



CCSBT-EC/0510/10

7. Total Allowable Catch and its Allocation 総漁獲可能量とその配分

Purpose 目的

To provide relevant background information to support the Extended Commission's deliberations on the setting of a total allowable catch (TAC) for 2006 and its distribution among the members.

2006年の総漁獲可能量及びメンバー間におけるその配分について、拡大委員会が熟考するための背景情報を提供すること。

Status of the SBT Stock SBT 資源の状況

The Extended Scientific Committee at SC10 concluded:
拡大科学委員会は SC10 において以下のように結論づけた：

"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. Rebuilding the spawning stock biomass would almost certainly increase sustainable yield and provide security against unforeseen environmental events. Recruitments in the last decade are estimated to be well below the levels in the period 1950-1980. Assessments estimate that recruitment in the 1990s fluctuated with no overall trend. Analysis of several independent data sources and the operating model indicate very low recruitments in 2000 and 2001. There is some evidence that the 1999 cohort is relatively weak and that the 2002 cohort is unlikely to be as strong as those estimated during the 1990s. Other indicators show that the Indonesia LL fishery on spawning fish catches fewer older individuals. One plausible interpretation is that the spawning stock has declined in average age and may have declined appreciably in abundance. The decline in average age may be due to the disappearance of older fish, a pulse of younger fish entering the spawning stock, or a combination of the two factors. A pulse of younger fish entering the spawning stock is consistent with the assessment model output which suggests that the spawning stock has been largely stable over the last decade and increased slightly over the last four years.

“オペレーティングモデルを通じた現在の資源評価によると（2004年SAG/ESCからの入手可能なデータを使って）、SBT産卵資源はその元々の資源量よりかなり減少しており、かつ1980年レベルよりもずっと低い水準になっている。資源は最大持続生産量を産むことが出来る水準よりもかなり低いと推定される。産卵親魚資源を立て直すことは、確実に持続的な生産を増加させることであり、思いがけない環境要因に対する抵抗力も高める。過去10年の加入量については1950-1980よりもかなり低いと推定される。1990年代の加入量の評価は、不規則に変動したと推測している。幾つかのデータの分析及びオペレーティングモデルは2000年及び2001年に非常に低い加入量しかなかったことを示唆してい

る。1999年コホートは比較的低くそして2002年コホートはこれらが推定された1990年代よりも強くないことを示す幾つかの証拠がある。他の指標では産卵親魚を漁獲するインドネシアのはえ縄漁業において十分に加齢した個体が滅多に漁獲されなかったことを示されている。一つの妥当な解釈として、産卵親魚の平均年齢が下がったと言うこと、かつ明らかに資源量が減ったと言うことが考えられるかもしれない。平均年齢が下がったことは、老齢魚の喪失、若齢魚の産卵親魚資源の加入、又はこの二つの組み合わせかもしれない。若齢魚の産卵親魚資源への加入は、産卵親魚資源がこの10年大部分安定しており、かつこの4年わずかに増加していると言う評価モデルの結果と一致している。”

”Given all the evidence, it seems highly likely that current levels of catch will result in further declines in spawning stock and exploitable biomass, particularly because of recent low recruitments.”

“これらの全ての事象を考慮すると、特に近年の低い加入量より、現在の漁獲により産卵資源及び漁獲可能資源はさらに減少する可能性が極めて高い。”

In these circumstances the Extended Scientific Committee recommended that:

このような状況の中、拡大科学委員会は以下を勧告した：

“the Commission accepts CMP_2 as its procedure, combined with a corresponding reduction in the annual assumed global catch (14,930t) specified for 2006 (by 5,000t) or 2007 (by 7,160t).”

