

**REPORTS ON THE IMPLEMENTATION OF CLOSED FISHING SEASONS
FOR MEDITERRANEAN SWORDFISH**

ALGERIA

In accordance with the provisions of Recommendation 16-05, paragraph 11b and the Ministerial Order of 25 February 2018, Algeria has established for 2019 a single seasonal closure period for the Mediterranean swordfish fishery running from 1 January to 31 March 2019. This modification was notified to the ICCAT Secretariat on 28 June 2018.

The change in the seasonal closure period for the swordfish fishery was however approved at the ICCAT annual meeting in 2018.

Regarding implementation of the swordfish fishery closure in Algeria for the period from 1 January to 31 March 2019, it should be noted that the closure period has been respected nationally by all fishery practitioners and no infringements have been reported.

The control and inspection system is structured as follows:

The National Coast Guard Service, as the authority in charge of the maritime police, carries out the control and inspection of fishing activities at port access points for the purpose of compliance with fishery regulations. At sea controls are also carried out.

However, fishing inspectors of the Wilayas Fisheries Directorates oversee the landings of fishing products, in particular, during the closure of the swordfish fishery.

At central level, weekly reports on monitoring of implementation of the swordfish fishery closure are transmitted by the Wilayas Fisheries Directorates to the maritime authority.

EUROPEAN UNION

1. Introduction

Paragraph 13 of Recommendation [16-05] establishing a multiannual recovery plan for Mediterranean swordfish provides that CPCs shall monitor the effectiveness of the closure periods set out in the Recommendation. CPCs shall submit to the Commission all relevant information on appropriate controls and inspections to ensure compliance with these measures.

The EU has notified the Commission by letter sent on 5 December 2017 (Ares(2017)5949414) of its intention to implement the closure period for Mediterranean swordfish from 1 January to 31 March.

2. Implementation and control of the closure period

Regulation (EU) 2019/1154 of 20 June 2019 on a multiannual recovery plan for Mediterranean swordfish transposes recommendation [16-05] in EU law.

In 2020, EU Member States implemented the closure by legal acts in accordance with their respective national law and by administrative means, with no fishing authorisations delivered for the period from 1 January to 31 March 2020.

The necessary resources were deployed for inspection and control purposes based on risk analysis by the national inspection and observer programmes of the EU Member States to ensure that rules were respected by operators during the closure period.

Inspections at sea (by patrol vessels and aerial means), in ports, in auctions and in the premises of companies were carried out to ensure that no swordfish was present on-board fishing vessels, landed or marketed during the closure period. In addition, EU Member States monitored VMS and AIS positions of vessels, and documentary analysis were performed by crosschecking VMS positions, logbooks and sales notes.

Furthermore, increased checks and controls were carried out in the context of the EU Joint Deployment Plan (JDP) for bluefin tuna (BFT) coordinated by the European Fisheries Control Agency (EFCA).

This procedure is applied by the specific Control and inspection programme (Commission Implementing Decision 2018/1986 of 13 December 2018 establishing specific control and inspection programmes for certain fisheries including Bluefin tuna and swordfish). To coordinate the implementation of this Decision between EU Member States, the European Fisheries Control Agency (EFCA) sets up the joint deployment plan of inspection (JDP).

In practical terms and in close collaboration with the Member States and the European Commission, EFCA has coordinated joint inspection and control activities in the Eastern Atlantic and the Mediterranean including FRONTEX and EFCA means.

During the closure period, national authorities of EU Member States performed control activities in their territories including inspections at sea and at land, inspections in trade business, aerial sightings and controls of exports. Vessels authorised to by-catch swordfish were also targeted for monitoring and inspection during the closure period.

In 2019 (from 01.01.2019 to 31.12.2019) the EU listed 737 ICCAT inspectors from Member States, DG MARE and the European Fisheries Control Agency (EFCA). The areas covered by the JDP were the Eastern Atlantic (ICES Area IX), and the Mediterranean (Western, Central and Eastern). EU Member States have made considerable efforts in terms of pooling of surveillance means to control and inspect fishing activities in the Mediterranean in the context of the JDP involving 203 fishery patrol vessels and 53 aircrafts helicopters as well as 1 RPAS (including FRONTEX and EFCA means).

In 2019 (from 01.01.2019 to 31.12.2019), 29 inspections were carried out on fishing vessels inspected at sea with MED-SWO catches on board, 725 inspections on fishing vessels inspected in port at landing. Nine of these fishing vessels were flagged with at least 1 PNC. All the fishing vessels inspected were EU longliners (LLD).

EU Member States also monitored the closure period from 1 October to 30 de November 2019 of Mediterranean albacore intended to protect juveniles of Mediterranean swordfish as provided in both Recommendation 16-05 and 17-05.

