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**A REVISED DRAFT CONSERVATION AND MANAGEMENT MEASURE FOR
SOUTHWEST PACIFIC SWORDFISH IN THE WCPFC AREA**

WCPFC19-2022-DP07
28 October 2022

FFA Member CCMs

A Revised draft Conservation and Management Measure for Southwest Pacific Swordfish in the WCPFC Area

WCPFC-2022-DPXX

28 October 2022

Submission by FFA Member CCMs

Explanatory Note

Background

The need for a revised CMM

The current measure for southwest Pacific swordfish (CMM 2009-03) contains no restrictions on fishing mortality in the high seas area north of 20°S and contains flag-based limits south of 20°S that, in combination with unconstrained catches north of 20°S, may be too high to prevent future overfishing. Subsequently, it lacks the overall provisions required to ensure the ongoing sustainability of the stock and does not protect either future fishery development opportunities for SIDS nor the economic viability of either current swordfish targeting fisheries or fisheries for which swordfish is an important economic bycatch.

Key principles for a revised CMM

At WCPFC16 in 2019, Australia committed to helping the Commission develop a revised draft measure that would meet a set of key principles, linked to the WCPFC Convention. The following principles aim to ensure a CMM that will:

1. apply in EEZs and high seas throughout the whole area of the stock (consistent with Article 3 and Article 5);
2. be reflective of our current best understanding of swordfish science and its assessed status;
3. prevent further increases in fishing mortality on the stock to avoid future overfishing and an overfished stock (as per Article 5);
4. accommodate subregional zone-based management approaches and limits and ensure compatible management and limits on the high seas (as per Article 8).
5. recognise the sovereign rights of coastal States to explore, exploit, conserve and manage HMS within areas under their national jurisdiction (as per Article 7), and
6. recognise the special requirements of, and avoid transferring a disproportionate burden of conservation upon, SIDS and Participating Territories (as per Article 30).

WCPFC16 also recognised the need to seek the development of a consistent set of conservation and management measures for fish stocks that occur in both the WCPFC and IATTC Convention Areas (as per Article 22).

Progress to date

In the period since WCPFC16, a large suite of work has been funded and undertaken within the WCPFC processes to ensure that the revised draft CMM can be based on the latest relevant fisheries information, data and science, and be able to meet the principles outlined above. A significant body of work has been completed to inform the revision of the CMM including:

- WCPFC16-2019-DP19 (AU paper to WCPFC16): A review of the current CMM 2009-03 and based on that review, the proposal to design a revised CMM around the above principles.
- SC17-MI-IP-10: A review of potential management options for fisheries taking swordfish as bycatch (provided to SC16 and updated at SC17).
- (SC17-MI-IP-12) and (SC18-MI-IP-11) – A spatial and temporal characterisation of catch data for fisheries targeting swordfish or taking swordfish as bycatch, both on the high seas and within EEZs. This paper has been further updated by SPC and will be provided to WCPFC19.

- SC17-SA-IP-08: A general characterisation of fisheries taking swordfish in the southern WCPFC Area (SC17 paper by SPC).
- SC17-SA-WP-04: A revised stock assessment for SWPO Swordfish (SC17 paper by SPC).
- WCPFC18-2021-21: Outcomes of a suite of Southwest Pacific Swordfish catch projections (<https://meetings.wcpfc.int/node/14248>)
- SC18-MI-WP-08: A revised draft conservation and management measure for South Pacific Swordfish in the WCPFC Area (<https://meetings.wcpfc.int/node/16290>)
- TCC18- -2022-DP01_rev1: A revised draft conservation and management measure for South Pacific Swordfish in the WCPFC Area (<https://meetings.wcpfc.int/node/17253>)

Overview of draft CMM

The revised draft CMM draws upon the above suite of technical and information papers presented to the Commission over the past two years to both address the key principles outlined above and ensure the CMM can meet its high-level objective.

Objective

The objective of this draft measure is to maintain spawning biomass depletion ratio at or above recent (2019) levels. This objective ensures the sustainability of the stock but importantly also recognises:

- the importance of this stock to the commercial viability of fisheries targeting this stock (noting further depletion would result in declines in CPUE),
- its economic value as a significant retained bycatch for some fisheries, and
- its importance to the future development aspirations of Small Island Developing States and Territories.