“委員会はその管理手続きとしてCMP_2を選び、2006年に5000トン又は2007年に7160トンの年間グローバルTAC(14,930トン)からの削減を組み合わせることを選択した。”

Total Allowable Catch (TAC) and National Allocations **総漁獲可能量 (TAC) 及び国別配分**

At CCSBT11 the Extended Commission agreed to a TAC of 14,030 tonnes for members as shown in the following table:-

CCSBT11において拡大委員会は以下の表に示すようにTAC14,030トンに合意した。

Australia オーストラリア	5,265 tonnes
Japan 日本	6,065 tonnes
New Zealand ニュージーランド	420 tonnes
Korea 韓国	1,140 tonnes
Taiwan 台湾	<u>1,140 tonnes</u>
	14,030 tonnes

An aggregate catch limit of up to 900 tonnes was also set for cooperating non-members. Distributions to non-members against this limit were:-

900トンまでの協力的非加盟国のための漁獲制限も設定された。この漁獲制限の内訳は以下の通り：

Indonesia インドネシア	800 tonnes
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Philippines フィリピン	50 tonnes
South Africa 南アフリカ	30 tonnes

Global Catch 全世界漁獲量

The latest quota year catches reported by members and cooperating non-members to SC10 are set below. Members and cooperating non-members can be expected to catch at around these levels in subsequent years except for Korea without a change to the quotas.

メンバー及び協力的非加盟国により SC10 に報告された昨年（漁獲割当年）の漁獲量は以下の通り。

Australia オーストラリア	5,225
Japan 日本	5,846
New Zealand ニュージーランド	393
Taiwan 台湾	1,298
Korea 韓国	131
Philippines フィリピン	<u>80</u>
	12,972

Indonesian catch monitoring indicates the catch by Indonesia is increasing rapidly. The estimate for the first six months of 2005 is about 1,400 tonnes and it is now likely that catch in the 2005 calendar year will be at least 2000 tonnes.

インドネシアにおける漁獲監視によるとインドネシアの漁獲は急速に増大している。2005 年前半 6 ヶ月に約 1400 トンの漁獲が推定されており、現在 2005 年の暦年で最低でも 2000 トンの漁獲量になるのではないかと予測されている。

In considering the advice of the Extended Scientific Committee that the assumed global catch of 14,930 tonnes should be reduced by 5,000 tonnes in 2006 or 7,160 tonnes in 2007, the Extended Commission will need to take account of the fact that global catch by all participants in the fishery is currently about this level. However, one member is not catching its quota and Indonesia, which is uncontrolled, will probably catch more than 2,000 tonnes.

拡大科学委員会が全世界漁獲量 14,930 トンを 2006 年に 5000 トン又は 2007 年に 7160 トン削減することを勧告していることを考慮する際に、拡大委員会はこの漁業に参加している国による現在の漁獲量はこの水準を超えていることを考慮する必要がある。しかし、メンバーのうちカ国は自分の割当分を漁獲しておらず、また、インドネシアの漁獲は管理されておらず 2000 トンを超える漁獲を行うであろう。

Quota Years

クォーター年（漁獲割当年）

In considering the advice of the Extended Scientific Committee on an immediate catch reduction in 2006, members should be aware that the quota years intended for this purpose are:

2006 年に早急な削減をするべきと言う拡大科学委員会の勧告を考慮する際に、メンバーはこれを適用する漁獲割当年について考える必要がある：

- 1/10/2005-30/9/2006 (New Zealand) : ニュージーランド 2005 年 10 月 1 日 ~ 2006 年 9 月 30 日
- 1/12/2005-30/11/2006 (Australia) : オーストラリア 2005 年 12 月 1 日 ~ 2006 年 11 月 30 日
- 1/1/2006-31/12/2006 (Taiwan, Philippines) : 台湾・フィリピン 2006 年 1 月 1 日 ~ 2006 年 12 月 31 日
- 1/3/2006-28/2/2007 (Japan, Korea) : 日本・韓国 2006 年 3 月 1 日 ~ 2007 年 2 月 28 日

TAC Allocation Principles

TAC 配分原則

At CCSBT11 it was agreed:
CCSBT11 では以下のように合意している :

“44. The Extended Commission noted that decision rules for allocating the TAC derived from the management procedure need to be agreed prior to the introduction of the management procedure. The Extended Commission agreed that rules shall take into account the allocation principles reflected in the CCSBT 1 Mutual Understanding.

