

**Proposal for Management of Over-catch and Under-catch in National
Allocations/Catch Limit**

Purpose

This paper proposes that the Extended Commission for the Conservation of Southern Bluefin Tuna (the Extended Commission) agree to a resolution formalizing arrangements for over-catch and under-catch of southern bluefin tuna national allocations/catch limit.

Background

1. The Extended Commission has no formal arrangement for over-catch and under-catch in national allocations/catch limit although in practical operation, it requires members and co-operating non-members to payback any annual over-catch of their national allocations/catch limit by way of reduction in the next fishing year and no carry over of any under-catch.
2. The Extended Commission has never formally discussed this issue in spite of the relevant documents of CCSBT-EC/0310/14 and CCSBT-EC/0510/28 referred to.
3. At the present, there are five members and one co-operating non-member in the Extended Commission and the number may increase in the future. If it adopts a definite resolution, it can facilitate compliance for the members and co-operating non-members and advantage from the external to understand the management operation of the Extended Commission.
4. According to the report of the 10th Scientific Committee, the current assessments through the operating model (using data available from the 2004 SAG/ESC) suggest the SBT spawning biomass is at a low fraction of its original biomass and well below the 1980 level. The stock is estimated to be well below the level that could produce maximum sustainable yield.

5. For the sustainable utilization of the resource of southern bluefin tuna, the members and co-operating non-member of the Extended Commission should impose rigorous regulation to manage its national allocation/catch limit. Therefore, we suggest citing the precedent of ICCAT to establish a penal mechanism for over catch. If any member or cooperating non-member of the Extended Commission exceeds its national allocation/catch limit during any two consecutive fishing years, the overage shall be deducted in the next fishing year by 125% of the amount in excess of such over-catch. As for under-catch, it shall be used for conservation and no carry over for any underage.

Resolution

Option 1 (attachment 1)

Resolve as the current practice. Require members and co-operating non-members to payback any annual over-catch of their national allocations/catch limit by way of reduction in the next fishing year and no carry over of any under-catch.

Option 2 (attachment 2)

Except option 1, we suggest citing the precedent of ICCAT to establish a penal mechanism for over catch. If any member or cooperating non-member of the Extended Commission exceeds its national allocation/catch limit during any two consecutive fishing years, the overage shall be deducted in the next fishing year by 125% of the amount in excess of such over-catch.

Draft Resolution on the Management for Over-catch and Under-catch in National Allocations/catch limit

The Extended Commission for the Conservation of Southern Bluefin Tuna (the Extended Commission),

Recalling that the objective of the Convention for the Conservation of Southern Bluefin Tuna (the Convention) is to ensure the conservation and optimum utilization of southern bluefin tuna (SBT);

Considering the need for a formal arrangement for over-catch and under-catch in national allocations even if in practical operation, the Extended Commission requires members to payback any annual over-catch of their national allocations/catch limit generally by way of reduction in the next fishing year and no carry over of any under-catch,

Noting that the SBT stock is estimated to be well below the level that could produce maximum sustainable yield according to the report of the 10th Scientific Committee,

Recognizing that compliance with national allocation/catch limit is essential to conservation of SBT,

Recognizing the need to take further measures for the conservation, management and optimum utilization of southern bluefin tuna; *Agrees*, in accordance with paragraph 3(b) of Article 8 of the Convention,

resolves as follows:

1. The national allocation/catch limit of each member and cooperating non-member of the Extended Commission of CCSBT are decided by the Extended Commission in each annual meeting.
2. The Extended Commission shall review annually the previous catch amount if any

member or cooperating non-member commensurate with their national allocations/catch limit.

3. If any member or cooperating non-member of the Extended Commission of CCSBT exceeds its national allocation/catch limit, the overage shall be deducted immediately in the next fishing year by 100% of the amount in excess of such over-catch. The under-catch shall not be carried over in any subsequent year.

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Considering the need for a formal arrangement for over-catch and under-catch in national allocations even if in practical operation, the Extended Commission requires members to payback any annual over-catch of their national allocations/catch limit generally by way of reduction in the next fishing year and no carry over of any under-catch,

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1. The national allocation/catch limit of each member and cooperating non-member of the Extended Commission of CCSBT are decided by the Extended Commission in each annual meeting.
2. The Extended Commission shall review annually the previous catch amount if any

member or cooperating non-member commensurate with their national allocations/catch limit.

3. If any member or cooperating non-member of the Extended Commission of CCSBT exceeds its national allocation/catch limit, the overage shall be deducted immediately in the next fishing year by 100% of the amount in excess of such over-catch. The under-catch shall not be carried over in any subsequent year.
4. Notwithstanding paragraph 3, if any member or cooperating non-member of the Extended Commission exceeds its national allocation/catch limit during any two consecutive fishing years, the overage shall be deducted in the next fishing year by 125% of the amount in excess of such over-catch.