It is important to note that as a result of the healthy status of the stock, and moderate stock depletion levels, **this draft CMM does not seek to reduce fishery catches** but rather, focuses on preventing significant increases in future catches (fishing mortality) to levels that would lead to additional depletion of the stock, relative to recent (2019) levels.

Area of application

At WCPFC16, members expressed support for broadening the spatial scope of the measure to the whole area of the stock within the WCPFC Area. The revised CMM applies to the whole area of the stock (i.e., south of the equator within the WCPFC area of competence), both within EEZs and on the high seas.

This addresses a key gap in the current CMM 2009-03, which applies only to fisheries south of 20S, noting that in the recent period 2017-2021, 42-57% of annual catches have been taken north of 20S (i.e., 0-20S), with the majority of that catch taken on the high seas. This draft CMM thus addresses **Principle 1 (above)** relating to **Articles 3 and 5 of the Convention**.

Consideration of stock status and catch projections

The revised draft measure aims to be reflective of our current best understanding of swordfish science and its assessed status, consistent with **Principle 2** (above). The measure takes account of the most recent stock assessment (SC17-SA-WP-04) which indicated that the stock is not overfished nor subject to overfishing against reference points currently applied to tuna's (20% SSB depletion) or MSY based reference points¹. The revised measure takes account of the Scientific Committees recent advice, including the continued importance for WCPFC to develop a revised and strengthened CMM that will ensure the ongoing future sustainability of the SWP swordfish.

It also takes account of catch projections² presented in the SC18-MI-IP-07, which demonstrate that:

¹ Noting that a decision on an LRP for billfishes, including swordfish, is yet to be made by the Commission.

² <https://meetings.wcpfc.int/node/16306>

- Projections that maintained the 2016-2018 “status quo” catch levels tended to result in the stock being maintained at similar depletion levels to the starting year of 2019, both at the 10 year and terminal (30) year stage of the projections.
- A catch increases of 20% above the 2016-18 status quo level resulted in a 22% risk of breaching the 20% $SB_{F=0}$ LRP applied to tunas (overfished status) and a 21% risk of F exceeding F_{MSY} (overfishing status) over the 30 year projection.
- A catch increases of 30% above the 2016-18 status quo level resulted in a 30% risk of breaching the LRP applied to tunas (overfished status) and a 26% risk of F exceeding F_{MSY} (overfishing status) over the 30 year projection.
- Under the two high catch scenarios (“fully caught limits” and “maximum catch”) the stock became considerably more depleted (to 10-18% of unfished spawning biomass levels after 30 years), with a relatively high number of projections that resulted in the stock crashing after only 10 years.

Fishing mortality controls

Given the outcomes of the assessment and projections, the revised CMM acknowledges the current healthy state of the stock and as such:

- *does not* seek to implement catch reductions from recent (ie average 2019-21) levels for any fleets, however,
- *does* propose a system of catch limits for target fleets and alternate measures (currently specified as either a bycatch limit or method/gear limitation) for bycatch fleets, that in combination would seek to both prevent increases in future fishing mortality that could lead to overfishing, and also maintain the stock at levels that maintain future fishery development opportunities for SIDS, and protect the economic viability of existing swordfish fisheries and bycatch fisheries that swordfish makes an economic contribution to.

Consistent with the objective of avoiding further depletion of the stock (relative to the 2019 reference year) and utilising information from the catch projections and SPC Catch statistics the draft CMM aims to prevent total annual catch levels exceeding **7558 t**. It is important to note that this level of catch is significantly higher than catches taken in recent years (e.g., it is 2022 t greater than the 2021 catch).

The revised CMM (in 2022) is also informed by information in *SC17-MI-IP-10*, relating to potential options (alternate measures) for fisheries taking swordfish as bycatch³. Based on that review paper, we consider the two most appropriate options for bycatch fisheries are either bycatch limits or gear/method restrictions. Given the healthy status of the stock, measures for the major high seas bycatch fisheries simply aim to prevent increases in future bycatch above the “status quo” levels tested in the catch projections.