“ 拡大委員会は、管理手続きによる TAC 配分ルールの決定については管理手続きを導入する前に合意する必要があることを認識した。拡大委員会は、ルールには CCSBT 1 の相互理解を考慮することで合意した。 ”

“45. The Extended Commission decided that agreement on these rules should be developed through inter-sessional contact and decided by CCSBT 12. (A proposal from New Zealand for Decision Rules concerning Allocation of TAC is at Attachment 11).

“ 拡大委員会は、これらルールに関する合意形成に関し、閉会期間中の連絡により進め CCSBT12 において決定することにした (TAC 配分に関するルール決定のためのニュージーランドの提案は別紙 11)。 ”

“46. The Extended Commission agreed that if it takes a decision on the TAC prior to the introduction of the management procedure it shall apply the rules to its decision.”

“ 拡大委員会は、管理手続き導入の前に TAC を決定する場合は、その決定にルールを適用することに合意した。 ”

No decision was reached intersessionally and this issue remains unresolved. A copy of the CCSBT1 Mutual Understanding is at Attachment A.

閉会期間中決定はなされず、この問題は未解決のまま残っている。CCSBT 1 における相互理解の写しは別紙 A として添付。

By way of further background, the following additional documents are attached:

さらなる情報として、以下の文書を添付した :

- A proposal put forward by Japan at CCSBT2 for the allocation of a TAC based on the practice in NAFO – Attachment B.

- 日本が CCSBT 2 で行った NAFO に基づく TAC の配分提案 - 別紙 B。
- Principles agreed at CCSBT2 for the allocation of national allocations to new members – Attachment C.
- CCSBT 2 で合意された新しいメンバーに対する国別割当の原則 - 別紙 C .
- The ICCAT principles for allocating total allowable catch – Attachment D.
- ICCAT における総漁獲可能量配分原則 - 別紙 D。
- Systems for adjusting/managing over and under catches by ICCAT and NAFO – Attachments E and F.
- ICCAT 及び NAFO における漁獲超過・不足の調整及び管理 - 別紙 E と F。

Prepared by the Secretariat
事務局作成資料

FUTURE ADJUSTMENTS TO QUOTA ALLOCATION

1. As soon as the global quota is increased, New Zealand will raise its present voluntary catch limit of 420 tonnes to 450 tonnes.
2. As the global quota is increased, Australia will move to equality of national allocations with Japan. At the same time, New Zealand will raise its catch limit to either 1,000 tonnes or 6% of the global quota, whichever is greater.

These adjustments will take place in four steps, upon the condition that at least 90% of the quota allocated to Australia and New Zealand in the year prior to each adjustment being made (excluding any frozen portion) is caught. Should any of the trilateral partners fail to qualify for movement to a subsequent step in any one year, this will not prejudice that country's aspirations to complete the four steps. Catches of Australian or New Zealand quota by vessels operated by nations outside the trilateral group will not count as part of the 90%. If catches by such nations exceed 10% in any one year the implications of these developments will be reviewed.

3. The four steps will be taken as follows:
 - Step 1: New Zealand will raise its catch limit to the equivalent of 4.161 percent of the global quota. After calculating the Japanese and Australian allocations according to the ratio between the two allocations for the previous year, the difference between the Australian and Japanese allocation will be reduced by a quarter; namely an amount of one eighth of the difference will be moved from the Japanese allocation to the Australian allocation.
 - Step 2: New Zealand will raise its catch limit to the equivalent of 4.861 percent of the global quota. After calculating the Japanese and Australian allocation according to the ratio between the two allocations for the previous year, the difference between the Australian and Japanese allocations will be reduced by one third; namely an amount of one sixth of the difference will be moved from the Japanese allocation to the Australian allocation.
 - Step 3: New Zealand will raise its catch limit to the equivalent of 5.469 percent of the global quota. After calculating the Japanese and Australian allocations according to the ratio between the two allocations for the previous year, the difference between the Australian and Japanese allocations will be reduced by one half; namely an amount of one quarter

of the difference will be moved from the Japanese allocation to the Australian allocation.

