

Original: English

**DRAFT RECOMMENDATION BY ICCAT AMENDING THE RECOMMENDATION FOR THE
CONSERVATION OF NORTH ATLANTIC SWORDFISH, [REC. 16-03]**

(Proposal submitted by the European Union)

RECALLING the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02], and the *Recommendations by ICCAT for the Conservation of North Atlantic Swordfish* [Recs. 10-02, Rec. 11-02, and Rec. 16-03];

FURTHER RECALLING the *Recommendation by ICCAT on the Principles of Decision Making for ICCAT Conservation and Management Measures* [Rec. 11-13] and the *Recommendation by ICCAT on the Development of Harvest Control Rules and of Management Strategy Evaluation* [Rec. 15-07];

CONSIDERING that following both the 2013 and 2017 stock assessment, the SCRS indicated that the stock was not overfished and that overfishing was not occurring, as initially determined in a 2009 stock assessment;

RECOGNIZING that based on the 2017 stock assessment, the SCRS advised that a TAC of 13,700 t has only a 36% probability of maintaining the North Atlantic swordfish stock in a rebuilt condition by 2028, whereas a TAC of 13,200 t would increase this probability to 50%, consistent with Recommendation 16-03;

FURTHER RECOGNIZING that the total allocation of fishing opportunities for North Atlantic swordfish is superior to the TAC;

ACKNOWLEDGING that following the 2017 stock assessment the SCRS indicated that the biomass for North Atlantic swordfish is close to B_{MSY} ;

RECALLING the *Recommendation by ICCAT regarding compliance in the bluefin tuna and North Atlantic swordfish fisheries* [Rec. 96-14];

TAKING INTO ACCOUNT the concerns expressed by the Panel of the second ICCAT performance review regarding the possibility to transfer high underage from year to year and that this practice is inconsistent with sound management of the stock;

TAKING NOTE OF the *Resolution by ICCAT on Criteria for the Allocation of Fishing Possibilities* [Res. 15-13];

SEEKING to ensure that the total catch does not exceed the annual Total Allowable Catch;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:**

1. The Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels have been actively fishing for swordfish in the North Atlantic shall take the following measures to ensure the conservation of North Atlantic swordfish with the goal of maintaining B_{MSY} , with greater than 50% probability.
2. TAC and catch limits
 - a) The total allowable catch (TAC) shall be 13,200 t for North Atlantic swordfish for the years 2018, 2019, 2020 and 2021:
 - b) The annual catch limits as shown in the table below shall be applied for the years 2018, 2019, 2020 and 2021:

	<i>Catch limit^[**] 13,200 (t)</i>
European Union ***	6,718*
United States***	3,907*
Canada	1,348*
Japan***	842*
Morocco	850
Mexico	200
Brazil	50
Barbados	45
Venezuela	85
Trinidad & Tobago	125
United Kingdom (OTs)	35
France (St. Pierre et Miquelon)	40
China	<u>100</u>
Senegal	250
Korea***	50
Belize***	130
Philippines	25
Côte d'Ivoire	50
St. Vincent & the Grenadines	75
Vanuatu	25
Chinese Taipei	270

* Catch limits of these four CPCs are based upon quota allocation shown in 3.c) of the 2006 *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02].

** The following transfers of annual catch limits shall be authorized:

From Japan to Morocco: 100 t
 From Japan to Canada: 35 t
 From EU to France (St. Pierre et Miquelon): 40 t
 From Venezuela to France (St. Pierre et Miquelon): 12.75 t
 From Senegal to Canada: 125 t
 From Trinidad & Tobago to Belize: 75 t
 [...]
 From Chinese Taipei to Canada: 35 t
 From Brazil, Japan, and Senegal, to Mauritania: 25 t each for a total of 75 t for 2018, 2019, 2020 and 2021, on the condition that Mauritania submit its development plan per paragraph 5 of this Recommendation. If a development plan is not submitted, these transfers are considered null. Future decisions regarding access to the North Atlantic swordfish fishery by Mauritania shall be contingent upon submission of its development plan.

These transfers do not change the relative shares of CPCs as reflected in the above catch limits.

*** Japan shall be allowed to count up to 400 t of its swordfish catch taken from the South Atlantic management area against its uncaught North Atlantic swordfish catch limits.

The European Union shall be allowed to count up to 200 t of its swordfish catch taken from the South Atlantic management area against its uncaught North Atlantic swordfish catch limits.

The US shall be allowed to count up to 200 t of its swordfish catch taken from the area between 5°N and 5°S, against its uncaught North Atlantic swordfish catch limit.

Belize shall be allowed to count up to 75 t of its swordfish catch taken from the area between 5°N and 5°S, against its uncaught North Atlantic swordfish catch limit.

Korea shall be allowed to count up to 25 t of swordfish catch taken from the South Atlantic management area in 2018, 2019, 2020 and 2021, against its uncaught North Atlantic catch limit.

- c) If the annual catch exceeds the TAC of 13,200 t, CPCs that have exceeded their individual catch limits shall pay back their overharvest in accordance with paragraph 3 of this recommendation. Any amount of the overharvest remaining after such adjustment shall be deducted from the annual catch limit of each CPC in the year following the excess, on a prorata basis of the catch limits in Table 2 (b) above.

