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**EXPLANATORY NOTE FOR A DRAFT RECOMMENDATION BY ICCAT TO ESTABLISH
THE FOUNDATION FOR REBUILDING PROGRAMS FOR BLUE MARLIN AND WHITE
MARLIN/SPEARFISH**

Proposal submitted by United States

In 2000, ICCAT adopted a two-phase rebuilding plan for marlins that was intended to set the stage for the future adoption of a formal rebuilding program. That plan has been altered over the years, eventually resulting in adoption of the current recommendation for these species, namely, the *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Stocks* [Rec. 15-05].

ICCAT has never taken the next step to establish formal rebuilding programs, and the measures ICCAT has put in place over the last 18 years to rebuild marlins have fallen short. The 2018 stock assessment for Atlantic blue marlin found that the stock is still overfished, and overfishing is still occurring. While the SCRS found that catches of 2,000 t would have allowed the stock to increase in size, that limit has been generally exceeded since 2012.

The U.S. proposal would extend the annual limit of 2,000 t for blue marlin for one additional year. It also extends the 400 t annual limit for white marlin/spearfish for one additional year, pending the SCRS stock assessment scheduled in 2019. Finally, it maintains the specified limits for individual CPCs from Rec. 15-05 for both blue marlin and white marlin/spearfish.

Importantly, the proposal also includes measures to help ensure the annual limits are not exceeded, and to further reduce fishing mortality for both blue marlin and white marlin/spearfish. We anticipate that the landings limit for blue marlin, paired with reductions in mortality in the measure, would stop overfishing in 2019 with a greater than 50% probability. Toward this end, to build a strong foundation for rebuilding programs, the United States proposes that pelagic longline vessels and purse seine vessels be required to release marlins/spearfish that are alive when brought alongside the vessel in a manner that causes the least harm as was recommended by the SCRS. Marlin/spearfish that are dead when brought alongside the vessel could be retained under certain limited conditions. In order to do so, pelagic longline vessels would be required to have an observer or electronic monitoring system on board. This requirement would help ensure compliance and improve data collection, which is much needed for these species. In recreational and sport fisheries, the minimum size currently specified in Rec. 15-05 (251 cm LJFL for blue marlin and 168 cm LJFL for white marlin/spearfish) would be continued. Finally, we have included a provision that prohibits the sale of marlins/spearfish caught in pelagic longline and purse seine fisheries to further incentivize conservation of these heavily exploited species. At the same time, this proposal recognizes food security needs by exempting developing coastal States from the live release requirement as well as the prohibition on sale, provided that these fish do not enter international trade and that catches are reported to the SCRS as required.

Additional gear requirements are proposed in order to further reduce fishing mortality on marlins, namely the use of circle hooks. The SCRS noted that recent research has demonstrated that in some longline fisheries the use of circle hooks resulted in a reduction in billfish mortality, while the catch rates of several of the target species remained the same or were greater than the catch rates observed with the use of conventional J hooks. In addition, the independent Panel that conducted the Second ICCAT Performance Review supported previous SCRS advice that the Commission actively encourage, or make obligatory, the use of circle hooks in longline fisheries to reduce the mortality of released marlin.

Further, the SCRS has recognized that few CPCs have reported marlin dead discards, which likely has led to underestimated Task I catches. The lack of complete data reporting increases the uncertainty of stock assessment results. Rec. 15-05 requested the SCRS to review data on dead and live discards of blue marlin and white marlin/spearfish submitted by CPCs to determine the feasibility of including these discards in estimates of fishing mortality by commercial, recreational, and artisanal fisheries. In response, the SCRS noted that only two CPCs (Mexico and the United States) have consistently reported dead and live discards of billfish throughout 2006-2015 and thus the SCRS was not able to adequately include discards in its estimates of fishing mortality by fishery. The SCRS further stated that discard levels in general were higher

than reported and that CPCs should establish discard estimation procedures and review the adequacy of their observer programs to provide the requested data. Given the emphasis from the SCRS on discard reporting deficiencies for marlins, this proposal is designed to improve and strengthen data reporting in commercial, recreational, and artisanal fisheries.

Finally and importantly, this U.S. proposal establishes a strong foundation for ICCAT, at long last, to develop formal and meaningful rebuilding programs for blue marlin and white marlin/spearfish in 2019. It takes the critical first step by ending blue marlin overfishing and taking measures to ensure compliance with the limit, with a commitment to develop other elements of the formal rebuilding programs next year, after completion of the white marlin stock assessment. The proposal commits to developing programs next year that take into account scientific advice from the SCRS, with a high probability of avoiding overfishing and rebuilding the stocks to B_{MSY} consistent with the provisions of Recommendation 11-13. In the rebuilding programs, it will be important to account for all sources of mortality, including dead discards. A key aspect of establishing effective rebuilding programs for blue marlin and white marlin/spearfish is for all CPCs to implement the specific conservation and management measures outlined in this proposal, which are aimed at minimizing post-release mortality and reducing the incentive to harvest these vulnerable species, rather than continuing to focus on landings limits alone.

