

**RECOMMENDATION BY ICCAT
FOR THE CONSERVATION OF NORTH ATLANTIC SWORDFISH**

RECALLING the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02] and its amendments [Rec. 08-02] and [Rec. 09-02];

TAKING INTO ACCOUNT the management recommendation from the SCRS that in order to maintain the stock at a level that could produce MSY, with greater than 50% probability, the catch limits should be reduced to no more than 13,700 t;

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

1. The Contracting Parties, and non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels have been actively fishing for swordfish in the North Atlantic shall take measures to ensure the conservation of North Atlantic swordfish with the goal of maintaining B_{MSY} , with greater than 50% probability.
2. For this purpose, a total allowable catch (TAC) of 13,700 t shall be set for 2011.
3. The catch limits for 2011 shall be as indicated below:

| | <i>Catch limit 2011</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 | 75 |
| Senegal | 400 |
| 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].

- (1) The United States may harvest up to 200 t of its annual catch limit within the area between 5 degrees North latitude and 5 degrees South latitude.
- (2) For each year of this catch quota allocation, the United States will transfer 25 t to Canada. This transfer does not change the relevant shares of Parties as reflected in the above allocation.
- (3) 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 quota.
- (4) The 100 t transfer of swordfish catch limit from Senegal to Canada in 2011 shall be authorized.
- (5) The 20 t transfer of swordfish catch limit from EU to France (St. Pierre et Miquelon) shall be authorized.
- (6) The 50 t transfer from Japan to Morocco shall be authorized.

4. If the total catch exceeds the TAC of 13,700 t in 2011, the exceeded amount, except for the possible overage of each CPC over its adjusted quota, shall be deducted from the quotas in 2013 on a *prorata* basis of the 2011 quotas.
5. The Commission shall establish at its 2011 meeting a multi-year conservation and management plan with the goal of achieving B_{MSY} , with greater than 50% probability, on a basis of the SCRS advice. Each CPC shall submit to the Secretariat by 15 September, 2011, a report on history of its swordfish fishing and a development/management plan of its swordfish fishery. Consideration of the multi-year conservation and management plan in 2011 shall be based upon those reports and development/management plans as well as the *ICCAT Criteria for the Allocation of Fishing Possibilities* [Rec. 01-25].
6. In advance of the next assessment of North Atlantic swordfish, the SCRS shall develop a Limit Reference Point (LRP) for this stock. Future decisions on the management of this stock shall include a measure that would trigger a rebuilding plan, should the biomass decrease to a level approaching the defined LRP as established by the SCRS.
7. 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, in the following way:

| <i>Catch year</i> | <i>Adjustment year</i> |
|-------------------|------------------------|
| 2009 | 2011 |
| 2010 | 2012 |
| 2011 | 2013 |

However, the maximum underage that a Party may carryover in any given year shall not exceed 50% of the original quota.

8. Provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] adopted at the 1996 Commission Meeting, and of paragraph 7 above, shall be applied to the implementation of the individual quotas in paragraph 3 and for over-harvests that occurred in 2009 and/or 2010, for each CPC. Each year is considered a separate management period, as that term is used in the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*, except for Japan, for which the management period is three years (2009-2011).
9. If Japan's landings exceed its quota in any year, the overage shall be deducted in subsequent years so that total landings for Japan shall not exceed its total quota for the three-year period commencing in 2009. When annual landings by Japan are less than its quota, the underage may be added to the subsequent years' quota, so that total landings by Japan do not exceed its total for the same three-year period. Any underages or overages from the 2007-2008 management period shall be applied to the three-year management period specified herein.
10. Japan shall be allowed to count up to 400 t of its swordfish catch taken from the part of the North Atlantic management area that is East of 35°W and South of 15°N, against its uncaught South Atlantic swordfish quota;
11. Japan shall implement a national observer program on 8% of vessels operating in the North Atlantic by the end of 2011.
12. 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 and effort statistics, even when no analytical stock assessment is scheduled. The SCRS shall review these data annually.
13. In order to protect small swordfish, CPCs shall take the necessary measures to prohibit the taking of and landing of swordfish in the entire Atlantic Ocean weighing less than 25 kg live weight, or in 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.

14. Notwithstanding the provisions of paragraph 13, any CPCs 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. A Party that chooses this alternative 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.

15. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual quotas 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.
16. 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 section 3 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 conservations considerations. Any such transfer may not be used to cover over harvests. A CPC that receives a one-time quota transfer may not retransfer that quota.
17. This Recommendation replaces the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02], the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 08-02] and the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 09-02].