

**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], and the Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program [Rec. 06-06],

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 2008 Standing Committee on Research and Statistics (SCRS) stock assessment indicates that a constant total allowable catch (TAC) below 2,100 t over the period of 2009-2010 would produce gains in spawning stock biomass (SSB) of western Atlantic bluefin tuna,

ACKNOWLEDGING that management actions taken in the eastern Atlantic and Mediterranean are likely to impact recovery in the western Atlantic, and that the current fishing mortality rate in the eastern Atlantic and Mediterranean bluefin tuna fisheries may be more than three times the level which would permit that stock to stabilize at the MSY level,

RECOGNIZING the need to amend the rebuilding program for western Atlantic bluefin tuna in light of scientific advice in the 2008 stock assessment,

**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 initiate a 20-year rebuilding program beginning in 1999 and continuing 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 from the eastern to the western Atlantic.

Catch limits and quotas

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 1,900 t in 2009 and 1,800 t in 2010.
4. The annual TAC, maximum sustainable yield (MSY) target, and 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. At such time as the SCRS determines the stock size has achieved the level that would produce MSY, TAC levels up to the level of MSY will be considered.
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>
UK (in respect of Bermuda)	4 t
France (in respect of St. Pierre & Miquelon)	4 t
Mexico (including incidental catch in longline fisheries in the Gulf of Mexico)	95 t
USA (by-catch related to directed longline fisheries in vicinity of management area boundary)	25 t
Canada (by-catch related to directed 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)
USA	57.48 %	1,387 t	1,387 t	52.14 %
Canada	23.75 %	573 t	573 t	21.54 %
Japan	18.77 %	453 t	453 t + all increase between 2,413 t and 2,660 t	26.32 %

- c) Consistent with paragraphs 1 and 6 (b), the TAC for each of 2009 and 2010 results in the following CPC-specific quota allocations (not including by-catch allowances listed in 6 a):

	<i>2009</i>	<i>2010</i>
	(1,900 t)	(1,800 t)
USA	1,009.92 t	952.44 t
Canada	417.29 t	393.54 t
Japan	329.79 t	311.02 t

- d) Notwithstanding paragraph 8 below, in 2009, 73 t will be transferred to Canada from Mexico's 2007 underage.
- e) Notwithstanding paragraph 8 below, in 2010, underharvests carried forward by Mexico from 2008 to 2010 will be subsequently transferred to Canada, such that Canada's initial allocation (excluding the by-catch allowance listed in 6 a) for 2010 is 480 t. If such a transfer results in an initial Canadian allocation (excluding the by-catch allowance listed in 6 a) of less than 480 t, then a transfer of underharvest from the US will be used to bring Canada's initial 2010 allocation (excluding the by-catch allowance listed in 6 a) to 480 t.
- f) The two-year combined Canadian total catch (excluding by-catch allowed under 6 a) for 2009 and 2010 will be no more than 970 t.
7. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) holding TAC allocations of western Atlantic bluefin tuna agree to re-negotiate the quota allocations for this stock in 2010 and that, at such time, all directed fishing allocations are to be included in the allocation table in accordance with ICCAT's allocation criteria.
8. Any overharvest of a CPC's specific TAC allocation provided under paragraph 6 shall be subtracted from that CPC's specific TAC allocation for the next year. Any underharvest of a CPC's specific TAC allocation in a given year may be carried forward to the next year. In no event shall the underharvest that is carried forward exceed 50% of the CPC's initial TAC allocation under paragraph 6 above, with the exception of

those CPCs with initial allocations of 25 t or less. After 2010, the underharvest that may be carried forward by any CPC to the following year shall not exceed 10% of the CPC's initial TAC allocation. Each year shall be considered as an independent management period for the purposes of paragraph 9 below.

9. a) If, in the applicable management period, and each subsequent management period, any CPC has an overharvest of its TAC allocation under paragraph 6, its TAC allocation will be reduced in the next subsequent management period by 100% of the amount in excess of such TAC allocation; and ICCAT may authorize other appropriate actions.
 - b) Notwithstanding paragraph 9 (a), if a CPC has an overharvest of its TAC allocation under paragraph 6 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 TAC allocation 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.
10. 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 under paragraph 6 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. 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 a quota allocation of 4 t, the transfer may be up to 100% of the allocation.

Minimum fish size requirements and protection of small fish

11. 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.
12. 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 2009 and 2010 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.
13. 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

14. 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.

Scientific research and data and reporting requirement

15. The SCRS shall conduct a stock assessment of western Atlantic bluefin tuna in 2010 and thereafter every two/four 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 re-evaluated.
17. In 2010, 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.

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. 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.
20. This Recommendation replaces the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06].