In 2020, EU has deployed 113 fishery patrol vessels and 21 aircrafts helicopters as well as 1 RPAS (including FRONTEX and EFCA means). Periodic controls have been carried out to verify the presence of vessels at Mediterranean ports during the closure period, and entries and exits to and from ports. Inspection have also been performed to detect illegal swordfish in auctions. However, due to the COVID19 pandemic that the last month of the closure period the activity of the fleet drastically decreased. The presence of control authorities at port and auctions were also disturbed and maritime and aerial missions were interrupted. To compensate, VMS monitoring and crosschecks were intensified during this period.

MOROCCO

The Kingdom of Morocco has implemented the appropriate measures for compliance with the relevant terms of Recommendation 16-05 which was adopted by the Commission in November 2016, in particular paragraph 11 a) which provides that "Mediterranean swordfish shall not be caught (either as a target species or as by-catch), retained on board, transhipped or landed during the period between 1 October to 30 November and during the additional period of one month between 15 February and 31 March" the period chosen by Morocco has been from 15 February to 15 March and from 1 October to 30 November, as indicated in its Mediterranean swordfish fishing plan, which was submitted to the ICCAT Secretariat.

Compliance has also been strengthened by the following legislative instruments:

- Closure of the Mediterranean swordfish fishery is regulated through transposition of the closure periods established by ICCAT into the national regulations through enactment of Ministerial Order N°4154-19 of 31 December 2019 which amends and supplements Ministerial Order N°1176-13 of 8 April 2013, and which was published in Official Gazette N°6844 of 2 January 2020;
- Enactment of a Ministerial Order in Official Gazette N°6144 of 18 April 2013 which regulates the North Atlantic and Moroccan Mediterranean swordfish fishery;
- The market size in accordance with ICCAT provisions (100 cm) that was transposed into Ministerial Order No. 3315-17 of 18 December 2017 which amends and supplements Ministerial Order No. 1176-13 of 8 April 2013 and which was published in Official Gazette No. 6636 of 4 January 2018, and into the national regulations through Ministerial Order No. 2412.18 of 25 July 2018 which supplements Ministerial Order No. 1154-88 of 20 safar 1409 (3 October 1988) and establishes the minimum market size of species fished in Moroccan maritime waters;
- The gradual reduction of 3% in TAC, in accordance with the provisions of paragraph 4 of Recommendation 16-05, has been transposed into Ministerial Order No. 4154-19 of 31 December 2019 which amends and supplements Ministerial Order No. 1176-13 of 8 April 2013 and which regulates the North Atlantic and Moroccan Mediterranean swordfish fishery;
- Closure of the Mediterranean swordfish fishery from 15 February to 15 March and 1 October to 30 November is referred to in the Mediterranean swordfish fishing plan, which was submitted to the ICCAT Secretariat.
- All vessels that can potentially catch swordfish in the Mediterranean must be included in the ICCAT record "SWO MED VESSELS".

Surveillance and control

- The Royal Decree enacting Law No. 1-73-255 of 27 chaoual 1393 (23 November 1973) which sets out the maritime fishing regulations (B.O. No. 3187), as amended and supplemented.
- Royal Decree No. 1-14-95 of 12 rejab 1435 (12 May 2014) enacting Law No. 15-12 on the prevention of and fight against illegal, unreported and unregulated fishing which amends and supplements the Royal Decree enacting Law No. 1-73-255 of 27 chaoual 1393 (23 November 1973) which sets out the maritime fishing regulations;
- Decree No. 2-17-455 of 26 April 2018, for compliance with some provisions of Title I of Law No. 15-12 on the prevention of and the fight against IUU fishing.
- Decree No. 2-17-456 of 15 March 2018, for compliance with some provisions of the Royal Decree enacting Law No. 1-73-255 of 23 November 1973 which sets out the maritime fishing regulations.
- Decree No. 2-18-104 of 10 December 2018 amending and supplementing Decree No. 2-09-674 of 17 March 2010 which establishes the conditions and the methods for installation and use on board of fishing vessels of a positioning and continuous tracking system that uses satellite communications to transmit data.
- Order No. 574-19 of 7 March 2019 related to the continuous positioning and tracking device of fishing vessels;

The Maritime Fisheries Department has strengthened the control infrastructure at sea, in ports and on landing. Consequently, fishing for species of Mediterranean swordfish is covered in particular by the following control methods:

- Controls at landing ports, fishing sites and fish markets;
- Satellite control of vessels ("VMS" positioning and tracking device);

- At-sea vessel controls carried out by control authorities;
- Catch reporting system on landing and monitoring of trade flow through the catch certification procedure.

