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Reports on the implementation of closed fishing seasons for Mediterranean swordfish

ALGERIA

In accordance with paragraph 13 of ICCAT Recommendation 16-05, Algeria declares on a yearly basis the closure of its swordfish fishery. During the closure, a total cessation of fishing for this species applies, from 1 January to 31 March each year, in accordance with the national regulation in force. This period is consistent with the ICCAT Recommendation 16-05, in particular subsection b) of paragraph 11.

Given that the swordfish fishery continues to be artisanal in nature, the longline fleet operates in the coastal area under national jurisdiction and the duration of trips rarely exceeds 24 hours. This activity is carried out on the basis of an annual fishing authorisation, issued by the fisheries administration of the relevant territory.

The national coast guard service carries out surveillance at sea and ensures compliance with the closure of the regulated fishery as the responsible service. Fishery inspectors are also present in all ports of landing and fish markets. The fishery inspectors can also act as mixed brigades in retail outlets.

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. The closure period for Mediterranean Swordfish in 2022 was implemented through the Council Regulation (EU) 2022/109 of 27 January 2022 fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters.

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.

Working under the framework of the ICCAT Scheme of Joint International Inspection, the EU has currently in place a Specific Control and Inspection Programme (SCIP)¹ to monitor and enforce the implementation of the Bluefin tuna management plan and the Mediterranean swordfish recovery plan. This programme is a joint initiative bringing together the resources of the European Commission, the European Fisheries Control Agency (EFCA), and the EU Member States involved in those fisheries. To coordinate the implementation of this Decision between EU Member States, EFCA adopts annually a joint deployment plan of inspection (JDP) in the Eastern Atlantic and Mediterranean. This Joint Deployment plan (JDP) brings the Specific Control and Inspection Programme into effect focusing its activity on controls at sea and on land.

¹ Commission Implementing Decision 2018/1986 of 13 December 2018 establishing specific control and inspection programmes for certain fisheries including Bluefin tuna and swordfish.

In 2022, 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 to fish for swordfish in the Mediterranean Sea for the period from 1 January to 31 March 2022.

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 operators complied with the rules during the closure period.

During the closure period, national authorities of EU Member States performed control activities in their territories including inspections at sea (by patrol vessels and aerial means), in ports, in auctions and in the premises of companies 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. Vessels authorised to by-catch swordfish were also targeted for monitoring and inspection during the closure period.

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

In 2022, the EU listed 845 ICCAT inspectors from Member States, DG MARE and the European Fisheries Control Agency (EFCA). In terms of surveillance means to control and inspect fishing activities, 164 fishery patrol vessels and 33 aerial means from the Member States and EFCA were registered in ICCAT.

During the closure period in the Mediterranean (from 01.01.2022 to 31.03.2022), 381 sea inspections², 518 port inspections³, 1235 inspections on business (e.g. fish markets, fish auctions, retail shops), 200 inspections on transports and 112 sightings⁴ were carried out. A total of 7 potential non-compliances (PNC) were detected, none of them however related to longliners inspected at sea/land. This included 3 PNCs during port inspections of vessels with other gears⁵, 3 detected on business and 1 on transport.

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 is from 15 February to 15 March and from 1 October to 30 November each year, as indicated in its Mediterranean swordfish fishing plan, communicated to the ICCAT Secretariat on 9 March 2022.

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;

² Information related to sea inspections of the ISSCFG codes LL, LLD, LTL, LHP, LHM, LX and recreational fishery.

³ Information related to port inspections of the ISSCFG codes LL, LLD, LTL, LHP, LHM, LX and recreational fishery.

⁴ Information related to air/sea sightings of the ISSCFG codes LL, LLD, LTL, LHP, LHM, LX and recreational fishery.

⁵ ISSCFG codes OTB.

- 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, and in addition the quota has decreased from 924.20 MT in 2021 to 896.47 MT in 2022.
- All vessels that can catch swordfish in the Mediterranean are included in the ICCAT record "SWO MED VESSELS" (14/01/2022).

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 02 rabbi II 1440 (10 December 2018) amending and supplementing Decree No. 2-09-674 of 30 rabbi I (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 29 joumada II 1440 (7 March 2019) related to the positioning and continuous tracking device of fishing vessels.

The Kingdom of Morocco implements a control infrastructure at sea, in ports and on landing. Consequently, fishing for 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;
- A system for reporting catch on landing and monitoring of trade flow through the catch certification procedure.

To ensure effective monitoring of catch, including swordfish, the Fisheries Department has invested since 2011 in a fully computerised catch certification procedure which ensures full traceability from landing to export. Computerisation of the procedure means that information on catch flows is available 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 validated for swordfish contribute to the computerised catch certification procedure for verification of traceability.

TUNISIA

In accordance with Recommendation 16-05 on 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. 3 successive months of closure.

The closure is essentially implemented through:

- Legislative texts within the framework of Law No. 94-13 of 31 January 1994 on fishing activities, in particular, Articles 13 and 14 concerned with 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 the 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 between the fisheries services, marine guard and national guard. Control missions are effectively carried out during the closure period in the fishing ports and markets to ensure compliance with the provisions introduced in this respect.

TÜRKIYE

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, Türkiye 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 2022, 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 2021-2024, 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 03 March 2022. Inspectors from the 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 Türkiye's TAC allocation as set forth by the document PA4-09B/2017.

In 2002 and 2003, EU and ICCAT enforced a recommendation prohibiting the usage of driftnets in the Mediterranean. Afterwards, driftnetting in Türkiye was also banned in 2006.

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

Accordingly, all fishing vessels with the modified driftnets 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 194 kg undersized Mediterranean swordfish during 2021.