

Original: English

STREAMLINING OF ICCAT CONSERVATION AND MANAGEMENT MEASURES

ICCAT Secretariat, in consultation with Chairs of subsidiary bodies

At its 24th Regular meeting, the Commission followed the procedure adopted by STACFAD in 2014 *whereby once the recommendations and resolutions adopted annually enter into force, the Secretariat should review, together with the Chairs of the Panels and of the Compliance Committee, the existing measures, for the purpose of compiling, in the inter-sessional period, a list of those measures which could be eliminated, either because they have become obsolete, or have expired or due to duplication, and that this list be submitted to the Commission for its consideration.*

A list of the Recommendations which were specifically repealed by the measures adopted in 2016 is attached for information. These measures will not be included in the 2017 Compendium.

In addition, several issues have been deferred from 2015/16, as no final decision was taken on these.

This document also includes suggestions to consolidate measures that amend other measures, including by incorporating adopted changes directly into the amended measure and removing the amending measure from the active Compendium. This would help to ensure clearer understanding of these ICCAT rules by eliminating the need, in these cases, to reference multiple measures in order to determine which requirements are applicable; it also helps to shorten the Compendium by removing redundant information. The Commission may also wish to provide guidance to the Secretariat to incorporate future amendments directly into the amended measure, so as to not require further consideration and action by the Commission every time a measure is amended by another measure.

Suggested actions for consideration will need to be confirmed or rejected by the Commission.

It is recommended that relevant subsidiary bodies include in their agendas an item for the consideration on this topic in order to develop recommended actions for the Commission on the basis of suggestions in this paper as well as any suggestions from CPCs for other ways to streamline ICCAT conservation and management measures.

Panel 4

[94-14] *Recommendation by ICCAT for the management of Atlantic swordfish*

This Recommendation had been left active due to paragraph 6, but all other paragraphs are out of date.

6. Contracting Parties are encouraged to take other appropriate measures to protect small swordfish, including, but not limited to, the establishment of time and area closures, possibly determined by test fisheries. Contracting Parties are further encouraged to conduct the necessary studies to determine whether gear selectivity can reduce catches of undersize fish.

This may be covered already by paragraphs 9 and 10 of Rec. 16-03 and paragraphs 6 and 7 of Rec. 16-04.

Suggested action: It is suggested that the Commission consider whether this Recommendation should therefore be repealed.

[01-04] *Resolution by ICCAT for evaluating alternatives to reduce catches of juveniles or dead discards of swordfish*

This is a non-binding resolution which may be covered already by paragraphs 9 and 10 of Rec. 16-03 and paragraphs 6 and 7 of Rec. 16-04.

Suggested action: That the Commission consider whether this Resolution should therefore be repealed.

[10-09] *Recommendation by ICCAT on the by-catch of sea turtles in ICCAT fisheries*

[13-11] *Recommendation by ICCAT amending recommendation 10-09 on the by-catch of sea turtles in ICCAT fisheries*

Rec. 13-11 was adopted to amend Rec. 10-09, however the text of 10-09 has not been altered to reflect the amendments.

Suggested action: That the Commission consider requesting the Secretariat to incorporate 13-11 amendments directly into the text of 10-09 and remove 13-11 from the active Compendium.

[07-07] *Recommendation by ICCAT on reducing incidental by-catch of seabirds in longline fisheries*

[11-09] *Supplemental recommendation by ICCAT on reducing incidental by-catch of seabirds in ..ICCAT longline fisheries*

Rec. 11-09 established requirements intended to replace requirements of Rec. 07-07 in certain areas. Paragraph provides that Rec. 07-07 will continue to apply in the area between 20oS to 25oS.

Suggested action: To ensure greater clarity as to the applicability of these measures, the Commission may wish to consider requesting the Secretariat to combine these Recommendations. One way would be to incorporate the regulation and the derogation stipulated in paragraph four and five of Rec. 07-07 into Rec. 11-09 and repeal Rec. 07-07.

PWG

At the 11th meeting of the IMM Working Group, Sapporo, July 2016, it was agreed to update and to combine ICCAT measures from

[94-09] *Resolution by ICCAT on compliance with the ICCAT conservation and management measures (including Addendum)*

And

[97-11] *Recommendation by ICCAT on transshipments and vessel sightings*

A proposed combined text was presented at the PWG during the 20th Special meeting of the Commission, but was not adopted, and hence this issue remains pending.

Suggested action: CPs may wish to continue consideration combining these measures into a single instrument.

