

**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 the *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 10-02];

TAKING INTO ACCOUNT the concern of the SCRS that the allowable country-specific catch levels agreed in [Rec. 10-02] exceed the TAC adopted by the Commission and the scientific recommendation;

DETERMINED to ensure that the total catch for any one year during the management period does not exceed the TAC of 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. TAC and catch limits
 - a) A total allowable catch (TAC) shall be 13,700 t for North Atlantic swordfish for 2012 and 2013.
 - b) The annual catch limits as shown in the table below shall be applied for the two-year period.

	<i>Catch limit** (t)</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	250
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].

** The following transfers of annual catch limits shall be authorized:

- From US to Morocco: 150 t¹
- From Japan to Morocco: 50 t
- From Japan to Canada: 35 t
- From EU to France (St. Pierre et Miquelon) : 40 t
- From Senegal to Canada: 100 t
- From Trinidad & Tobago to Belize: 75 t
- From Philippines to China: 25t
- From Chinese Taipei to Canada: 35 t

These transfers do not change the relative shares of CPCs as reflected in the above catch limits.

¹ Tonnage from this transfer to be used to support joint scientific research and to support Morocco's efforts to eliminate the use of driftnets.

*** 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 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 US 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 69.5 t of swordfish catch taken from the North Atlantic management area in 2012, against its uncaught South Atlantic catch limit.

- c) The total TACs for 2012-13 shall not be exceeded. For this purpose, if the total annual catch exceeds the TAC of 13,700 t in 2012 or 2013, CPCs who have exceeded their individual adjusted catch limits shall pay back their overharvest in accordance with paragraph 5 of this recommendation. Any amount of the overharvest remaining after such adjustment shall be deducted from the annual catch limits of each CPC in 2014 or 2015, respectively, on a prorata basis of the catch limits in Table in 2.b) above.
3. The Commission shall establish at its 2013 meeting conservation and management measures for a next three-year period on the basis of the SCRS advice resulting from the new stock assessment as well as the ICCAT Criteria for the Allocation of Fishing Possibilities [Rec. 01-25]. In support of this effort, the Commission shall consider development/management plans of coastal developing CPCs and fishing/management plans of other CPCs in 2012 and 2013 so that adjustments can be made to the existing catch limits and other conservation measures in 2013, as appropriate. Each CPC shall submit its development or fishing/management plan to the Commission by September 15 of each year.
 4. 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.
 5. 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>
2010	2012
2011	2013
2012	2014
2013	2015

However, the maximum underage that a Party may carryover in any given year shall not exceed 25% of the initial catch limit for those CPCs holding catch limits more than 500 t, and 50% for other CPCs.

6. Provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] and of paragraph 5 above, shall be applied to the implementation of the individual catch limits in paragraph 2 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 (2011-2013).
7. 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 2011. When annual landings by Japan are less than its catch limits, 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 underages or overages from the 2008-2010 management period shall be applied to the three-year management period specified herein.
8. Japan shall maintain a national observer program on 8% of vessels operating in the North Atlantic.
9. 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.
10. 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.
11. Notwithstanding the provisions of paragraph 10, 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 63cm can also be applied. A Party 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.
12. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual catch limits 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.
13. 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 2 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 catch limits transfer may not retransfer that catch limits.
14. This *Recommendation replaces the Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 10-02].