For Coastal State EEZ fisheries, adoption of an “alternate measure” for swordfish bycatch is only required by the draft CMM if the recent (3 year average) annual catch in that EEZ exceeds a 150t trigger. The reason for this is explained further below.

In considering the above framework for controlling fishing mortality, CCMs should note the following:

- **Keeping total catch consistent with objective** - The draft CMM does not currently contain proposed CCM EEZ and high seas limits and alternate measures, which are to be negotiated. However, it will be important that the sum total of negotiated limits and expected catches (e.g., under gear restriction options) does not exceed the overall catch limit stated in the measure.
- **Bycatch fishery options** - CCMs are encouraged to bring forward additional alternate options for consideration in the alternate options table, alongside supporting research and evidence to

³ <https://meetings.wcpfc.int/node/12595>

demonstrate the likely effectiveness of the CCMs proposed option in helping achieve the objectives of the draft measure.

- **Limit reference point (LRP)** - It should also be noted that potential limit reference points (LRPs) for billfish including swordfish are yet to be agreed by the Commission but were explored in a paper to SC17. Noting that median biomass depletion is currently substantially above any likely agreed LRP level, and the draft CMM aims to prevent any significant future decline in biomass, the draft CMM addresses this current gap by seeking a commitment from the Commission to agree an LRP for swordfish by 2024 at the latest.

Other key elements

The revised draft CMM aims to ensure that the future management of the stock can, in a manner consistent with the Convention:

- Accommodate subregional zone-based management approaches and limits and ensure compatible management and limits on the high seas (Principle 4 - as per Article 8 of the Convention);
- Recognise the sovereign rights of coastal States to explore, exploit, conserve and manage HMS within areas under their national jurisdiction (Principle 5 - as per Article 7); and
- Recognise the special requirements of, and avoid transferring a disproportionate burden of conservation upon, SIDS and Participating Territories (Principle 6 - as per Article 30).

To achieve this, the revised draft CMM contains a framework of provisions (see also Figure 1 below) to manage fishing mortality in a manner consistent with these principles by:

- Clearly dividing fishing mortality controls into zone based and high seas-based provisions.
- Further dividing those controls into catch limit-based controls for targeted fisheries and “alternate measure” controls for fisheries taking swordfish as bycatch – to avoid the transfer of disproportionate burden and to accommodate existing zone-based approaches.
- Only applying alternate measures requirements to Coastal States for whom recent average (3 year) annual swordfish bycatch within their EEZ exceeds 150t. A similar provision applies for fleets on the high seas. Most Coastal State EEZs in the area of the stock are SIDS with minimal historical swordfish catch or contribution to its current depletion level. The trigger provisions aim to mitigate the risk of disproportionate burden for those members.
- Allowing for swordfish fishery development in SIDS EEZs in the future, to maintain coastal state sovereign rights to explore and exploit fishery resources in their zones.

Paper SC18-MI-IP-11 to the SC17 demonstrates that the majority of fishery catches (and therefore fishing mortality and catch driven stock depletion) can be attributed to swordfish target fisheries (operating in EEZs and on the high seas) *and* fisheries taking swordfish as bycatch on the high seas. The revised CMM recognises these factors and aims to protect the rights of SIDS to access and develop fisheries for this resource in future, and not impose measures that impact on SIDS fishery tuna catches in the meantime.

Finally, it is worth noting that WCPFC should seek the development of a consistent set of conservation and management measures for fish stocks that occur in both the WCPFC and IATTC Convention Areas (as per Article 22). The WCPFC Commission Chair wrote to the IATTC Chair, as per the WCPFC16 decision, on 21 April 2020. The IATTC Chair replied on 23 April 2020, affirming the IATTC’s commitment to a revised assessment, development of an IATTC management measure and cooperation with WCPFC on the management of southwest Pacific swordfish.

MCS provisions:

Data collection and verification gaps in the WCPFC longline fishery has long been noted by the Commission and many of its subsidiary bodies. It has been acknowledged the high seas longline fishery presents higher risks of potential IUU fishing not being detected due to lower independent verification of fishing catch and effort data.