- Step 4: New Zealand will raise its catch limit to the equivalent of six percent of the global quota, or 1,000 tonnes, whichever is greater. When the New Zealand catch exceeds 1,000 tonnes, then New Zealand will subject itself to a quota in the same way as Australia and Japan. This will in no way diminish New Zealand's determination to adhere to the voluntary catch limits. After calculating the Japanese and Australian allocations according to the ratio between the two allocations for the previous year, the difference between the two will be eliminated; namely an amount of one half of the difference will be moved to the Australian allocation.
4. The first adjustment will occur when the global quota reaches or exceeds 12,750 tonnes and subsequent adjustment steps will only occur when the increase in global quota since the last adjustment is at least 1,000 tonnes. If the increase since the last adjustment is greater than 5,000 tonnes, then a two step adjustment will be made at one time.

Attachment B

26 September 1996

Proposal

A FUTURE QUOTA ALLOCATION MECHANISM FOR PARTIES IN ACCORDANCE
WITH THE PROVISIONS OF THE CONVENTION

1. Preamble
2. Relevant provisions of the Convention
3. Interpretation of the provisions and weighting for each factor
4. Example from other international fishery organisations
5. Guidelines which should be adopted for the future

1. Preamble

Japan stressed as reflected in the report of the CCSBT Second Special meeting held from 29 April to 3 May 1996 that the Commission should establish a new mechanism for future national quota allocation in accordance with the provisions of the Convention. It is recorded that Australia and New Zealand agreed to Japan's request to review the current understanding of future national allocation at the 1996 Annual Meeting. Against this background, this proposal is to suggest the national quota allocation which is considered the most appropriate and fair when considering the interpretation of the provisions of the Convention and the other international organisation's customs.

2. Relevant provisions of the Convention

Article 8.4 of the CCSBT Convention is as follows;

- (a) relevant scientific evidence;
- (b) the need for orderly and sustainable development of southern bluefin tuna fisheries;
- (c) the interests of Parties through whose exclusive economic or fishery zones southern bluefin tuna migrates;
- (d) the interests of Parties whose vessels engaged in fishing for southern bluefin tuna including those which have historically engaged in such fishing and those which have southern bluefin tuna fisheries under development;
- (e) the contribution of each Party to conservation and enhancement of, and scientific research on southern bluefin tuna;
- (f) any other factors which the Commission deems appropriate.

3. Interpretation and weighting of the factors which need to be considered under Article 8.4 of the Convention

- (1) the factors that need to be considered are:

- (a) relevant scientific evidence;

The issues that need to be considered specifically are:

- the flexibility of each Party's fishing industry to achieve MSY.
- assessment of the contribution of each Party's fishing industry in ensuring parental stocks at desirable levels.

- (b) the need for orderly and sustainable development of southern bluefin tuna fisheries;
 - current scale of fishing industry (numbers of fishing vessels, fishers, and the regions depending on this fishery).
 - the social and economic backgrounds which make the sustainable development of fisheries possible.
- (c) the interests of coastal States through whose fishery zones southern bluefin tuna migrates;
 - the existence of spawning area of southern bluefin tuna and juvenile's feeding area at each coastal State.
 - size of fishery zone of the coastal State.
- (d) the interests of Parties whose vessels engaged in SBT fishing (including those which have historically engaged in such fishing and those which have southern bluefin tuna fisheries under development);
 - the historical fishing record needs to be considered and accumulated retrospectively to the earliest year assessed for the stock assessment. (proceeding 1960).
 - the catch caught by the Parties' vessels should be assessed as its own catch record even if they were engaged in joint ventures.
 - the interests of Parties under development (new Party etc.) must not undermine the interests of the current Parties.
- (e) the contribution to conservation, enhancement and scientific research;
 - Conservation
 - the contribution of the current Parties should be considered on an equal basis. The future catch record for the new Party should be adjusted considering the efforts which the current Parties have made to the conservation and management actions.
 - the time the Parties' industries have spent in industry to industry cooperation and their scientific contributions should be assessed.