3. Any unused portion or excess of the annual adjusted quota may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, as follows:

<i>Catch year</i>	<i>Adjustment year</i>
2016	2018
2017	2019
2018	2020
2019	2021
2020	2022
<u>2021</u>	<u>2023</u>

However, the maximum underage that a Party may carryover in any given year shall not exceed 15% of its initial catch limit (as specified in paragraph 2.b) above and excluding quota transfers) for those CPCs holding catch limits more than 500 t, and 40% for other CPCs.

4. If Japan's landings exceed its catch limits in any year, the overage shall be deducted in subsequent years so that total landings for Japan shall not exceed its total catch limits for the three-year period commencing in 2018. When annual landings by Japan are less than its catch limits, the underage may be added to the subsequent years' catch limits, so that total landings by Japan do not exceed its total for the same three-year period. Any underages or overages from the 2018-2021 management period shall be applied to the three-year management period specified herein.
5. The Commission shall establish at its 2021 meeting conservation and management measures for North Atlantic swordfish on the basis of the SCRS advice resulting from the latest stock assessment as well as the *Resolution by ICCAT on Criteria for the Allocation of Fishing Possibilities* [Res. 15-13]. In support of this effort, the Commission shall consider development/management plans of coastal developing CPCs and fishing/management plans of other CPCs so that adjustments can be made to the existing catch limits and other conservation measures, as appropriate. In the event of the modification of its fishing/management plan, each CPC shall submit the updated version of its fishing/management plan to the Commission by September 15.
6. When assessing stock status and providing management recommendations to the Commission, the SCRS shall consider the interim limit reference (LRP) of $0.4 \cdot B_{MSY}$ or any more robust LRP established through further analysis.
7. In line with the provisions of *Recommendation by ICCAT on the Development of Harvest Control Rules and of Management Strategy Evaluation* [Rec. 15-07], paragraph 3, the SCRS and the Commission shall continue its dialogue to allow for the development of harvest control rules (HCRs) for consideration in any subsequent recommendations. Further, while the HCRs are being developed, should the biomass approach the level which triggered the establishment of the previous rebuilding plan [Rec. 99-02], then the Commission shall adopt a rebuilding plan, with harvest levels, as recommended by the SCRS, that will meet the Commission's objectives of maintaining or rebuilding stocks to B_{MSY} within the defined time period.
8. All CPCs catching swordfish in the North Atlantic shall endeavor to provide annually the best available data to the SCRS, including catch, catch at size, location and month of capture on the smallest scale possible, as determined by the SCRS. The data submitted shall be for broadest range of age classes possible, consistent with minimum size restrictions, and by sex when possible. The data shall also include discards (both dead and alive) and effort statistics, even when no analytical stock assessment is scheduled. The SCRS shall review these data annually.
9. In order to protect small swordfish, CPCs shall take the necessary measures to prohibit the taking of and landing of swordfish weighing less than 25 kg live weight, or in the alternative, 125 cm lower jaw fork length (LJFL); however, the CPCs may grant tolerances to boats which have incidentally captured small fish, with the condition that this incidental catch shall not exceed 15 percent of the number of swordfish per landing of the total swordfish catch of said boats.

10. Notwithstanding the provisions of paragraph 9, any CPC may choose, as an alternative to the minimum size of 25 kg/ 125 cm LJFL, to take the necessary measures to prohibit the taking by its vessels in the Atlantic Ocean, as well as the landing and sale in its jurisdiction, of swordfish (and swordfish parts), less than 119 cm LJFL, or in the alternative 15 kg, provided that, if this alternative is chosen, no tolerance of swordfish smaller than 119 LJFL, or in the alternative 15 kg, shall be allowed. For swordfish that have been dressed, a cleithrum to keel (CK) measurement of 63 cm can also be applied. A Party that chooses this alternative minimum size shall require appropriate record keeping of discards. The SCRS should continue to monitor and analyze the effects of this measure on the mortality of immature swordfish.
11. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual catch limits established above, the CPCs whose vessels have been actively fishing for North Atlantic swordfish shall implement this recommendation as soon as possible in accordance with the regulatory procedures of each CPC.
12. Notwithstanding the *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* [Rec. 01-12], in between meetings of the Commission, a CPC with a TAC allocation of North Atlantic swordfish, as per paragraph 2.b), may make a one-time transfer within a fishing year of up to 15% of its TAC allocation to other CPCs with TAC allocations, consistent with domestic obligations and conservation considerations. Any such transfer may not be used to cover overharvests. A CPC that receives a one-time catch limit transfer may not retransfer that catch limit.
13. CPCs shall issue specific authorizations to vessels 20 meters LOA or greater flying their flag that are authorized to fish for North Atlantic swordfish in the Convention area. Each CPC shall indicate which of such vessels it has so authorized on its vessel list submitted pursuant to the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 meters in Length Overall or Greater Authorized to Operate in the Convention Area* [Rec. 13-13]. Such vessels not entered into this record or entered without the required indication that fishing for North Atlantic swordfish is authorized are deemed not to be authorized to fish for, retain on board, transship, transport, transfer, process or land North Atlantic swordfish.
14. CPCs may allow bycatch of North Atlantic swordfish by vessels not authorized to fish for North Atlantic swordfish pursuant to paragraph 13, if the CPC establishes a maximum onboard bycatch limit for such vessels and the bycatch in question is accounted for within the CPC's quota or catch limit. Each CPC shall provide in its Annual Report the maximum bycatch limit it allows for such vessels. That information shall be compiled by the ICCAT Secretariat and made available to CPCs.
15. This Recommendation replaces the *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 16-03].