The MCS provisions in the draft CMM seek to provide options to verify fishing catch within both the high seas and in-zone target fisheries.

Longline bycatch fisheries will continue to be required to continue to meet provisions specified under the Regional Observer Program CMM (2018-05) and other MCS requirements specified under any further measures or SSPs developed by the Commission, such as VMS, additional observer requirements for transshipment, and catch reporting.

In in-zone fisheries targeting swordfish, a CCM shall either use observer coverage in line with 2018-05 or electronic monitoring to independently verify catch contingent on application of CMM 2018-05 (i.e. whether fishing is subject to the ROP or not subject to the ROP).

For high seas fisheries targeting swordfish, CMMs shall require 10% observer coverage while fishing. If independently verified observer data can demonstrate a congruence of data collection and reporting, then the measure could consider lower observer coverage rates to reflect the higher confidence of data collection in future iterations. In accordance with 2018-05, Annex C – 08 a higher rate can be applied if specified in another measure:

CCMs shall also be expected to meet any additional ROP observer obligations that may be included in any measure adopted by WCPFC, such as provisions of a catch retention measure, a FAD management measure, or a transshipment measure. Such measures may include observer requirements for freezer longliners, purse seiners and/or carriers.

The CMM reflects electronic reporting requirements implemented, or requirement to will implemented by swordfish targeting fleets. Implementation of electronic reporting requirements in this measure does not intend to prejudice the development of further electronic reporting requirements developed under any other measure.

Additional provisions specified in this measure further to those required under existing measures will be implemented by 1 January 2024. This will allow a transition period for increasing both observer coverage and/or implementation of an electronic monitoring program.

CCMs are responsible for the evaluation and contracting of electronic monitoring systems for placement aboard their flagged vessels to collect and verify data required by the Commission. Systems should be designed and installed to adequately collect scientific and fisheries data and report to the WCPFC secretariat. Data derived through electronic monitoring may also be used by the Secretariat and CCMs to verify compliance with existing CMMs adopted by the Commission.

Providing a future implementation date for MCS provisions that exceed those under existing measures allows flexibility for the development of electronic monitoring SSPs by the Commission for the implementation of electronic monitoring programs in target fisheries.

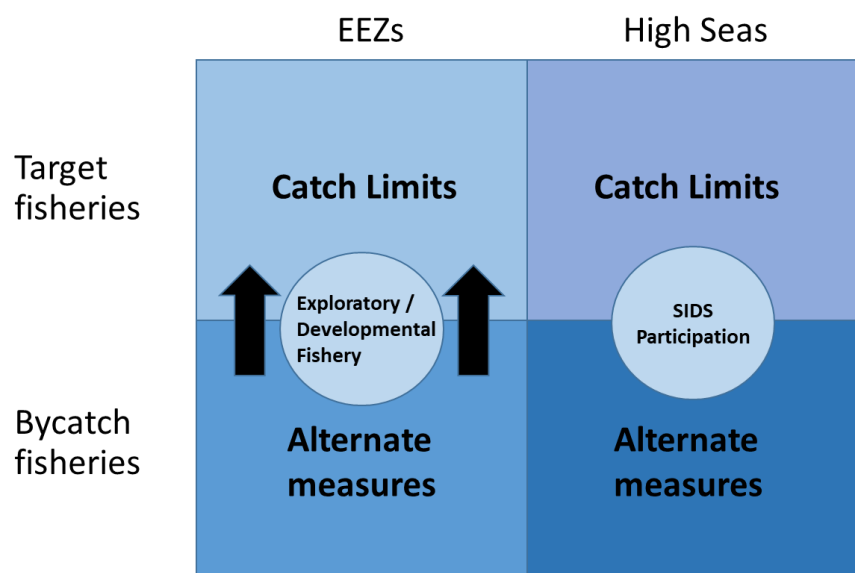


Figure 1 – Schematic representing the suite of controls on fishing mortality proposed to be included in the draft CMM, with swordfish targeting fisheries managed under catch limits and fisheries taking swordfish as bycatch managed via a suite of alternate measures (from which CCMs might select one or two, depending on their fishery circumstances and associated preferences).

