

## Arrangements for Adjusting for Overs and Unders

### *Purpose*

- 1 This paper proposes that the Extended Commission for the Conservation of Southern Bluefin Tuna (ECCSBT) agree to a resolution formalising arrangements for over and under fishing of southern bluefin tuna national allocations.

### *Background*

- 2 ECCSBT operates to an informal arrangement that requires members to payback any annual over catch of their national allocation generally by way of reduction in the following year. No formal provisions have been agreed for the management of annual under catch of national allocations.
- 3 The ECCSBT has previously discussed possible arrangements for improving the operational effectiveness of the management of national allocations by providing for circumstances where national allocations were not achieved or were exceeded in a particular year (CCSBT-EC/0310/14 refers)
- 4 The previous Secretariat paper (CCSBT-EC/0310/14) noted that ‘an over-catch and under-catch compensation mechanism would enhance the effectiveness of current arrangements’ and proposed the following as key elements of such a system.
  - A tolerance level expressed as a percentage of the member’s allocation.
  - A payback or recovery period expressed in years.
  - A penalty regime to apply above the tolerance level.
- 5 The Secretariat paper suggested that the settings for an overs and unders framework should reflect the structural realities of the fishery. An additional element is proposed for consideration by the ECCSBT to take into account members with small national allocations. In these cases a higher tolerance level or fixed amount for a tolerance level has more practical application.
  - A minimum tonnage (or higher percentage tolerance level) to apply to members with low national allocations.
- 6 A more flexible approach to dealing with over and under catch of annual national allocations would have a distinct advantage for members in improving the operational effectiveness of ECCSBT catch limits. The previous Secretariat paper drew attention to arrangements for ICCAT and NAFO. The arrangements for ICCAT seem particularly applicable with regard to timeframes, that is ICCAT provisions state that ‘underages/overages from one year may be added to/must be subtracted from the quota/catch limit of the management period immediately after or one year after that year’. ICCAT has not specified tolerance levels for under or over catch.

7 For the purposes of discussion the following characteristics of an over and under fishing regime are proposed:

- The maximum permissible level of under catch that can be carried forward to the following fishing year would be 3% of the national allocation or 10% for members with national allocations of 500 tonnes or less.
- Tolerance levels apply only to under fishing (any and all overfishing must be paid back in the specified period)
- The payback period for over catch and the maximum time period for carry forward of under catch would be one year.
- No penalty provisions apply

### **Resolution**

8 It is proposed that the ECCSBT discuss and agree the elements of an over and under fishing regime for immediate application to fishing for southern bluefin tuna by ECCSBT member states. A draft resolution is as follows:

9 The ECCSBT

- a) Recognising the need for effective operation of its primary conservation measures; and
- b) Taking into account the different levels of national allocations to member states;
- c) Resolves that:
  - i) Underages of up to 3% of national allocations (or 10% of national allocations less than 500 tonnes)/overages from one year may be added to/must be subtracted from the national allocation of the year after that year.