



Serial No. N7581

NAFO/COM Doc. 24-10  
[Adopted]

## **46<sup>th</sup> ANNUAL MEETING OF NAFO - SEPTEMBER 2024**

### **Establishment of New Measures in the 3M Cod Fishery (Article 6)**

#### **Background**

1. The UK understands a 'directed fishery' to be defined as the species which comprises the largest percentage, by weight, of the total catch in any given haul as per paragraph 2 of Article 5 of the NAFO CEM and a 'serious infringement' to be defined as per paragraph 1 of Article 38 of the NAFO CEM.
2. While operating in the NAFO RA this year a UK operator was found to have committed a serious infringement by conducting a directed fishery for a species in which the UK does not hold quota.
3. The operator was targeting 3M cod but in a small number of hauls took a level of 3M redfish bycatch which meant that the vessel, under the NAFO definition of a 'directed fishery', was now targeting 3M redfish, a species in which the UK does not have quota. This meant that a serious infringement had occurred, and the vessel was required to stop fishing and return to port for inspection.
4. This infringement occurred whilst in the presence of an observer and while using the appropriate mesh size. It occurred in only 3 out of 129 hauls, where the master was performing short tows to monitor the levels of redfish; was of a small tonnage and in each case the move on provisions as per paragraph 6(b) Article 6 were followed.
5. Scientific Council advice acknowledges the species are likely to be found in close proximity to each other, stating "There are strong trophic interactions between these species in the Flemish Cap" and that redfish is an important prey species for cod. The 3M redfish and cod stocks are also considered by the Scientific Council to be healthy.
6. The UK feels that given the strong ecosystem interactions and NAFO's role in facilitating sustainable harvesting, it is inappropriate to deem these levels of redfish bycatch a directed fishery and so trigger a serious infringement process.
7. This proposal seeks to establish a more measured approach for unintentional directed fishing of 3M redfish, whilst noting that vessels have an obligation to keep bycatch as low as possible as per paragraph 1 of Article 6. In this instance we feel it would be more appropriate to derogate from the exceeding bycatch limit rules in paragraph 6(b) of Article 6 of the NAFO CEM by categorising the first two instances where a directed fishery for 3M redfish unintentionally occurs to be 'incidental catch', therefore not triggering the serious infringement process. Furthermore, we feel it would also be appropriate to allow for a measured approach to move on provisions; specifically allowing a vessel operator to move position an additional two times should bycatch limits exceed those limits set in paragraph 3(e-f) rather than requiring the vessel to leave the Division for 60 hours.
8. The UK recognises that the "Others" quota for 3M redfish exists as a bycatch mitigation measure for parties who do not hold quota in the stock but also notes that the "Others" quota can close as a result of the measures as per paragraph 5 of Article 5 being triggered, necessitating a measure which can apply in incidences where this occurs.

**Amendments:**

**Article 6 – Bycatch Retention on Board of Stocks Identified in Annex I.A as Bycatch When No Directed Fishery is Permitted**

**Exceeding Bycatch Limits in Any One Haul**

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8 (i). Where a vessel is carrying an observer and is conducting a directed fishery for cod in Division 3M with a legal mesh size appropriate for that fishery, the first two times on a fishing trip that catches of redfish comprise the largest percentage by weight of the total catch in a tow/set, they shall be considered as incidental catch, but the vessel shall immediately move as specified in paragraph 6.

8 (ii). By way of derogation from Article 6.6.b(ii), if the 3M redfish bycatch limits are exceeded again, instead of leaving the Division for at least 60 hours, the vessel may again move a minimum of 10 nautical miles from any position of the previous tows/sets in up to two consecutive hauls in which the redfish bycatch limit is exceeded. If the bycatch limits are exceeded again, the vessel shall leave the Division and not return for at least 60 hours, in accordance with Article 6.6.b(ii).

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**Implementation**

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11. The measures referred to in paragraphs 8 (i) and 8 (ii) shall apply during 2025 and be reviewed by STACTIC in 2025.