To ensure effective monitoring of catch, including swordfish, the Fisheries Department has also invested since 2011 in a fully computerised catch certification procedure which ensures full traceability from landing to export. Computerisation of the procedure provides available information on catch flows and enables better exploitation for more effective and efficient control and verification, for the overall purpose of counteracting illegal, unreported and unregulated (IUU) fishing. Consequently, the ICCAT statistical documents are validated for swordfish subject to contribution to the computerised catch certification procedure through verification of traceability.

TUNISIA

In accordance with Recommendation 16-05 concerning the choice of closure season for Mediterranean swordfish, Tunisia communicated to the Commission in 2017 the closure period from 15 February to 15 March and from 1 October to 30 November.

Therefore, until 2018, the swordfish fishery was closed during the periods referred to above i.e. from 15 February to 15 March and from 1 October to 30 November.

From 2019, and following the request from the profession and after consultation with the Compliance Committee (COC) and Panel 4 at the 21st Special Meeting of the Commission, held from 12 to 19 November 2018, the closure period was changed to 1 January to 31 March, i.e. three consecutive months.

This closure is implemented essentially through:

- Legislative texts within the framework of Law No. 94-13 of 31 January 1994 on fishing activities, in particular, Articles 13 and 14 which relate to the species for which it is prohibited to fish and the Order of the Minister of Agriculture of 22 April 2019 on organisation of the swordfish fishery, and circulars sent to regional fisheries services to prevent and combat fishing for swordfish outside of the fishing season.
- Administrative measures: no authorisations for landing or transportation have been issued outside of the fishing season.
- Control operations have been strengthened through mixed control campaigns involving the fisheries services, the marine guard and the national guard. Indeed, control missions are carried out during the closure period in fishing ports and markets so as to ensure compliance with the provisions introduced in this regard.

TURKEY

General Information and Legal Framework

The following information has been compiled in response to the requirements of Paragraph 13 of Recommendation by ICCAT Replacing the Recommendation [13-04] and Establishing a Multi-Annual Recovery Plan for Mediterranean Swordfish (Rec. 16-05).

In 2012, Turkey has set an additional month of closure for the Mediterranean Swordfish (Med-SWO) from 15 February to 15 March in addition to the closure period from 1 October to 30 November. This measure was announced on 15 December 2011. In 2020, the aforementioned measure for Med-SWO has remained in force.

For ensuring efficiency of the aforementioned measure, Ministry of Agriculture and Forestry (MoAF) introduced the Notification on Regulating Commercial Fishing at Seas and Inland Waters covering the period 2016-2020, in order to ensure more sustainable fishing activities, improved quality for fishing products, and better conservation of fisheries resources.

Technical Regulations

- The catch of swordfish smaller than 125 cm is prohibited.
- It is mandatory for the fishing vessels to catch swordfish obtain "Fishing Permit" from the provincial directorate issuing vessel's license. Applications by the fishermen to acquire a special fishing permit for swordfish is subject to some technical criteria. When an application made is approved by the Ministry, the special permit information is simultaneously recorded in the Fisheries Information System (FIS) operated by the Ministry.
- When longlining for tuna and swordfish only hooks no. 1 and no. 2 with a gape width smaller than 2.8 cm is permitted.

During the closed season, Med-SWO fishermen engaged in other types of coastal fisheries, trawling, tourism and/or aquaculture activities.

Other Measures

In accordance with the relevant provisions of ICCAT Rec. 16-05; a list of designated landing points for Med-SWO has been made available and reported to ICCAT on 13 February 2020. Inspectors from Turkish Coast Guard have been trained to actively participate to inspections for Med-SWO in the context of IJIS.

Regular catch reports on a quarterly basis have been submitted to ICCAT in line with Turkey's TAC allocation as set forth by the document PA4-009B/2017.

In 2002 and 2003, EU and ICCAT enforced a recommendation prohibiting the usage of drift-nets in the Mediterranean. Afterwards, drift-netting in Turkey was also banned in 2006.

Subsequently, Turkey announced its position for elimination of **modified driftnet usage** with the ICCAT Circular # 3225/2010. Accordingly, usage of all modified drift-nets has been prohibited as from 1 July 2011.

Accordingly, all fishing vessels with the modified drift-nets have gone under obligation to shift their fishing gears in accordance with provisions of *Revised Notification No. 2/1 Regulating Commercial Fishing*. MoAF continued its efforts to promote the usage of more selective fishing methods and fishing gear by the majority of Turkish swordfish fishermen, with several regional training activities.

Inspection and Control

Inspection and controls have been the major components of the activities of MoAF for ensuring the efficiency of the closed season and size regulations set for the Mediterranean swordfish. The inspection activities, which are still ongoing, have been concentrated at most potential fishing grounds, landing points, retail and wholesale markets. Regular controls and on-the-spot inspections performed at various landing locations and market places have resulted in determination and seizure of a quantity of 276 Kgs. undersized Mediterranean swordfish during 2019. There has been no seizure in the first half of 2020.