CMM 2013-06 SIDS Impact Assessment

Application of CMM 2013-06 to proposed swordfish CMM

The following information is offered to assist the Commission to meet the requirements of CMM 2013-06 in respect of this draft CMM.

a. Who is required to implement the proposal?

The proposal would be implemented by all CCMs with longline vessels operating south of the equator in the Convention Area. The proposed draft will apply in EEZs and high seas throughout the whole area of the stock, south of the equator within the WCPFC area of competence.

b. Which CCMs would this proposal impact and in what way(s) and what proportion?

The proposal will impact CCMs whose vessels target SWO (currently three CCMs, none of which are SIDS) by requiring catch limits for target fleets. It will also impact CCMs for which SWO is a prominent bycatch species (based on current data, likely 5-6 CCMs, including 1-2 SIDS) by requiring alternate measures (such as a bycatch catch limit or method/gear restrictions such as a ban on the use of light sticks or squid bait).

In addition to the catch limits, this CMM will require additional MCS provisions (including monitoring and reporting requirements) for target fleets aimed at ensuring the integrity of catch limits.

c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?

Nil

d. Does the proposal affect development opportunities for SIDS?

The proposal seeks to both prevent increases in future fishing mortality that could lead to overfishing, and also maintain the stock at levels that maintain future fishery development opportunities for SIDS, and protect the economic viability of existing swordfish fisheries and bycatch fisheries that swordfish makes an economic contribution to.

Australia has undertaken extensive consultation with SIDS and subsequently sought to design a measure that protects SIDS future development aspirations in the fishery. The measure is also designed to recognise that most SIDS with fleets that take swordfish as a bycatch comprise a very small component of the overall mortality of this stock, and hence the measure aims to avoid management restrictions that are disproportionate to SIDS fishery impacts, as well as avoiding collateral impacts on catches of tuna by these fisheries.

The measure achieves this by two mechanisms. Firstly, a 150t trigger relating to annual EEZ catch and a similar trigger for catches taken by SIDS fleets on the high seas. Where recent average annual catches are below this level, no further conditions are imposed by the measure on those SIDS. Where catches exceed these levels, for bycatch fisheries, the measure provides flexibility in management options that will allow SIDS to implement the objective of the measure in a manner that best works for the operation of their fleets. These management options have been developed through extensive consultation with SIDS over the past three years

The proposal aims to accommodate SIDS which aspire to develop a target fishery for swordfish in the future, and this is further supported by its objective of preventing further depletion and ensuring the long-term sustainability of this stock.

e. Does the proposal affect SIDS domestic access to resources and development aspirations?

As noted above, this measure is designed to be flexible for fleets that catch swordfish as a bycatch, and doesn't restrict access (noting that no SIDS currently have fleets that target swordfish).

The measure may have a positive effect on development opportunities and aspirations for SIDS through ensuring the long-term sustainability of this stock and allowing for the development of targeted swordfish fisheries by SIDS fleets in the future.

In addition, this measure seeks to enshrine the principle of zone-based management and ensure coastal States (including SIDS) rights and interests in resources that are found in their EEZs are protected, in line with the WCPF Convention.

f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?

Currently, resources to implement this proposal by SIDS are expected to be minimal, noting that no SIDS will be subject to the requirements on targeting fleets, most SIDS fisheries fall under the 150t trigger, and there is a high degree of flexibility provided for bycatch fleets above the 150t trigger (likely to impact 1-2 SIDS).

If SIDS seek to develop target fisheries, there may be implications on introducing e-reporting, or EM provisions consistent with the draft measure. Australia is committed to working with SIDS on this in the future (directly and through the FFA) as needed.

Australia will also continue to work through ongoing implementation and review of the measure to identify and mitigate impacts on SIDS.

g. What mitigation measures are included in the proposal?

The primary mitigation measure aimed at reducing the impact of this proposal on SIDS is placing the focus of management on fleets that are having the most significant impact on the stock (primarily targeting and major high seas bycatch fleets), and hence ensuring that SIDS that are having minimal impact are not disproportionately bearing the burden of meeting the objectives of the measure. In addition to this, the flexibility assigned to the bycatch management options allows SIDS to identify the most effective manner to implement the measure in line with their existing management mechanisms and fishery operations.

h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

None anticipated, however Australia will work with affected SIDS to identify support mechanisms if required.