[09-09] *Recommendation by ICCAT Amending three recommendations in Conformity with the 2009 Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Metres in Length Overall or Greater authorized to Operate in the Convention Area*

Suggested action: That the Commission consider requesting the Secretariat to incorporate the amendments of 09-09 into the amended measures or subsequent measures replacing the amended measures, and remove Rec. 09-09 from the active Compendium.

Statistical and Catch document programmes

[12-09] *Recommendation by ICCAT on a Process towards the Establishment of a Catch Certification Scheme for Tuna and Tuna-Like Species*

As currently written, this Recommendation calls for a series of actions within timelines which have already passed. As work on this issue may continue, updating of this Recommendation may be required.

Suggested action: The Commission may wish to consider whether this Recommendation should be updated or repealed.

[08-11] *Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions*

Suggested action: That the Commission consider requesting the Secretariat to incorporate the amendments of Rec. 08-11 into the amended measures or subsequent measures replacing the amended measures, as necessary, and remove Rec. 08-11 from the active Compendium.

Terms of Reference

[06-19] *Resolution by ICCAT to Establish a Capacity Working Group*

This Group was established to meet in 2007, which it did.

Suggested action: The Commission may wish to consider whether this Resolution should be updated in order for the Working Group to be able to continue its work.

[14-12] *Recommendation by ICCAT to Establish an Ad Hoc Working Group for Preparing The Next Performance Review*

This group was established to prepare the terms of reference for 2nd performance review for consideration by the Commission at its 2015 Annual Meeting, which it did.

Suggested action: The Commission may wish to consider whether this Recommendation should be repealed or updated.

Plenary

[11-25] *Resolution by ICCAT on a Program of Work for the Working Group on the Future of ICCAT*

This Resolution convenes a meeting for 2012, which was held. The Commission may wish to consider whether this Recommendation is no longer relevant since the establishment of the Working Group on Convention Amendment.

Suggested action: That the Commission consider whether this Resolution should be repealed.

[96-14] *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*

[97-08] *Recommendation by ICCAT Regarding Compliance in the South Atlantic Swordfish*

[01-13] *Supplemental Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and Atlantic Swordfish Fisheries*

Treatment of overage and underage on western Atlantic bluefin tuna and Atlantic swordfish is stipulated specifically in Rec. 16-08, Rec. 16-03 (NSWO) and Rec. 16-04 (SSWO). However, paragraph 3 of Rec. 96-14 is missing in Rec. 16-03 and 16-04. Rec. 14-04 for eastern Atlantic and Mediterranean bluefin tuna has no provision on payback in case of overharvest.

Suggested action: That the Commission consider inserting paragraph 3 of Rec. 96-14 when amending Rec. 16-03 and 16-04 and paragraphs 2 and 3 when amending Rec. 14-04 by which Recs. 96-14, 97-08 and 01-13 may be repealed.

**Recommendations which were specifically repealed by the
measures adopted in 2016 and have been deactivated**

Panel 1

[15-01] *Recommendation by ICCAT on a Multi-Annual Conservation and Management Program for Tropical Tunas*

Repealed by 16-01, para 55

[15-02] *Recommendation by ICCAT to Establish an ad hoc Working Group on Fish Aggregating Devices (FADs)*

Repealed by 16-02, para 8

Panel 2

[98-08] *Recommendation by ICCAT concerning the limitation of fishing capacity on northern albacore*

Repealed by 16-06, para 17

[99-05] *Recommendation by ICCAT concerning possible management measures for northern albacore*

Repealed by 16-06, para 17

[13-05] *Supplemental Recommendation by ICCAT Concerning the North Atlantic Albacore Rebuilding Program*

Repealed by 16-06, para 17

[15-04] *Recommendation by ICCAT to Establish Harvest Control Rules for the North Atlantic Albacore Stock*

Repealed by 16-06, para 17

[14-05] *Recommendation by ICCAT Amending the Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program*

Repealed by 16-08, para 28

Panel 3

[13-06] *Recommendation by ICCAT on the Southern Albacore Catch Limits for the period 2014-2016*

Repealed by 16-07, para 12

Panel 4

[13-02] *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish*

Repealed by 16-03, para 15

[15-03] *Recommendation by ICCAT for the Conservation of South Atlantic Swordfish*

Repealed by 16-04, para 14

[13-04] *Recommendation by ICCAT for Management Measures for Mediterranean Swordfish in the Framework of ICCAT*

Repealed by 16-05, par 47

PWG

[12-06] *Recommendation by ICCAT on a Programme for Transshipment*

Repealed by Rec. 16-15.