
Appendix II
SELECTED ICCAT MANAGEMENT
RECOMMENDATIONS AND YEAR ADOPTED¹

Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries (1996)

- Each year, member nations that have exceeded their catch limit must explain how the overharvest occurred and actions being taken to prevent further overharvest.
- Each subsequent management period, members that have exceeded their catch limit will reduce their catch limit for the next management period by 100 percent of the overage.
- If a member nation exceeds its catch limit for two consecutive management periods, ICCAT will recommend appropriate measures including, but not limited to, reduction in the catch limit equal to 125 percent of the overage, and if necessary, trade measures.

Supplemental Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries (1998)

- In order to implement the terms of the Compliance Recommendations, any quota underages (if specified in the relevant management recommendation) or overages in the harvesting year are to be added to or subtracted from, as appropriate, the quota in or before the adjustment year, as set forth below:

	Harvesting Year	Adjustment Year
North Atlantic Swordfish	1997	1999
	1998	2000
	1999	2001
East Atlantic Bluefin Tuna	1997	1999
	1998	2000

To Improve Compliance with Minimum Size Regulations (1997)

- Member nations will immediately implement measures to ensure the monitoring and enforcement of the minimum size regulations for ICCAT stocks.
- Each year, member nations that have harvested any bluefin tuna less than 1.8 kg, or harvested any ICCAT stock in excess of the specified minimum size tolerance, must explain: the magnitude of the overharvest; domestic measures implemented to avoid

further overharvest; monitoring of compliance with domestic measures; and any other actions to be taken to prevent further overharvest.

¹ Recommendations and Resolutions from the 1998 meeting that have been adopted by ICCAT will enter into force on June 21, 1999, unless a cooperating party files an objection. These recommendations are not legally binding on the United States until they enter into force.

- Beginning at the 2000 meeting, if any member has failed to prevent further overharvest, ICCAT may recommend measures to reduce the harvest of undersized fish, including, but not limited to, time/area closures, small fish quotas, and/or gear restrictions.

On Application of Three Compliance Recommendations (1998)

- Each Contracting Party will include in its annual National Report a completed “ICCAT Reporting Table,” with the catch statistics submitted to SCRS for the current reporting year and any revisions to previous years’ data.
- ICCAT will prepare and distribute an annual “Compliance Annex” that includes: 1) all catch limits and minimum sizes/tolerances; 2) each party’s catch statistics submitted to SCRS for the current reporting year, and any revisions to previous years’ data; 3) any overages and underages; 4) all catch limit reductions that the party must take; and 5) the dates by when such reductions shall be taken.

Bluefin Tuna Size Limit and Fishing Mortality (1974)

- That member nations take the necessary measures to prohibit any taking and landing of bluefin tuna less than 6.4 kg.
- Notwithstanding the above, member nations may grant tolerances to boats which have incidentally captured bluefin tuna less than 6.4 kg, not to exceed 15 percent of the total.

Recommendation to Establish a Rebuilding Program for West Atlantic Bluefin Tuna (1998)

- The 20-year rebuilding program will begin in 1999 and continue through 2018, with a total allowable catch (TAC) (including dead discards) of 2,500 mt annually.
- The annual TAC, maximum sustainable yield (MSY) target, and 20-year rebuilding program may be adjusted based on subsequent SCRS advice. However, no adjustments will be considered unless SCRS advice indicates that a TAC of greater than 2,700 mt would allow the MSY target to be achieved within 20 years with a 50-percent or greater probability, or if a TAC of less than 2,300 mt is necessary to achieve the MSY target within 20 years with a 50-percent or greater probability.
- When SCRS determines that the stock size has achieved the level that would produce MSY, TAC levels up to the level of MSY will be considered.
- The allocation of the annual TAC (including dead discards) will be as indicated below:
 - ▶ An amount equal to 79 mt or 2.82 percent of the TAC, whichever is greater, will be deducted from the TAC as an allowance for dead discards. The TAC, minus the allowance for dead discards, is the amount of catch that can be retained;
 - ▶ The United Kingdom, (in respect of Bermuda) and France (in respect of St Pierre et Miquelon) will each receive a landings quota of four metric tons;
 - ▶ If the remainder of the TAC, after subtracting the allowance for dead discards and the quotas for the United Kingdom and France, is less than 2,413 mt, then the remainder will be allocated (as catch that can be retained) as follows:

United States 57.48 percent

Canada	23.75 percent
Japan	18.77 percent

- ▶ If the remainder of the TAC equals 2,413 mt, the remainder will be allocated (as catch that can be retained) as follows:

United States	1,387 mt
Canada	573 mt
Japan	453 mt

These are the quotas (of catch that can be retained) for a TAC of 2,500 mt annually.