DRAFT RECOMMENDATION BY ICCAT TO ESTABLISH THE FOUNDATION FOR REBUILDING PROGRAMS FOR BLUE MARLIN AND WHITE MARLIN/SPEARFISH

Proposal submitted by United States

RECALLING the 2000 blue marlin stock assessment, which found that the stock was below B_{MSY} (overfished) and that fishing mortality was above F_{MSY} (overfishing occurring);

CONSIDERING that subsequent assessments by the SCRS, most recently in 2011 and 2018, have confirmed with greater certainty that the blue marlin stock remains in this state;

UNDERSTANDING that the 2018 assessment confirms the advice provided in 2011 that catches of 2,000 t would have allowed the stock to increase in size, but catches have generally exceeded 2,000 t since 2012;

ACKNOWLEDGING that, since the stock has not rebuilt as expected, the SCRS recommends that the Commission find ways to ensure that the catches remain within established limits;

FURTHER RECALLING the *Recommendation by ICCAT on the Principles of Decision Making for ICCAT Conservation and Management Measures* [Rec. 11-13], which specifies that for stocks that are overfished and subject to overfishing (i.e., stocks in the red quadrant of the Kobe plot), the Commission shall immediately adopt management measures, taking into account, *inter alia*, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a period as possible, as well as a plan to rebuild these stocks, taking into account, *inter alia*, the biology of the stock and SCRS advice;

RECOGNIZING that the *Recommendation by ICCAT to Establish a Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 00-13] and subsequent recommendations, including the *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Stocks* [Rec. 15-05], were described by the Commission as steps toward the establishment of formal rebuilding programs for these stocks;

FURTHER UNDERSTANDING that the SCRS advised that, while catches of 2,000 t will stop overfishing of blue marlin in 2019 with a 60% probability, catches need to be reduced to 1,750 t or less to provide at least a 50% chance of rebuilding by 2028;

AWARE OF the need to end overfishing of blue marlin by 2019 with a greater than 50% probability;

SEEKING, moreover, to establish the foundation for formal, comprehensive rebuilding programs for blue marlin and white marlin/spearfish that account for both landings and dead discards in 2019;

ALSO SEEKING to implement measures without delay that will contribute to the conservation of blue marlin and white marlin/spearfish, including by decreasing mortality of hooked fish and helping to ensure landings limits will not be exceeded.

EMPHASIZING in that regard that the SCRS in 2017 advised the Commission to consider the use of circle hooks, as they reduce deep hooking and, therefore, increase the at-haulback and post-release survival of marlins in many fisheries while not negatively affecting catch rates of most target species;

ACKNOWLEDGING that the SCRS has concluded that current data limitations impair its ability to conduct any analysis of the effectiveness of Rec. 15-05;

HIGHLIGHTING the second phase of the Comprehensive Study of Strategic Investments Related to Artisanal Fisheries Data Collection in ICCAT Fisheries and the need for missing data from these fisheries;

EMPHASIZING the importance of data collected in accordance with the *Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs* [Rec. 16-14], given that marlins are often not retained;

UNDERSCORING the existing obligations of Contracting Parties, non-Contracting Parties, Entities and Fishing Entities (CPCs) to require the collection of discard data in their domestic observer and logbook programs under the *Recommendation by ICCAT on Information Collection and Harmonization of Data on By-catch and Discards in ICCAT Fisheries* [Rec. 11-10] and to report these discards as part of their Task I data submission;

SUPPORTIVE OF SCRS plans to improve data collection and reporting, including through the development of an inventory of sport fishing activities, inventories of non-industrial data reporting programs in West Africa and the Caribbean Sea, and collaboration with the Western Central Atlantic Fisheries Commission (WECAFC);

TAKING INTO ACCOUNT that the 2012 stock assessment for white marlin/spearfish found that with catches of 400 t the stock was very unlikely to rebuild by 2022, and that the SCRS plans to conduct another stock assessment for white marlin/spearfish in 2019;

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 (hereinafter referred to as CPCs), shall implement measures for blue marlin and white marlin/spearfish to end overfishing and establish the foundation for rebuilding these species to their respective B_{MSY} levels, as follows:

Annual Limits and Related Provisions

2. An annual limit of 2,000 t for blue marlin and 400 t for white marlin/spearfish are continued for 2019. These landings limits shall be implemented as follows:

<i>Blue Marlin</i>	<i>Landings Limit (t)</i>
Brazil	190
China, P.R.	45
Chinese Taipei	150
Côte d'Ivoire	150
European Union	480
Ghana	250
Japan	390
Korea Rep.	35
Mexico	70
S. Tomé & Príncipe	45
Senegal	60
Trinidad and Tobago	20
Venezuela	100
TOTAL	1,985

<i>White Marlin/Spearfish</i>	<i>Landings Limit (t)</i>
Barbados	10
Brazil	50
Canada	10
China, P.R.	10
Chinese Taipei	50
European Union	50
Côte d'Ivoire	10
Japan	35
Korea Rep.	20
Mexico	25
S. Tomé & Príncipe	20
Trinidad and Tobago	15
Venezuela	50
TOTAL	355

The United States shall limit its landings to 250 recreationally caught Atlantic blue marlin and white marlin/spearfish combined on an annual basis. All other CPCs shall limit their landings to a maximum of 10 t of Atlantic blue marlin and 2 t of white marlin/spearfish combined.

- Any excess of the annual landings limits established in Paragraph 3 shall be deducted from the respective landings limits during or before the adjustment year, in the following way:

<i>Catch Year</i>	<i>Adjustment Year</i>
2017	2019
2018	2020
2019	2021

Live Release Requirement and Retention Allowances

- CPCs shall require pelagic longline vessels and purse seine vessels flying their flag to promptly release blue marlin and white marlin/spearfish that are alive when brought alongside the vessel in a manner that causes the least harm, while giving due consideration to the safety of crew members.
- CPCs may authorize their pelagic longline and purse seine vessels to catch and retain on board, transship, or land blue marlin and white marlin/spearfish that are dead when brought alongside the vessel, provided that their vessels have either an observer or a functioning electronic monitoring system on board that can confirm whether the fish is dead or alive. CPCs shall prohibit the sale, or offering for sale, of any part or whole carcass of blue marlin or white marlin/spearfish retained pursuant to this paragraph.
- Blue marlin and white marlin/spearfish that are caught by developing coastal CPCs for local consumption are exempted from paragraphs 4 and 5, provided these CPCs (a) submit Task I and Task II data according to the reporting procedures established by the SCRS and (b) take necessary measures to ensure that blue marlin and white marlin/spearfish do not enter international trade and notify the Commission of such measures in their Annual Report.

7. For recreational and sport fisheries:
 - a. CPCs shall take appropriate measures to ensure that fish are released in a manner that causes the least harm.
 - b. CPCs shall adopt domestic regulations that establish minimum sizes for retention that meet or exceed the following lengths: 251 cm Lower Jaw-Fork Length (LJFL) for blue marlin and 168 cm LJFL for white marlin/spearfish.
 - c. CPCs shall prohibit the sale, or offering for sale, of any part or whole carcass of blue marlin or white marlin/spearfish caught in recreational and sport fisheries.

Gear Requirements

8. To reduce marlin/spearfish mortality at the vessel and post-release, CPCs shall require that vessels in their surface longline fisheries (i.e., longlines set at less than 100 m depth) use large circle hooks, which are fishing hooks originally designed and manufactured so that the point is turned perpendicularly back to the shank to form a generally circular, or oval, shape, and which, if offset, have an offset that does not exceed 10 degrees.

Data Collection and Reporting

9. CPCs shall collect data on marlin catches, including live and dead discards, through logbooks and scientific observer programs as required in Rec. 11-10 and Rec. 16-14. In accordance with the established Task I and Task II data reporting deadlines, CPCs shall provide their estimates of total live and dead discards as part of their data submission. No later than 2020, CPCs shall present to the SCRS the methods used to estimate these discards and the SCRS shall determine the efficacy of the methodology used.
10. If, after conducting the review called for in paragraph 9 above, the SCRS determines that one or more workshops on methodologies to estimate dead discards is warranted, it should recommend that the Secretariat conduct or organize such workshops in coordination with the SCRS.
11. CPCs shall establish or maintain data collection programs in recreational and sport fisheries, including a minimum of 5% scientific observer coverage of blue marlin and white marlin/spearfish tournaments, to ensure that catches are reported in accordance with existing ICCAT reporting obligations.
12. In their Annual Reports, CPCs shall inform the Commission of steps taken to implement the provisions of this Recommendation through domestic law or regulations, including monitoring, control and surveillance measures.

Rebuilding Programs

13. This Recommendation expires 31 December 2019. The Commission, at its 2019 Annual Meeting, shall develop comprehensive formal programs to rebuild blue marlin and white marlin/spearfish, taking into account scientific advice from the SCRS, with a high probability of avoiding overfishing and rebuilding the stocks to B_{MSY} consistent with the provisions of Recommendation 11-13. Such rebuilding programs shall take appropriate account of dead discards.

Repeals

14. This Recommendation repeals and replaces the *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 15-05].