Draft Proposal

DRAFT CONSERVATION AND MANAGEMENT MEASURE FOR SOUTHWEST PACIFIC SWORDFISH

Conservation and Management Measure 20xx-xx*

PREAMBLE

The Western and Central Pacific Fisheries Commission (WCPFC):

Recognising that SC17 noted the preceding measure (CMM 2009-03) for this stock does not contain provisions to limit total fishing mortality on the stock and emphasized the continued importance of WCPFC to develop a revised and strengthened CMM that will ensure the ongoing future sustainability of the SWP swordfish.

Recognizing that SC17 noted that fishing mortality is predicted to have increased gradually across the assessment region through the mid-1990s, increased sharply in the early-2000s and stabilized at high levels in the last decade, and that the median latest spawning potential depletion ($SB_{latest}/SB_{F=0}$) level is 0.39.

Recognizing that the SC17 determined that the southwest Pacific swordfish stock is likely not experiencing overfishing (80% probability $F < F_{MSY}$) and is likely not in an overfished condition (13% probability that $SB_{latest}/SB_{MSY} < 1$ and a 10% probability that $SB_{latest}/SB_{F=0} < 0.2$).

Recognizing that some CCMs already have domestically established catch limits to manage stock within their EEZ

Further recognizing that SC17 stated that the outcomes of the assessment are on average more optimistic in relation to the 2017 assessment, but the estimated uncertainty has increased. Further, unresolved uncertainties combined with the need to further refine and review the new ensemble approach suggest additional caution may be appropriate when interpreting the current assessment outcomes to guide management decisions.

Further noting that SC17 noted that over the past two decades, the majority of catch has been taken by a combination of swordfish targeting fleets (in the area south of 20°S; 42%) and fleets taking swordfish as a bycatch on the high seas (in particular in the eastern stock area north of 20°S; 34%).

Noting that SC17 noted the suite of catch projections requested by WCPFC16, and undertaken by the SSP, are intended to test the future likely state of the stock under a range of potential future catch or effort scenarios and this information informs this conservation and management measure.

Recognising that catch projections presented to WCPFC18 highlighted that “status quo” catches (i.e. average catch for 2016-2018) would maintain the stock at slightly above recent (2019) depletion levels over 10 and 30 yr time frames and **noting that** recent (2019-2020) catch levels are significantly below status quo catch levels.

Further noting the range of potential alternate management measures for fisheries taking swordfish as bycatch, reviewed by SC16 and SC17 and the importance of ensuring that measures adopted for swordfish do not significantly impact on catches of tuna by longline fisheries targeting tuna.

Acknowledging IATTC’s recognition of the importance of establishing complementary conservation and management measures for species of mutual interest, and that swordfish stocks in the central Pacific are likely to occur in waters under the competence of both the WCPFC and IATTC;

Recognising the need for both IATTC and WCPFC to adopt conservation and management measures to provide for the sustainable management of swordfish stocks across the Pacific Ocean.

Noting that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small island developing States and territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries for such stocks. This recognition should include the provision of financial, scientific, and technological assistance;

Noting further that Article 30(2) of the Convention requires the Commission to take into account the special requirements of developing States, in particular Small Island developing States, territories and possessions. This includes the need to ensure that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, territories and possessions;

Noting that Article 8(1) of the Convention which requires compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

Recalling Article 8(4) of the Convention which requires the Commission to pay special attention to ensuring compatibility between conservation and management measures established for the high seas in the Convention Area that are surrounded by exclusive economic zones (EEZs) and measures established by surrounding coastal States in areas under national jurisdiction;

Noting further that the Parties to the Nauru Agreement have adopted and implemented a Vessel Day Scheme for the longline fishery and have established longline effort limits for longline fisheries within their exclusive economic zones.