- Enhancement
 - the time the Parties have spent and their scientific contribution should be assessed.
- Research
 - priority should be given to the assessment of the Party which has presented catch and effort data used for the scientific stock assessment.
 - efforts to assist in identifying the solution of stock assessment uncertainties should be assessed.

(2) Weighting of the factors to be considered.

There is no specific provision in the Convention.

4. Example from other international fishery organisations.

The following is the criteria and weighting scheme for the catch allocation in the Northwest Atlantic Fisheries Organisation (NAFO) which consists of many Parties and has a stock conservation management record covering a long period.

(1) The criteria for the allocation covers

- (a) Parties interests;
- (b) Historical catch record;
- (c) Parties' degree of dependence on the coastal community;
- (d) Cooperation in monitoring and inspection;
- (e) Cooperation in stock conservation.

(2) Weighting

- Each Party's catch record for the previous 20 years..... 40%
- Each Party's catch record for the previous 5 years..... 40%
- Interests of the coastal States 10%
- New Parties or others 10%

5. The guidelines which should be adopted for future allocations.

		Japan	Aust.	NZ	Total
(a)	Scientific evidence *1	(5%) 1.7% (35.0)	1.5% (30.0)	1.8% (35.0)	5.0% (100.0)
(b)	need for sustainable development *2	(5%) 4.3% (85.0)	0.7% (13.7)	0.0% (1.2)	5.0% (100.0)
(c)	interests of coastal States *3	(20.%) 0.0% (0.0)	18.0% (90.0)	2.0% (10.0)	20.0% (100.0)
(d)	interests of Parties engaged in SBT fishing (historical record) *4	(60%) 46.7% (77.9)	13.2% (22.0)	0.1% (0.1)	60.0% (100.0)
(e)	contribution of conservation, enhancement and research *5	(10%) 5.8% (57.8)	3.1% (30.8)	1.1% (11.4)	10.0% (100.0)
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Total	(100%)	58.5%	36.5%	5.0%	100.0%
		↓	↓	↓	↓
appropriate national quota		6.874MT	4.289MT	587MT	11.750MT

(Note)

		Japan	Aust.	NZ	Total
*1	Scientific evidence	35.0%	30.0%	35.0%	100.0%
*2	Need for sustainable development	85.0%	13.8%	1.2%	100.0%
	• Fishery scale 50%	(80.0%)	(18.0%)	(2.0%)	(100.0%)
	• Social economical background 50%	(90.0%)	(9.5%)	(0.5%)	(100.0%)
*3	Interests of coastal states	0.0%	90.0%	10.0%	100.0%
*4	Historical record (catch record since 1960)	77.9%	22.0%	0.1%	100.0%
*5	Contribution rate of Conservation, Enhancement and Research	57.8%	30.8%	11.1%	100.0%
	• conservation: 33.3%	(33.3%)	(33.3%)	(33.3%)	(100.0%)
	• enhancement: 33.3%	(60.0%)	(40.0%)	(0.0%)	(100.0%)
	• research: 33.3%	(80.0%)	(19.0%)	(1.0%)	(100.0%)

Attachment C

Annex 6

Quota allocation to new entrants to the Commission for the Conservation of Southern Bluefin Tuna

The following conditions will be applied when considering the quota allocation to new entrants:

1. The quota allocation to new entrants including cooperative Parties will be calculated based on the past catch records of the new entrant prior to the signature of the Convention for the Conservation of Southern Bluefin Tuna by the present three Parties in 1993. In this regard, figures in 1991 to 1993 should be provided as soon as possible by the entrants and shall be verified between the new entrants and the Parties. Thereafter, those figures should be used.
2. In considering the quota allocation to new entrants, the past catch reductions of the present Parties should be duly taken into account. This reduction rate is 59% (see below for the calculation).
3. In view of 1. and 2. above, it is suggested that in principle the quota allocation to a new entrant should be calculated by multiplying the average catch between 1991 and 1993 by 41% (100 minus 59). The quota may be adjusted, taking into account the provisions stipulated in Article 8, paragraph 4 of the Convention.:
 - (a) relevant scientific evidence
 - (b) the need for orderly and sustainable development of SBT fisheries
 - (c) the interests of Parties through whose exclusive economic or fishery zones SBT migrates
 - (d) the interests of Parties whose vessels engage in fishing for SBT including those which have historically engaged in such fishing and those which have SBT fisheries under development
 - (e) the contribution of each Party to conservation and enhancement of, and scientific research on, SBT
 - (f) any other factors which the Commission deems appropriateSuch adjustment should be made as a result of negotiation between the Parties and the new entrant.

- * The quota restriction was introduced in 1986 for the first time, when the catch amount was 28,841 mt. The catch amount in 1993 was 11,750 mt. Therefore, the catch reduction rate between 1986 and 1993 is calculated:
 $(1 - 11750/28841) * 100 = 59\%$

ICCAT System for Allocating TAC

I Qualifying Criteria

Participants will qualify to receive possible quota allocations within the framework of ICCAT in accordance with the following criteria:

- 1 Be a Contracting or Cooperating Non-Contracting Party, Entity or Fishing Entity.
- 2 Have the ability to apply the conservation and management measures of ICCAT, to collect and to provide accurate data for the relevant resources and, taking into account their respective capacities, to conduct scientific research on those resources.

II Stocks to Which the Criteria Would be Applied

- 3 These criteria should apply to all stocks when allocated by ICCAT.

III Allocation Criteria

A Criteria Relating to Past/Present Fishing Activity of Qualifying Participants

- 4 Historical catches of qualifying participants.
- 5 The interests, fishing patterns and fishing practices of qualifying participants.

B Criteria Relating the Status of the Stock(s) to be Allocated and the Fisheries

- 6 Status of the stock(s) to be allocated in relation to maximum sustainable yield, or in the absence of maximum sustainable yield an agreed biological reference point, and the existing level of fishing effort in the fishery taking into account the contributions to conservation made by qualifying participants necessary to conserve, manage, restore or rebuild fish stocks in accordance with the objective of the Convention.
- 7 The distribution and biological characteristics of the stock(s), including the occurrence of the stock(s) in areas under national jurisdiction and on the high seas.

C Criteria Relating to the Status of the Qualifying Participants

8 The interests of artisanal, subsistence and small-scale coastal fishers.

9 The needs of the coastal fishing communities which are dependent mainly on fishing for the stocks.

10 The needs of the coastal States of the region whose economies are overwhelmingly dependent on the exploitation of living marine resources, including those regulated by ICCAT.

11 The socio-economic contribution+ of the fisheries for stocks regulated by ICCAT to the developing States, especially small island developing States and developing territories(*) from the region.

12 The respective dependence on the stock(s) of the coastal States, and of the other States that fish species regulated by ICCAT.

13 The economic and/or social importance of the fishery for qualifying participants whose fishing vessels have habitually participated in the fishery in the Convention Area.

14 The contribution of the fisheries for the stocks regulated by ICCAT to the national food security/needs, domestic consumption, income resulting from exports, and employment of qualifying participants.

