

**Draft Recommendation by ICCAT on conservation and management measures,
including a management procedure, for North Atlantic Swordfish**

*(Proposal submitted by the United States and
the European Union)*

RECALLING the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* (Rec. 06-02), the *Recommendations by ICCAT for the Conservation of North Atlantic Swordfish*, (Rec. 10-02, Rec. 11-02, Rec. 16-03), and the *Recommendation by ICCAT Amending the Recommendation for the Conservation of North Atlantic Swordfish, Rec. 16-03* (Rec. 17-02) as amended by the *Recommendation by ICCAT Replacing Supplemental Recommendation 21-02 Extending and Amending Recommendation 17-02 for the Conservation of North Atlantic Swordfish* (Rec. 22-03);

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);

NOTING that the objective of the Convention is to maintain populations of tuna and tuna-like species at levels that will support maximum sustainable catch (usually referred to as Maximum Sustainable Yield (MSY));

RECALLING the Commission's work toward the development of MSE for North Atlantic swordfish to manage fisheries more effectively in the face of identified uncertainties, including efforts to develop operational management objectives, in particular, *Resolution by ICCAT on development of initial management objectives for North Atlantic swordfish* (Res. 19-14);

FURTHER RECALLING that paragraph 1d) of Rec. 22-03 called for the Commission to adopt an MP for North Atlantic swordfish in 2023 and apply the MP to establish the total allowable catch (TAC) for 2024 and future years;

ALSO RECALLING the results of the 2022 North Atlantic Swordfish Stock Assessment, which show that a constant catch at the current TAC level of 13,200 t will result in a 60% probability of the stock being in the green quadrant of the Kobe plot in 2033;

RECOGNIZING the total allocation of fishing opportunities for North Atlantic swordfish is superior to recent annual TAC levels and that catches have been well below these levels for many years;

TAKING NOTE of the *Resolution by ICCAT on Criteria for the Allocation of Fishing Possibilities* (Res 15-13);

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

SEEKING to ensure that the total catch does not exceed the annual TAC;

RECOGNIZING that the North Atlantic swordfish MSE incorporates a wide range of uncertainties to ensure the selected management procedure (MP) that has been tested through MSE meets identified management objectives concerning status, safety, stability and yield, and supports the overall objective of the Convention;

NOTING the importance of identifying exceptional circumstances (EC) that would result in suspending or modifying the application of the MP;

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

PART I
GENERAL PROVISIONS

1. The Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels fish for North Atlantic swordfish in the Convention area shall implement the following conservation and management measures including the MP set out in **Annex 1** for establishing annual TACs.

Management objectives

2. The management objectives for the North Atlantic swordfish stock are:
 - a) Stock Status:
 - The stock shall have a 60% or greater probability of occurring in the green quadrant of the Kobe plot (no overfishing occurring and not overfished);
 - b) Safety:
 - There shall be a XX% or less probability of the stock falling below B_{LIM}^1 at any point during the 30-year evaluation period;
 - c) Yield:
 - Overall catch levels shall be maximized; and
 - d) Stability:
 - [Any change in TAC between consecutive management periods shall be no more than [25]%. [When biomass is greater than the biomass at MSY, any increase or decrease in TAC between management periods should be no more than 25%. When biomass is less than the biomass at MSY, any increase in TAC between management periods shall be no more than 25% and any decrease in TAC between management periods shall not be limited.]

Performance measures (indicators) used to evaluate the performance of MPs for each management objective are found in **Annex 2**.

PART II
MANAGEMENT PROCEDURE AND TOTAL ALLOWABLE CATCH

3. Consistent with the management objectives specified in paragraph 2 above, the [MP Name] MP is adopted. The MP is fully described in **Annex 1**.
4. The TAC derived from the application of the MP is XX,XXX t and shall apply in 2024, 2025, and 2026. The management cycle length shall be three years; therefore, the MP shall be applied every three years.
5. If a future TAC change resulting from the application of the MP is 200 t or less, the TAC shall not be changed.

¹ $B_{LIM} = 0.4 * B_{MSY}$

6. The SCRS shall apply the MP specified in **Annex 1** in accordance with the timeline set out in **Annex 3** and advise the Commission of the resulting TAC for North Atlantic swordfish for the next three-year management cycle. The Commission shall adopt the TAC based on the outcome of the MP unless the SCRS identifies exceptional circumstances (ECs) that require the Commission to take alternative management actions.
7. The SCRS shall assess the occurrence of ECs annually, and the Commission shall act in accordance with the EC Protocol once adopted pursuant to paragraph 20 below.

PART III CATCH LIMITS AND RELATED PROVISIONS

Catch limits

8. The annual TAC of XX,XXX t for North Atlantic swordfish resulting from the application of the MP described in **Annex 1** shall be allocated as follows for the 2024-2026 management period:

	<i>Catch limit**</i> <i>XX,XXX (t)</i>
European Union ***	[6,717.33*
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)	35.67
France (St. Pierre et Miquelon)	40
China	100
Senegal	250
Korea***	50
Belize***	130
Côte d'Ivoire	50
St. Vincent & the Grenadines	75
Vanuatu	25
Chinese Taipei	270]

* Notwithstanding the adjustment of the EU quota by 0.67 t in light of the Trade and Cooperation Agreement between the UK and the EU, which established their respective shares of North Atlantic swordfish and other stocks, 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: 150 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, on the condition that Mauritania submit its development plan per paragraph 10 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]
 [From Trinidad and Tobago to Morocco: 25 t]
 [From Chinese Taipei to Morocco: 20 t]

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 United States 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 against its uncaught North Atlantic catch limit.

