

**SUPPLEMENTAL RECOMMENDATION BY ICCAT
CONCERNING THE WESTERN ATLANTIC BLUEFIN TUNA REBUILDING PROGRAM**

RECALLING the 1998 *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* [Rec. 98-07], the *Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna* [Rec. 02-07], the *Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program and the Conservation and Management Measures for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 04-05], the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06], and the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 08-04],

FURTHER RECALLING that the objective of the Convention is to maintain populations at levels that will support maximum sustainable catch (usually referred to as MSY),

CONSIDERING that the 2010 scientific advice from the Standing Committee on Research and Statistics (SCRS) indicates that under the low recruitment scenario the western Atlantic bluefin tuna stock is above the biomass level that can support MSY and that under the high recruitment scenario (under which higher sustainable yields are possible in the future), the stock remains overfished and overfishing will continue under the current TAC,

ACKNOWLEDGING that the SCRS concluded that there is no strong evidence to favor either the low or high recruitment scenario over the other,

HIGHLIGHTING that the SCRS noted that considerable uncertainties remain for the outlook of the western stock, including the effects of mixing, age at maturity, and recruitment,

RECOGNIZING a desire to further improve the rebuilding program for western Atlantic bluefin tuna in a manner that takes into account the two recruitment scenarios and the resulting scientific advice in the 2010 stock assessment,

UNDERSCORING the SCRS advice that the Commission may wish to protect the strong 2003 year class until it reaches maturity and can contribute to spawning,

FURTHER ACKNOWLEDGING that management actions taken in the eastern Atlantic and Mediterranean are likely to affect recovery in the western Atlantic, given that the productivity of the western Atlantic bluefin tuna stock and fisheries is linked to the eastern Atlantic and Mediterranean fishery,

FURTHER RECOGNIZING the *ICCAT Criteria for the Allocation of Fishing Possibilities* [Rec. 01-25],

RENEWING the commitment to the full implementation of existing mandatory reporting obligations including those in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* [Rec. 03-13],

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

1. The Contracting Parties whose vessels have been actively fishing for bluefin tuna in the western Atlantic will continue the 20-year rebuilding program that began in 1999 and continues through 2018.

Effort and capacity limits

2. In order to avoid increasing fishing mortality of bluefin tuna in the eastern or western Atlantic, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will continue to take measures to prohibit any transfer of fishing effort from the western Atlantic to the eastern Atlantic and Mediterranean and from the eastern Atlantic and Mediterranean to the western Atlantic.

TACs, TAC allocations, and catch limits

3. The rebuilding program for bluefin tuna in the western Atlantic, which began in 1999 and will continue through 2018, will have a total allowable catch (TAC), inclusive of dead discards, of 1,750 t in 2011 and in 2012.
4. The annual TAC, maximum sustainable yield (MSY) target, and the 20-year rebuilding period may be adjusted based upon subsequent SCRS advice. No adjustment to the annual TAC or the 20-year rebuilding period shall be considered unless SCRS advice indicates that the TAC under consideration will allow the MSY target to be achieved within the rebuilding period with a 50 percent or greater probability.
5. If the SCRS stock assessment detects a serious threat of stock collapse, the Commission shall suspend all bluefin fisheries in the western Atlantic for the following year.
6. The allocation of the annual TAC, inclusive of dead discards, will be indicated as follows:

a) The annual TAC shall include the following allocations:

| <i>CPC</i> | <i>Allocation</i> |
|---|-------------------|
| USA (by-catch related to longline fisheries in vicinity of management area boundary) | 25 t |
| Canada (by-catch related to longline fisheries in vicinity of management area boundary) | 15 t |

b) After subtracting the amounts under paragraph 6 (a), the remainder of the annual TAC will be allocated as follows:

| CPC | <i>If the remainder of the annual TAC is:</i> | | | |
|---|---|------------------------|--|----------------------------|
| | <2,413 t (A) | 2,413 t (B) | >2,413-2,660 t (C) | >2,660 t (D) |
| United States | 54.02% | 1,303 t | 1303 t | 49.00% |
| Canada | 22.32 % | 539 t | 539 t | 20.24% |
| Japan | 17.64 % | 426 t | 426 t + all increase between 2,413 t and 2,660 t | 24.74% |
| United Kingdom (in respect of Bermuda) | 0.23% | 5.5 | 5.5 | 0.23% |
| France (in respect of St. Pierre et Miquelon) | 0.23% | 5.5 | 5.5 | 0.23% |
| Mexico | 5.56% | 134 | 134 | 5.56% |

c) Consistent with paragraphs 1 and 6 (b), the TAC for each of 2011 and 2012 results in the following CPC-specific quota allocations (not including by-catch allowances listed in 6 a):

| | <i>2011</i> | <i>2012</i> |
|---|-------------|-------------|
| | 1,750 t | 1,750 t |
| United States | 923.70 t | 923.70 t |
| Canada | 381.66 t | 381.66 t |
| Japan | 301.64 t | 301.64 t |
| United Kingdom (in respect of Bermuda) | 4 t | 4 t |
| France (in respect of St. Pierre et Miquelon) | 4 t | 4 t |
| Mexico | 95 t | 95 t |

In no case shall the allocation to France (St. Pierre et Miquelon) and to the United Kingdom (Bermuda) be less than 4 t each in any single year unless the fishery is closed.