15 The right of qualified participants to engage in fishing on the high seas for the stocks to be allocated.

D Criteria Relating to Compliance/Data Submission/Scientific Research by Qualifying Participants

16 The record of compliance or cooperation by qualifying participants with ICCAT's conservation and management measures, including for large-scale tuna fishing vessels, except for those cases where the compliance sanctions established by relevant ICCAT recommendations have already been applied.

17 The exercise of responsibilities concerning the vessels under the jurisdiction of qualifying participants.

18 The contribution of qualifying participants to conservation and management of the stocks, to the collection and provision of accurate data required by ICCAT and, taking into account their respective capacities, to the conduct of scientific research on the stocks.

IV. Conditions for Applying Allocation Criteria

- 19 The allocation criteria should be applied in a fair and equitable manner with the goal of ensuring opportunities for all qualifying participants.
- 20 The allocation criteria should be applied by the relevant Panels on a stock-by-stock basis.
- 21 The allocation criteria should be applied to all stocks in a gradual manner, over a period of time to be determined by the relevant Panels, in order to address the economic needs of all parties concerned, including the need to minimize economic dislocation.
- 22 The application of the allocation criteria should take into account the contributions to conservation made by qualifying participants necessary to conserve, manage, restore or rebuild fish stocks in accordance with the objective of the Convention.
- 23 The allocation criteria should be applied consistent with international instruments and in a manner that encourages efforts to prevent and eliminate over-fishing and excess fishing capacity and ensures that levels of fishing effort are commensurate with the ICCAT objective of achieving and maintaining MSY.
- 24 The allocation criteria should be applied so as not to legitimize illegal, unregulated and unreported catches and shall promote the prevention, deterrence and elimination of illegal, unregulated and unreported fishing, particularly fishing by flag of convenience vessels.
- 25 The allocation criteria should be applied in a manner that encourages cooperating Non-Contracting parties, Entities and Fishing Entities to become Contracting Parties, where they are eligible to do so.
- 26 The allocation criteria should be applied to encourage cooperation between the developing States of the region and other fishing States for the sustainable use of the stocks managed by ICCAT and in accordance with the relevant international instruments.
- 27 No qualifying participant shall trade or sell its quota allocation or a part thereof.

**RECOMMENDATION BY ICCAT
REGARDING COMPLIANCE WITH MANAGEMENT MEASURES
WHICH DEFINE QUOTAS AND/OR CATCH LIMITS**

RECOGNIZING that the *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* was adopted at the 1996 Commission meeting and it was extended to include compliance in the South Atlantic swordfish fishery at the 1997 Commission meeting;

NOTING the treatment of overage and underage differs among the stocks and this complicates quota management and compliance;

RECOGNIZING the need to simplify the rules by generalizing the treatment of overage and underage to avoid future confusion;

**THE INTERNATIONAL COMMISSION OF THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:**

- 1 For any species under quota/catch limit management, 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, unless any recommendation on a stock specifically deals with overages/underages, in which case that recommendation will take precedence.

Attachment F

B. Chartering Operations

1. Each Contracting Party may utilize partly or wholly quota and shrimp fishing days allocated to that Party under Schedule I and Part I.G by way of charter arrangement with a fishing vessel flying the flag of another Contracting Party notified in accordance with Part III.D, subject to:
 - the consent of the flag Contracting Party;
 - a favourable proposal adopted through a mail vote in accordance with Article XI.2 of the Convention.
2. Contracting Parties shall limit such charter arrangements to one fishing vessel per year and for a limited duration not exceeding 6 months.
3. Contracting Parties intending to have recourse to such charter arrangements shall together with a request for a mail vote notify the following information to the NAFO Executive Secretary:
 - the name and registration of the chartered vessel and the relevant flag Contracting Party
 - a copy of the charter
 - the fishing possibilities concerned
 - the date as from which the vessel is authorized to commence fishing on these fishing possibilities
 - the duration of the charter
4. The relevant flag Contracting Party shall notify in writing its consent to the NAFO Executive Secretary.
5. The NAFO Executive Secretary shall circulate the above information and the consent of the flag Contracting Party without delay to Contracting Parties.
6. The relevant flag Contracting Party is responsible for ensuring that the vessel complies with the requirements of the NAFO Conservation and Enforcement Measures. This does not nullify the obligations of the Contracting Party to which the quota and shrimp fishing days have been allocated under Part I of the Conservation and Enforcement Measures, as appropriate.
7. All catches and incidental catches from such chartering arrangements shall be recorded by the relevant flag Contracting Party separate from other national catch data recorded according to Part I.D., and shall be reported to the Contracting Party to which the fishing possibilities have been allocated and to the Executive Secretary separate from other national catch data according to Part I.D. The Executive Secretary shall add these catches to the catch statistics of the Contracting Party to which the fishing possibilities have originally been allocated.
8. As a pilot project, these provisions shall apply only to the year 2003.