9. 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 8, 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.
10. When setting catch limits under the TAC described in paragraph 8, the Commission shall take into account 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 15 September.

Underage or overage of catch

11. If the annual catch exceeds the TAC of XX,XXX t, CPCs that have exceeded their individual catch limits shall pay back their overharvest in accordance with paragraph 12 below. 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 pro rata basis of the catch limits in paragraph 8 above. The Commission may also consider the need for further measures, including taking into account any advice of the SCRS pursuant to its evaluation of the existence of ECs.
12. 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>
2022	2024
2023	2025
2024	2026
2025	2027
2026	2028

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 8 above and excluding quota transfers) for those CPCs holding catch limits more than 500 t, and 40% for other CPCs.

13. 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 2024. When annual landings by Japan are less than its catch limits during this period, 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 overages from a three-year management period, including for 2024-2026, shall be applied to the subsequent three-year management period. Any underages from a three-year management period, including for 2024-2026, may be applied to the subsequent three-year management period if so decided by the Commission.

**PART IV
CONTROL MEASURES**

Specific authorization to fish for North Atlantic swordfish and ICCAT record of vessels

14. 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 Amending Recommendation 13-13 Concerning the Establishment of an ICCAT Record of Vessels 20 meters in Length Overall or Greater Authorized to Operate in the Convention Area* (Rec. 21-14). 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.
15. CPCs may allow bycatch of North Atlantic swordfish by vessels not authorized to fish for North Atlantic swordfish pursuant to paragraph 14, if the CPC establishes a maximum per trip onboard bycatch limit of no more than 5% for such vessels and the bycatch is accounted for within the CPC's catch limit. Furthermore, each CPC shall provide in its Annual Report: (1) the maximum per trip bycatch limit is allowed for such vessels in the previous year, (2) the total amount of North Atlantic swordfish harvested as bycatch in that year, (3) how the CPC ensures compliance with the limit, and (4) the maximum per trip bycatch limit it will allow for the coming fishing year. The information concerning the coming year shall be compiled by the ICCAT Secretariat and made available to CPCs via circular by 15 January of each year.

**PART V
MINIMUM SIZES**

16. 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.
17. Notwithstanding the provisions of paragraph 16, 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 CPC 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.

**PART VI
FINAL PROVISIONS**

18. All CPCs catching swordfish in the North Atlantic shall 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 the 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.

19. A review of the performance of the MP by the Commission and the SCRS shall be completed by 20XX and every X years thereafter. The aim of the review is to ensure the MP is performing as expected and to determine whether there are conditions that justify its continuation, or that warrant: reconditioning the MSE operating models; retuning the existing MP; including new indices into a new MP; and/or considering alternate candidate management procedures or development of a new MSE framework. Based on that review and subsequent SCRS advice, the Commission shall decide on future management measures, approaches, and strategies, including, inter alia, regarding TAC levels, for North Atlantic swordfish.
20. Panel 4, with scientific guidance from the SCRS, shall develop the EC protocol for this MP, including, as needed, during one or more intersessional meetings, for review and adoption by the Commission at its 2024 annual meeting. The protocol will become **Annex 4** of this Recommendation once adopted.
21. This Recommendation repeals and replaces the *Recommendation by ICCAT Amending the Recommendation for the Conservation of North Atlantic Swordfish, Rec. 16-03* (Rec. 17-02), the *Resolution by ICCAT on Development of Initial Management Objectives for North Atlantic Swordfish* (Res. 19-14), and the *Recommendation by ICCAT Replacing Supplemental Recommendation 21-02 Extending and Amendment Recommendation 17-02 for the Conservation of North Atlantic Swordfish* (Rec. 22-03).

Management Procedure (MP) Specifications

[To be determined]

Performance Metrics for Management Objectives

Status:

PGKSHORT: Probability of being in the Kobe green quadrant (i.e., $SSB \geq SSB_{MSY}$ and $F < F_{MSY}$) in years 1-10

PGKMED: Probability of being in the Kobe green quadrant (i.e., $SSB \geq SSB_{MSY}$ and $F < F_{MSY}$) in years 11-20

PGKALL: Probability of being in the Kobe green quadrant (i.e., $SSB \geq SSB_{MSY}$ and $F < F_{MSY}$) over years 1-30

PNOF: Probability of not overfishing ($F < F_{MSY}$) over years 1-30

Safety:

LRPALL²: Probability of breaching the limit reference point (i.e., $SSB < 0.4 * SSB_{MSY}$) in any of years 1-30

Yield³:

TAC1 – TAC in the first management cycle (years 1-3)

AvTACSHORT – Median TAC (t) over years 1-10

AvTACMED – Median TAC (t) over years 11-20

AvTACLONG – Median TAC (t) over years 21-30

Stability:

VarC – Mean variation in TAC (%) between management cycles over years 1-30

² nLRP (not breaching the LRP) is used when it is more appropriate for higher values of performance metrics to indicate a 'safer' outcome, such as in trade-off plots. For example, a 15% LRP threshold is equivalent to a nLRP threshold of 85%.

³ All yield performance metrics calculate the TAC as landings plus dead discards.

Schedule for Management Procedure Implementation

[To be determined]