response to this suggestion, Indonesia submitted a proposal at CCSBT 31 to continue the discussion on allocation revision. Building upon these discussions, Members have now agreed to continue intersessional engagement on the matter and to submit any further proposals and supporting documents on allocation to the Secretariat by 1 August 2025. This timeline is intended to ensure that all Members have adequate time to review and consider the materials before the CCSBT 32 meeting. As such, Indonesia prepared this proposal to be considered by members to be further discussed in the CCSBT 32 meeting.

B. Legal and Institutional Basis

This proposal is submitted under the framework of the **1982 United Nations Convention on the Law of the Sea, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (“UN Fish Stocks Agreement”), Convention for the Conservation of Southern**

Bluefin Tuna and the latest CCSBT Performance Review recommendation, specifically referencing:

- **United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS)**
As a coastal state through which SBT migrates or whose life cycle is partially spent within its exclusive economic zone (EEZ), Indonesia has sovereign rights to explore, exploit, conserve, and manage living marine resources in their EEZs, as stipulated in Articles 56 and 61 of UNCLOS. Indonesia maintains that conservation and management measures for highly migratory fish stocks must be consistent with the rights of coastal states as outlined in UNCLOS, particularly Articles 61, 62, 63, and 64, and must be developed and implemented in a manner that recognizes the legitimate development needs of developing coastal states and their capacity to utilize marine resources sustainably.
- **UN Fish Stocks Agreement.** Article 7 (2) (e) of the UN Fish Stocks Agreement concerning the consideration of the “respective dependence of the coastal States and the States fishing on the high seas on the stocks concerned.” Further, Article 11 (e) and (f) of the Agreement particularly underline the need to consider the Coastal States’ economic dependence on the exploitation of living marine resources and the developing States’ interests, in determining the participatory rights of members in the subregional or regional fisheries management organization.
- **CCSBT Convention. Article 8.2 (b):** on the Commission's responsibility to determine total allowable catch and allocation among members and **Article 8.4:** on decisions by the Extended Commission to be made by consensus.
- **CCSBT Resolution on the Allocation of the Global Total Allowable Catch (TAC)** and guiding principles for quota setting, including fairness, past performance, and development needs.
- **CCSBT Performance Review (PR2021-31).** Review the existing allocation mechanism to ensure that it reflects the current makeup of the Membership and principles of international law.

C. Justification

1. **Equitable and Efficient Utilization of Resources:** The 1982 UNCLOS preamble highlighted that UNCLOS desires to establish “the equitable and efficient utilization of the resources”, which should guide the interpretation of UNCLOS, the 1995 UN Fish Stock Agreement, and the CCSBT Convention, and subsequently, the work of CCSBT. In this regard, Indonesia is of the view that the current quota allocation is inequitable toward Indonesia as a developing coastal State which is highly dependent on fisheries sector and is already consistent in carrying out conservation measures, according to international law. The wording used in UNCLOS, 1995 UN Fish Stock Agreement, and the CCSBT Convention provides no restriction on the reassessment of quota allocation based on the question of equitability. As such, the reassessment of quota allocation to ensure equitable utilization of resources will be consistent with the objective and purpose of UNCLOS.
2. **Unfairness (Inequitable) in Historical-Based Allocation:** The current allocation scheme disproportionately favours members with historical dominance, neglecting recent developments in fleet capacity and fisheries contributions by developing coastal states such as Indonesia. Allocation decisions should balance both historical and current fishing performance, as well as future development needs.

3. **Under-quota allocation and Under-utilization Issue: The inequitable allocation of quota** without reflecting Indonesia's actual fishing activity or fleet development has led to Indonesia facing quota shortages, which may appear as non-compliance to the CCSBT quota allocation. Indonesia is required the **paybacks of 91.3 tons for 5 (five) years for 2022-2026**. In contrast, some members have consistently under-utilized their allocated quotas and have been able to receive benefit from the provisions of the resolution on carry-forward quotas on an annual basis. This situation indicates that the current quota allocation does not adequately reflect the circumstances on the ground, particularly the needs and capabilities of developing coastal State. In this regard, the consistent underutilization of quotas and carry forwards provisions by some Members underscore the need to consider a partially reallocation to developing countries that are actively engaged in Southern Bluefin Tuna fisheries but face allocation shortfalls. Such approach would contribute to a more balanced, equitable and effective management of the resource.
4. **Consideration of Coastal State's Conservation Measures and Compliance to CCSBT:** Indonesia has also carried out measures to ensure compliance to international law in conserving the SBT. This includes initiatives to modernize CCSBT's tuna management framework with the aim of enhancing the effectiveness and sustainability of management within CCSBT. Indonesia has also been fully committed to engaging in technical assistance and capacity-building initiatives that contribute to the long-term, sustainable management of SBT resources. Further, Indonesia's current policy on quota based fisheries and immediate tax payment after landing enable Indonesia to have a better data recording and control over quota utilization for each vessel.

D. Proposed Adjustment and Simulation

Based on the above-mentioned reasoning, Indonesia proposes the following adjustments:

- **Indonesia:** allocation percentage increase to **15% (fifteen per cent) or minimum 3000 ton for quota block year 2027-2029**
- **Reserve for new entrants:** Allocated **1% (one per cent)**

Indonesia's current position in the Southern Bluefin Tuna management framework echoes a poignant paradox: "*starving in the land of plenty*." Despite being blessed with strategic geographic advantages, an abundance of fish resources in its own backyard, and a growing domestic demand, Indonesia continues to operate under a quota that falls significantly short of reflecting its realities and contributions. This imbalance constrains equitable access to a resource that Indonesia has long helped conserve through responsible practices and enduring commitment.

Indonesia humbly requests the consideration of the CCSBT to consider this proposal as a fair and data-informed recalibration of the current Southern Bluefin Tuna allocation system. Indonesia also reaffirms the importance of CCSBT to rely on Indonesia's contributions in conserving the SBT, reasonable and sustainable utilization of the SBT, and the growth of domestic demand, so that the quota allocation does not lead to the inequitable and imbalance result which constrains equitable access to the SBT. The proposed increase would not only empower Indonesia to responsibly meet its national needs without exceeding agreed-upon limits, but would also reinforce our collective pursuit of sustainable fisheries and equitable regional stewardship.

In adherence to the principles of transparency, fairness, and collaboration, Indonesia stands ready to present further data, offer detailed justifications, and engage in open, constructive

dialogue with all CCSBT members. Indonesia is committed in improving and strengthening its fisheries management implementation to achieve the sustainable level of Southern Bluefin Tuna resources. Indonesia warmly welcomes and remains fully committed to engage in technical assistance and capacity-building initiatives that contribute to the long-term and to strengthen the sustainable management of Southern Bluefin Tuna resources.

E. Closing

Indonesia is confident that, through mutual understanding and shared purpose, all Members can engage in a constructive discussion to reach a consensus that honours both sustainability and equitable solution for all.