C. Quota Adjustments

1. When information satisfactory to the Executive Secretary indicates that there are reasonable grounds for believing that a quota of a Contracting Party has been taken, he shall immediately inform that Contracting Party. Should that Contracting Party, fail within **15 days** either to cease fishing or to demonstrate that the quota has not been taken, the Executive Secretary shall so report without delay to the Fisheries Commission.
2. (a) When the Commission finds that vessels of a Contracting Party have taken more than the quota allocated to that Contracting Party, the Commission may adjust the corresponding quota for that Contracting Party in a succeeding quota period.

- (b) When the Commission finds that a Contracting Party failed to report an intention to fish under an allocation to "Others" and subsequently took catches thereunder, or failed to report, in accordance with the Commission's measures, catches taken under an allocation to "Others", or continued a directed fishery under an allocation to "Others" after this fishing had been prohibited in accordance with the Commission's measures, the Commission may propose measures to compensate for damage to the stocks caused by the excessive catch. Such measures might include adjustments to quotas or the establishment of new quotas for that Contracting Party as might be appropriate.
3. Where applicable, quota adjustments shall be made during the determination by the Commission of relevant quotas for the following quota period, and shall not result in an increase in any other quota for the Contracting Party to which the quota adjustment applies, nor in any increase in the relevant quota for any other Contracting Party unless the Commission determines that the increase will not cause further harm to the stock.

D. Recording of Catch

- 1. A Contracting Party shall ensure that each vessel of that Party with fish on board shall, on entering the Regulatory Area, have a record in its fishing logbook of the amount of each species of fish on board.
- 2. (a) For fish taken subject to Commission measures, a Contracting Party shall ensure that all vessels of that Party fishing in the Regulatory Area record:
 - (i) their catches on a daily basis. All **logbook entries** listed in **Schedule II** shall be completed in accordance with its instructions and using the codes specified therein, and
 - (ii) the estimated **cumulative catch** on a daily basis in the form prescribed in **Schedule III**.
- (b) The records shall:
 - (i) correspond to the smallest geographical area for which a quota has been allocated,
 - (ii) show the disposition of the catch including any fish off-loaded while the vessel is operating in the Regulatory Area, and
 - (iii) be retained aboard the vessel for the duration of the quota period.
- (c) For all fish taken under paragraph 2 (a), Contracting Parties shall ensure that all vessels of that Party fishing in the Regulatory Area shall either:
 - (i) record their cumulative production by species and product form in a production logbook,
or
 - (ii) stow in the hold all processed catch in such a way that each species is stowed separately. A stowage plan shall be maintained showing the location of the products in the hold.
- 3. (a) A Contracting Party shall, within **30 days** following the calendar month in which the catches were made, **report provisional monthly** catches by species and stock area to the Executive Secretary, whether or not that Party has quota allocations for the stocks from which catches were obtained.
- (b) The Executive Secretary shall, within **10 days** following the monthly deadlines for receipt of the provisional catch statistics, collate the information received and circulate it to Contracting Parties.