- ▶ If the remainder of the TAC is between 2,413 mt and 2,660 mt, the amount in excess of 2,413 mt will be allocated (as catch that can be retained) to Japan;
- ▶ If the remainder of the TAC is greater than 2,660 mt, the remainder will be allocated (as catch that can be retained) as follows:

United States	52.14 percent
Canada	21.54 percent
Japan	26.32 percent

- The distribution of the allowance of dead discards will be 85.72 percent for the United States and 7.14 percent each for Canada and Japan. If a party's fishing activity results in dead discards in excess of that party's allowance, it must deduct the overage from its allocation of catch that can be retained. If a party's fishing activity results in less dead discards than its allowance, it may add one-half of the difference between the amount of dead discards and the allowance to its landings quota.
- 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.
- Starting in 1999, unused quota or overage from the previous year shall be added or subtracted, as appropriate, to the current year's catch that can be retained.
- In 2000, and thereafter every two years, SCRS will conduct a stock assessment and provide advice to ICCAT.
- Contracting Parties, non-contracting parties, entities and fishing entities will prohibit the taking and landing of west Atlantic bluefin tuna weighing less than 30 kg, or in the alternative having a fork length of less than 115 cm.
- Notwithstanding the above measures, Contracting Parties, non-contracting parties, entities and fishing entities may grant tolerances to capture west Atlantic bluefin tuna either weighing less than 30 kg, or in the alternative having a fork length less than 115 cm; provided they limit the take of these fish so that the average over each four-consecutive-year quota balancing period is no more than eight percent by weight of the total bluefin tuna quota on a national basis, and institute measures to deny economic gain to the fishermen from such fish.
- The adoption of the above measures does not modify the minimum weight of 6.4 kg that was adopted in 1974 for Atlantic bluefin tuna.

- 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.
- All Contracting Parties, non-contracting, 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.
- All Contracting Parties, non-contracting parties, entities and fishing entities shall provide the best available data for the assessment of the stock by SCRS, including information on the catches of the broadest range of age classes possible, consistent with minimum size restrictions.
- In order to avoid increasing fishing mortality of bluefin tuna in the east or west Atlantic, all parties will continue to prohibit any transfer of fishing effort from the west Atlantic to the east Atlantic and from the east to the west Atlantic.
- There shall be no directed fishery on the bluefin tuna spawning stocks in the west Atlantic in spawning areas such as the Gulf of Mexico.
- Contracting Parties whose vessels have been actively fishing for bluefin tuna in the west Atlantic will implement this recommendation as soon as possible in accordance with the regulatory procedures of each country.

On the Limitation of Catches of Bluefin Tuna in the East Atlantic and Mediterranean (1998)

- A TAC of 32,000 mt is established for 1999; 29,500 mt for 2000.
- In order to establish the allocation, the catches of years 1993 and 1994 (whichever the higher), shall be used as reference, except for Croatia, for which a specific quota is set:

	1999	2000
People's Republic of China	82 mt	76 mt
Croatia	950 mt	876 mt
European Community	20,165 mt	18,590 mt
Japan	3,199 mt	2,949 mt
Korea	672 mt	619 mt
Libya	1,300 mt	1,199 mt
Morocco	820 mt	756 mt
Tunisia	2,326 mt	2,144 mt

- Quantities to be deducted from the catch quotas under the terms of the compliance agreement shall be calculated for all contracting parties, with respect to the catch data as revised by SCRS in 1998.
- These provisions replace the special recommendation on a quota for France.
- For those non-contracting parties, entities, or fishing entities with catches of bluefin tuna in the east Atlantic and Mediterranean from 1993 onwards, the catch limit for 1999 will be 2,486 mt, and the catch limit for 2000 will be 2,291 mt.

Amending the Supplemental Measure Concerning Age Zero Bluefin Tuna (1998)

- In addition to the prohibition on retaining on board, landing and sale of bluefin less than 3.2 kg by fishing vessels, each member nation and non-member nation, entity or fishing entity will take the necessary measures to prohibit the landing, possession, or sale in markets in nations bordering the Convention area of Atlantic bluefin tuna less than 3.2 kg.

Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area (1998)

- All parties which import frozen tunas and tuna-like fish products are requested to collect and examine as much import or landings data as possible and submit the following information to the Commission each year:
 - Names of vessels responsible for catch and production of frozen tunas
 - Flag states of those vessels
 - Species of the tuna products
 - Areas of catch
 - Product weight by type
 - Points of export
 - Names and addresses of owners of the vessels
- ICCAT will review this information annually, along with the Bluefin Statistical Document data, and identify those contracting parties or non-contracting parties whose large-scale longline vessels have been fishing in a manner that diminished the effectiveness of ICCAT conservation and management measures.
- The Commission shall request those parties to take all necessary measures so all not to diminish the effectiveness of ICCAT, including, is appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned.
- If parties do not take appropriate action, the Commission will recommend effective measures, including, if necessary, trade restrictive measures to prevent those vessels from continuing fishing operations in a manner that diminishes the effectiveness of ICCAT.

Limitation of Fishing Capacity on North Atlantic Albacore (1998)

- All parties shall limit the fishing capacity of their vessels, exclusive of recreational vessels, for this stock through a limitation of the number of vessels to the average number in the period 1993 to 1995.
- All parties shall submit an annual list of vessels in the directed albacore fishery, except recreational vessels.
- Parties which have already limited capacity in this fishery, or will do so by the end of 1999, are not subject to the limitation requirements, but are subject to the reporting requirements.

- The Commission requests SCRS to carry out an evaluation of the fishing capacity of the different fleets/gears that participate in this fishery.

Yellowfin Tuna Size Limit (1972)

- Member nations shall take the necessary measures to prohibit any taking and landing of yellowfin tuna weighing less than 3.2 kg.
- Notwithstanding, member nations may grant tolerances to boats which have incidentally captured yellowfin tuna less than 3.2 kg, with the condition that this incidental catch should not exceed 15 percent of the number of fish per landing of the total yellowfin tuna catch.

Limit on Yellowfin Tuna Effort (1993)

- Member nations and non-member nations will not increase the level of fishing effort exerted on Atlantic yellowfin tuna over the level observed in 1992.

Bigeye Tuna Size Limit (1979)

- Member nations shall take the necessary measures to prohibit any taking and landing of bigeye tuna weighing less than 3.2 kg.
- Notwithstanding, member nations may grant tolerances to boats which have incidentally captured bigeye tuna weighing less than 3.2 kg with the condition that this incidental catch should not exceed 15 percent of the number of fish per landing of the total bigeye tuna catch.

Resolution for the Development of Rebuilding Plans for Atlantic Bigeye Tuna (1998)

- Using the most recent stock assessment, and if the stock is below a level that would produce MSY, SCRS will develop stock rebuilding scenarios to levels that support MSY, if SCRS considers the data sufficient to do so.
- The SCRS will explicitly state how they incorporate assumptions regarding size composition of catch in their assessment as well as in their projections.

On Bigeye Tuna Conservation Measures for Fishing Vessels Larger Than 24m LOA (1998)

- Each party, in 1999 and thereafter, will limit the number of their fishing vessels larger than 24 meters LOA (with the exclusion of recreational vessels) which fish for Atlantic bigeye tuna to the average number of its fishing vessels actually having fished for bigeye tuna for the two years of 1991 and 1992. Such limitation of the number of vessels shall be associated with a limitation on gross tonnage so as not to increase the total fishing capacity. The list of vessels shall be reported to ICCAT by August 31, 1999. This provision does not apply to parties that catch annually less than 2,000 mt of bigeye tuna on an average of the recent five years.
- In 1999, ICCAT will consider conservation measures to manage bycatch of bigeye tuna by other fisheries targeting tunas.

- In 2001, ICCAT will review the effectiveness of this effort control in conjunction with the stock recovery plan.

Registration and Exchange of Information of Bigeye Tuna Fishing Vessels (1998)

- All parties will submit an annual list of vessels greater than 24 meters LOA (with the exclusion of recreational boats) that fish for bigeye tuna in the Convention area.
- Parties will notify ICCAT of any vessels not included on the list that are believed to be fishing for bigeye tuna. The flag country of such vessels will be notified and requested to prevent these vessels from fishing for bigeye tuna in the Convention area. If the flag country of such vessels is not identified, ICCAT will compile the information for future consideration.

On Bigeye and Yellowfin Tuna (1996)

- SCRS shall determine provisions for a national observer program of longliners, purse seiners and baitboats on 25 percent of vessels fishing with fish aggregating devices (FADS) and on five percent of vessels using other fishing methods.
- ICCAT shall respect SCRS recommendations relative to bigeye tuna (in reference to MSY and catches of juveniles) and to yellowfin tuna (in reference to fishing mortality).