Noting furthermore that the Members of the Pacific Islands Forum Fisheries Agency have indicated their intention to adopt a system of zone-based longline limits **and alternate measures** to replace the current system of flag-based **swordfish** catch limits within their EEZs;

Recalling Article 25(1)(b) of the UNFSA places a responsibility on all States to cooperate either directly or through RFMOs to ensure that developing States can participate in high seas fisheries;

OBJECTIVE

1. The objective of this measure is to maintain the spawning biomass depletion ratio of southwest Pacific swordfish at or above recent (2019) levels.
This objective ensures the sustainability of the stock but also recognises:
 - a. the importance of this stock to the commercial viability of fisheries targeting this stock,
 - b. its economic value as a significant retained bycatch for some fisheries, and
 - c. its importance to the future development aspirations of Small Island Developing States and Territories.

Principles for the application of this measure

2. **Area of Application** - This Measure applies to all areas of high seas and all EEZs in the Convention Area south of the equator except where otherwise stated in the Measure.
3. **Sustainability and Economic viability** - This measure aims to reflect the current best understanding of swordfish science and its assessed status, and ensure that overfishing and an overfished stock do not occur in future (as per Convention Article 5). Furthermore, the measure aims to maintain the stock at levels that will support the economic viability of existing and potential future coastal state fisheries for this species.

4. **Compatibility** - Conservation and management measures established for the high seas and those adopted for areas under national jurisdiction shall be compatible in order to ensure conservation and management of the swordfish stock in its entirety.
5. **Sovereign rights of coastal states and zone-based management** - This measure shall allow for the application of a zone-based management approach by FFA member coastal states and recognition of the sovereign rights of coastal states to explore, exploit, conserve and manage highly migratory species within areas under their national jurisdiction

Adopts as follows:

6. **Total catch** – The total catch of swordfish from this stock shall not exceed 7558 t⁴ per year. This overall limit will be maintained until such time as revised limits can be developed based on revised stock assessment and projections.
7. **Zone based fisheries targeting swordfish** - Coastal states in the Convention area south of the equator with established fisheries for (targeting) swordfish shall restrict catches of swordfish within their EEZs in accordance with catch limits specified in Annex 1 Table X1 [**to be developed by the Commission*].
8. **Zone based exploratory/developing swordfish fisheries** - Coastal states in the Convention area south of the equator currently developing (or intending to develop) fisheries for (targeting) swordfish within their EEZ shall notify the Commission of intended zone based limits by [*within X months of targeted fishing commencing, or similar*] and subsequently restrict catches of (or targeted effort for) swordfish within their EEZs in accordance with that notified limit (to be reflected in Annex 1 Table X1 after notification). Such notified limits may be amended from time to time.
9. **Zone based fisheries taking swordfish as bycatch** - Coastal states in the Convention area south of the equator with fisheries taking swordfish as a bycatch only, and having taken, on average (in the most recent three years), more than 150 mt per year within their EEZs, shall notify the Commission, by [specify date] of at least one of the "alternate measures" listed in Annex 1 Table X3, to be implemented in longline fisheries operating within their EEZ. Should that coastal state wish to develop a targeted fishery within its EEZ in future, the coastal state shall instead be subject to paragraph 8 (above).
10. **High Seas fisheries targeting swordfish** – CCMs fishing on the high seas in the Convention area south of the equator, with established fisheries for (targeting) swordfish, shall restrict catches of swordfish in accordance with the catch limits specified in Annex 1 Table X2.
11. **High seas fisheries taking swordfish as bycatch** – CCMs fishing on the high seas in the Convention area south of the equator, which take swordfish as a bycatch, and having taken , on average (in the most recent three years), more than 150 mt within the high seas, will notify the Commission, by [specify date] of at least one of the “alternate measures” listed in Annex 1 Table X3, to be implemented in their longline fisheries before [specify date].
12. **Adoption of a limit reference point** – The Commission will consider and adopt a limit reference point for this stock no later than 2024, and will task the Scientific Committee with developing further advice to inform a decision on an LRP in the intervening period.
13. **Review and amendment of longline provisions** – the Scientific Committee and the Technical and Compliance Committee shall review the implementation of this CMM at least every two years. Should the Scientific Committee identify that the sum total of limits and/or recent catches are inconsistent with the intent of this measure [specifically paragraphs 1 and 6], the Commission shall review the measure and consider amendment of limits and conditions at the next Commission meeting (post SC) to ensure the intent of the measure is met in future.

