

**RECOMMENDATION BY ICCAT RELATING TO THE REBUILDING
PROGRAM FOR NORTH ATLANTIC SWORDFISH**

(Entered into force: June 3, 2003)

RECOGNIZING that the Commission's Standing Committee on Research and Statistics (SCRS) has indicated in its 1999 stock assessment that the North Atlantic Swordfish stock was over-exploited ($B < B_{MSY}$, $F > F_{MSY}$, i.e., current biomass is 65% of the biomass at MSY and that current fishing mortality is 1.34 times that of the MSY level), and that the expected 1999 catch level of 11,800 t, with a greater than 50% probability, will result in a decline in stock status;

NOTING that in the most recent assessment carried out in 2002 the base case indicates that the decline in the North Atlantic swordfish biomass appears to have been arrested due to the recent reduction in reported catch;

NOTING FURTHER that there are positive signs from the fishery in terms of catch rates after just two years of management action under the strict quota scenarios introduced in 1997;

NOTING that the high recruitments observed in the years after 1996 have produced a considerable improvement in the state of the stock so as to reach levels slightly below the B_{MSY} and that these recruitments should allow for additional increases in spawners and to provide a more optimistic outlook, if these year classes are not heavily harvested;

RECALLING the 1998 *Resolution by ICCAT for the Development of Recovery Scenarios for North and South Atlantic Swordfish* [98-17];

RECALLING that the objective of the Convention is to maintain stocks of fish at levels which permit the maximum sustainable yield (MSY);

NOTING that dead discards of swordfish may occur due to compliance with minimum size and the catch of fish damaged by predators;

RECALLING that the rebuilding plan must account for all sources of fishing mortality, and that dead discards of North Atlantic swordfish reported to ICCAT have averaged 500 t over the past three years;

RECALLING that the 1995 Recommendation establishing percentage shares of Total Allowable Catch (TAC) for nations fishing for North Atlantic Swordfish did not include the amount of each nation's dead discards reported to SCRS in the calculation of national quota shares, nor have such dead discards counted against national quotas since 1995;

STRESSING the immediate need to improve conservation of juvenile fish;

DESIRING to achieve by 2009, with greater than 50% probability, stock and catch levels consistent with the objectives of the Convention;

CONSIDERING that following its assessment of the North Atlantic swordfish stock in 2002, the SCRS has noted that since the last assessment in 1999 there has been a strong recruitment and concludes that the objectives of the rebuilding program will be reached with catch levels (including discards) of 14,000 t during the 2003 to 2009 period;

TAKING INTO ACCOUNT the *Criteria for the Allocation of Fishing Possibilities* adopted by ICCAT at the annual meeting in 2001;

NOTING that the new allocation criteria should be applied in a progressive manner;

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

- 1 The Contracting Parties, and non-Contracting Parties, Entities or Fishing Entities whose vessels have been actively fishing for swordfish in the North Atlantic shall implement a 10-year rebuilding program, starting in 2000 and continuing through 2009, with the goal of achieving B_{MSY} , with greater than 50% probability.
- 2 For this purpose, a total allowable catch (TAC) of 14,000 t shall be set for years 2003, 2004 and 2005.
- 3 The allocation of the annual TAC for 2003, including dead discards, shall be as indicated below:
 - a A dead discard allowance shall be deducted from the 2003 TAC as follows:

YEAR	DEAD DISCARD ALLOWANCE
2003	100 t

The dead discard allowance shall be eliminated with effect from 2004. The TAC, after deducting this tolerance for dead discards, is the amount of catch that can be retained;

- b “Other Contracting Parties and Others” receive a quota of 1,185 t as detailed below.
- c The remainder of the TAC, after subtracting the allowance for dead discards and the quotas specified in point b shall be shared as follows for 2003, 2004 and 2005:

European Community	52.42%
United States	30.49%
Canada	10.52%
Japan	6.57%

**ALLOCATION OF CATCH THAN CAN BE RETAINED
AND TOTAL DEAD DISCARD ALLOWANCE**

Contracting Parties	2003	2004	2005
European Community	6,665	6,718	6,718
United States (1) (2)	3,877	3,907	3,907
Canada (2)	1,338	1,348	1,348
Japan	835	842	842
Other Contracting Parties			
Morocco	335	335	335
Mexico	110	110	110
Brazil	50	50	50
Barbados	25	25	25
Venezuela	85	85	85
Trinidad & Tobago	125	125	125
UK (Overseas Territories)	35	35	35
France (St. Pierre et Miquelon)	35	35	35
China	75	75	75
Others			
Chinese Taipei	310	310	310
Total Catch	13,900	14,000	14,000
Dead Discard Allowance	100	0	0

- (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 relative shares of Parties as reflected in the above allocation.

- 4 For 2003 the distribution of the allowance for dead discards shall be 80% for the US and 20% for Canada. If a Contracting Party’s fishing activity results in an amount of dead discards in excess of the Contracting Party’s allowance, it must deduct the amount in excess of the allowance from its allocation of catch that can be retained the following year. If a Contracting Party’s fishing activity results in fewer dead discards than its allowance, the difference between the amount of dead discards and the allowance shall be added to the total

catch that may be retained by all Contracting Parties, non-Contracting Parties, Entities or Fishing Entities in subsequent years, as calculated by the Commission.

- 5 Notwithstanding paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* which is also applicable to the South Atlantic Swordfish fisheries, all unused portion (if this is specified in the pertinent management recommendation) or excess of the annual quota/catch limit shall be deducted from/may be added to, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

	Catch Year	Adjustment Year
North Atlantic Swordfish	2003	2005
	2004	2006
	2005	2007

- 6 Provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* adopted at the 1996 Commission Meeting, and of paragraph 5, above, shall be applied to the implementation of the individual quotas in paragraph 3 and for over-harvests that occurred in 2001 and/or 2002, for each Contracting Party, non-Contracting Party, Entity or Fishing Entity. 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 five years (2002 – 2006).
- 7 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 five-year period commencing in 2002. 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 five-year period. Any underages or overages from the first five-year management period shall be applied to the second five-year management period. Japan's quota for 2003, 2004 and 2005 will be 835 t, 842 t and 842 t, respectively.
- 8 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;
- 9 Japan shall implement a national observer program on 8% of vessels operating in the North Atlantic by end of 2005.
- 10 In 2003 and 2004, the Japanese catch, including discards, shall be reviewed by the SCRS and provided to the Commission, based upon the best available scientific information including new observer data for the Japanese fleet as well as data from other sources.
- 11 All Contracting Parties, non-Contracting Parties, Entities or Fishing Entities 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.
- 12 In year 2005, and thereafter every three years, SCRS shall conduct a stock assessment and provide advice relative to paragraphs 2 and 3.
- 13 In order to protect small swordfish, Contracting Parties, non-Contracting Parties, Entities or Fishing Entities 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 Contracting Parties, non-Contracting Parties, Entities or Fishing Entities 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 Contracting Parties, non-Contracting Parties, Entities or Fishing Entities 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.

- 15 Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual quotas established above, the Contracting Parties, non-Contracting Parties, Entities or Fishing Entities 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 Contracting Party, non-Contracting Party, Entity or Fishing Entity.
- 16 This Recommendation replaces the 1999 *Recommendation by ICCAT to Establish a Rebuilding Program for North Atlantic Swordfish* [99-2].