Atlantic Swordfish Catch and Size Limits (1990)

- Member nations shall take measures to reduce the fishing mortality of swordfish more than 25 kg in the area north of 5° N by 15 percent from recent levels; the reduction in fishing mortality shall be determined by the catch in 1988.
- Member nations shall take the necessary measures to prohibit the taking and landing of swordfish in the entire Atlantic Ocean less than 25 kg live weight (125 cm LJFL); however, member nations may grant tolerances to boats which have incidentally captured small fish, with the condition that this incidental catch shall not exceed 15 percent.
- In addition, member nations are encouraged to take other appropriate measures within their national jurisdictions to protect small swordfish, including, but not limited to, the establishment of time and area closures.
- Member nations targeting swordfish throughout the Atlantic Ocean shall take the necessary measures to limit fishing mortality to 1998 levels.

Alternative Option for the Conservation of Undersized Atlantic Swordfish (1995)

- Member nations may choose, as an alternative to the minimum size of 125 cm with a 15-percent tolerance, to prohibit the taking by its vessels of all Atlantic swordfish, as well as the landing and sale in its jurisdiction, of swordfish and swordfish parts less than 119 cm LJFL, or the equivalent in weight, provided that no tolerance of swordfish smaller than this alternative minimum size shall be allowed.

- Member nations that choose this alternative shall require record keeping of discards.

Percentage Shares of TAC and Overage/Underage Provisions for North Atlantic Swordfish (1995)

- The following long-term allocation scheme is established and implemented, beginning in 1997, and extending until otherwise agreed, to determine annual quotas of total allowable catch for north Atlantic swordfish:

Canada	10.00 percent
Japan	6.25 percent
Portugal	7.50 percent
Spain	41.25 percent
United States	29.00 percent
Others (total)	6.00 percent

- If a country's landings exceed its quota in any year, the overage shall be deducted in subsequent years such that total landings for each country for each three-year period, beginning with 1997 to 1999, shall not exceed its total quota for that three-year period. Similarly, any overage may be added to the subsequent year's quota within the specified three-year period. For Japan, the three-year period may be extended to five years.

North Atlantic Swordfish Catch Quotas for 1997, 1998, and 1999 (1996)

- The TAC is established at 11,300 mt in 1997, 11,000 mt in 1998, and 10,700 mt in 1999;
- Country quotas (mt) are established as follows:

	1997	1998	1999
Canada	1,130.00	1,100.00	1,070.00
Japan	706.25	687.50	668.75
Portugal	847.50	825.00	802.50
Spain	4,661.25	4,537.50	4,413.75
United States	3,277.00	3,190.00	3,103.00
Others	678.00	660.00	642.00

- Notwithstanding the overharvest provisions in the 1995 sharing agreement, provisions of the 1996 compliance recommendation shall be applied to the implementation of the country quotas above, for all countries except Japan. Each year is considered a separate management period as that term is used in the compliance recommendation.
- If Japan's landings exceed its quota in any year, the overage shall be deducted in subsequent years such that total landings for Japan shall not exceed its total quota for the five-year management period commencing in 1997. Similarly, when annual landings by Japan are less than its quota, the underage may be added to the subsequent year's quota, within the specified five-year period. At the 2000 meeting, ICCAT will conduct a comprehensive review of Japan's landings.
- All countries catching swordfish in the north Atlantic should make all efforts to report catch at size (by sex, when possible) and effort statistics annually, even when no analytical stock assessment is scheduled; SCRS should review these data annually.

Regarding Catches of North Atlantic Swordfish for 1998 and 1999 (1997)

- Member nations, non-member nations, entities or fishing entities, without specific quotas of swordfish in the north Atlantic shall reduce their catch for 1998 and 1999 by 45 percent of their 1996 catch levels (with the following exception).
- Those with 1996 catch levels below 100 mt shall not increase their catch above their 1996 level.
- Those without any reported catch in 1996 shall refrain from developing any directed swordfish fishery in the north Atlantic during 1998 or 1999.

Development of Recovery Scenarios for North and South Atlantic Swordfish (1998)

- If the results of the 1999 stock assessments of north and south Atlantic swordfish indicate that the biomass of either stock is below levels that would produce MSY, SCRS will develop rebuilding options.
- Based on stock projections, SCRS will estimate a series of annual TACs, including dead discards, that are necessary to rebuild to biomass levels that would support MSY with a probability of greater than 50 percent, within time periods of five, ten, and 15 years and/or other appropriate times.
- SCRS will evaluate the effectiveness of the current swordfish regulations for achieving the ICCAT swordfish conservation measures, especially the minimum size, and evaluate methods for reducing small fish mortality.