⁴ This is the catch level estimated by catch projections ([WCPFC18-2021-21](#)) to maintain the stock at or above recent (2019) biomass depletion level over 10 and 30 year time frames.

GENERAL PROVISIONS

DATA PROVISION REQUIREMENTS

14. CCMs will ensure the following additional minimum reporting requirements for longline operational characteristics that will include: a priority target species, light stick use, bait type, setting time (or fraction of night time soak) and gear settings that influence fishing depth (e.g. hooks between floats, branch line length, float line length, and/or line setting speed).
15. The data outlined in paragraph 14 shall be provided in operational catch and effort data submitted to the Commission pending review by SC18 and agreement to revisions to the Scientific Data to be provided to the Commission (SciData) by WCPFC20.

MONITORING CONTROL AND SURVEILLANCE PROVISIONS⁵

16. All vessels conducting their fishing activities pursuant to this measure shall comply with all other relevant CMMs. Vessels found to be non-compliant with this measure shall be dealt with in accordance with CMM 2019-07, and any other applicable measure adopted by the Commission.
17. CCMs shall ensure that zone-based fisheries targeting swordfish⁶ shall
 - a. *For ROP trips*: have 5% observer coverage;
 - b. *For non-ROP trips*: have 5% observer coverage OR 100% Electronic Monitoring coverage with at least 10% EM Record Analysis rate⁷ while actively fishing;and
 - c. Require their flagged vessels to report catch/effort electronically to their domestic authority on a daily basis.
18. CCMs shall ensure that high seas fisheries targeting swordfish⁸ within the convention area shall
 - a. have 10% observer coverage; or
 - b. 100% Electronic Monitoring coverage with at least 10% EM Record Analysis rate⁹ while actively fishing
 - c. Require their flagged vessels to land catch into port states who have implemented effective regional port state monitoring such as those outlined in CMM 2017-02
 - d. Require their flagged vessels to report catch/effort electronically to their flag state authority on a daily basis.
19. The Electronic Monitoring Record Analysis rates will be interim analysis rates until Electronic Monitoring SSPs or broader independent data verification framework is adopted by the Commission.

⁵ MCS provisions additional to those required under existing CMMs will be implemented by 1 January 2024
⁶ Table 3 of SPC's SC catch and effort data Summary paper SC18-MI-IP-11 defines Australia and New Zealand as zone-based target fisheries.

⁷ The interim EM Record Analysis rate will require at least 10% of randomly audited fishing shots per vessel

⁸ Table 3 of SPC's SC catch and effort data Summary paper SC18-MI-IP-11 defines the EU longline fishery as the high seas target fishery

defines EU high seas target fishery

⁹ The interim EM Record Analysis rate will require at least 10% of randomly audited fishing shots per vessel

Annex 1

Table X1 – Coastal CCM EEZ longline catch limits (for fisheries that target swordfish)

Coastal CCM EEZ	Annual Catch Limit (mt)			Comment
CCM-1				
CCM-2				

Table X2 – High seas longline catch limits (for fisheries that target swordfish)

CCM	Annual Catch Limit (mt)			Comment
CCM-3				

Table X3 – CCM nominated alternate measures for longline fisheries taking swordfish as bycatch

No.	Measure	Description
1	Fleet specific swordfish bycatch limits	CCMs selecting this option will nominate and seek agreement on an annual catch limit (specified in metric tonnes) ¹⁰
2	Gear limitations	CCMs selecting this option agree to implement a ban on the targeting of swordfish, that includes a ban on the use of light sticks and squid bait (and, optionally, night setting) by their longline fleets.
3	Other Management Options?	<i>[..may be proposed by CCMs alongside evidence and information to support their effectiveness..]</i>

¹⁰ Noting that the sum of any catch limits and average expected catches under the combination of limits and gear restrictions must not exceed the total allowable catch that supports the measure's objective

Table X4 – bycatch limits specified under Table x3 option 1.

CCM	2022-xx Annual Catch Limit (mt)	Gear limitations	Comment
CCM1			
CCM 2			
CCM 3			