- d) Requirements in place during the 2009 and 2010 fishing years limiting Canada's two-year combined total catch (excluding by-catch allowed under paragraph 6.a of Rec. 08-04) to 970 t remain valid obligations under this recommendation.
 - e) Depending on availability, Mexico can transfer to Canada for 2011 and 2012 up to 86.5 t of its quota, as a special arrangement.
7. A CPC's total quota shall include its allocations in paragraph 6, adjusted for under-harvest or overharvest consistent with the remainder of this paragraph and paragraph 8. Any under-harvest of a CPC's total quota in a given year may be carried forward to the next year. However, in no event shall the under-harvest that is carried forward exceed 10% of the CPC's initial quota allocation under paragraph 6, with the exception of those CPCs with initial allocations of 100 t or less, for which the under-harvest that is carried forward shall in no event exceed 100% of the initial allocation under paragraph 6. Each year shall be considered as an independent management period for the purposes of paragraph 8.
 8.
 - a) If, in the applicable management period, and each subsequent management period, any CPC has an overharvest of its total quota, its total quota will be reduced in the next subsequent management period by 100% of the amount in excess of such total quota; and ICCAT may authorize other appropriate actions.
 - b) Notwithstanding paragraph 8.a), if a CPC has an overharvest of its total quota during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the CPC's total quota equal to a minimum of 125% of the overharvest amount and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject species and consistent with each CPC's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.
 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 quota allocation under paragraph 6 may make a one-time transfer within a fishing year of up to 15% of its quota allocation to other CPCs with quota allocations, consistent with domestic obligations and conservations considerations. The transfer shall be notified to the Secretariat. Any such transfer may not be used to cover overharvests. A CPC that receives a one-time quota transfer may not retransfer that quota. For parties with an allocation of 4 t, the transfer may be up to 100% of the allocation.

Minimum fish size requirements and protection of small fish

10. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will prohibit the taking and landing of western Atlantic bluefin tuna weighing less than 30 kg or, in the alternative, having a fork length of less than 115 cm.
11. Notwithstanding the above measures, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities may grant tolerances to capture western Atlantic bluefin tuna either weighing less than 30 kg, or in the alternative, having a fork length of less than 115 cm, provided they limit the take of these fish so that the average over the 2011 and 2012 fishing periods is no more than 10% by weight of the total bluefin tuna quota for each CPC, and institute measures to deny economic gain to the fishermen from such fish.
12. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will encourage their commercial and recreational fishermen to tag and release all fish less than 30 kg or, in the alternative, having a fork length less than 115 cm.

Area and time restrictions

13. There shall be no directed fishery on the bluefin tuna spawning stocks in the western Atlantic in spawning areas such as the Gulf of Mexico.

Transshipment

14. Transshipment at-sea shall be prohibited.

Scientific research and data and reporting requirements

15. In 2012, and thereafter every three years, the SCRS will conduct a stock assessment for bluefin tuna for the western Atlantic and eastern Atlantic and Mediterranean and provide advice to the Commission on the appropriate management measures, inter alia, on total allowable catch levels for those stocks for future years.
16. If scientific evidence results in an SCRS recommendation to alter the definition of management units, or to take explicit account of mixing between management units, then the rebuilding program shall be reevaluated.
17. CPCs that harvest western Atlantic bluefin tuna should contribute to ICCAT's Atlantic-wide Bluefin Tuna Research Program (GBYP). In particular, CPCs should make special efforts to enhance biological sampling activities in order to provide significant new information for the new assessment. Priority research should be obtaining new information on natal origin, maturity, and age of the catch in all fisheries, following protocols to be developed by the SCRS. Complementary information will also be required for the eastern Atlantic and Mediterranean stock in order to evaluate the effects of mixing. In addition, it is also important to enhance, and where needed develop, an accurate abundance index for juvenile fish.
18. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities shall monitor and report on all sources of fishing mortality, including dead discards, and shall minimize dead discards to the extent practicable.
19. As part of its next assessment of western Atlantic bluefin tuna, the SCRS is requested to provide guidance on a range of fish size management measures for western Atlantic bluefin tuna and their impact on yield per recruit and spawner per recruit considerations. The SCRS should also comment on the effect of fish size management measures on their ability to monitor stock status.
20. The SCRS is required to investigate the identification of spawning areas for western Atlantic bluefin tuna.
21. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.
22. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities shall provide the best available data for the assessment of the stock by the SCRS, including information on the catches of the broadest range of age classes possible, consistent with minimum size restrictions.
23. This Recommendation replaces the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Rebuilding Program* [Rec. 08-04].