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[Adopted]

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

### **Re-opening of the fishery for Cod in Divisions 2J3KL in the Regulatory Area**

#### **Background**

It is proposed to revise Article 7 of the NAFO CEM to automatically set the NAFO quota for the NRA immediately following Canada's annual decision and in line with Canada's fishing season of July 1 to June 30, and to establish a procedure for the NAFO Executive Secretariat to update Annex I.A figures following the adoption of the TAC.

The distribution key of the Parties indicated in the current paragraphs 1 and 4 of Article 7 are placed in Annex I.A and expressed in % of the TAC.

In this proposal, the catch limit for Contracting Parties other than Canada will follow the same methodology used to establish the original shares (catches in reference period 1973-1976). The European Union share is updated from 3,27% (corresponding to 65.4% of 5% of the TAC) to 3,88% to reflect catches in this period of all current EU Member States. The remaining share (1,12%) is divided equally between all 11 other NAFO Contracting Parties providing each an individual share of 0,101%. The proposal includes the corresponding quota figures for the July 2024 to June 2025 TAC based on this distribution key.

The distribution key of the 5% in this proposal shall not serve as a precedent for quota allocations.

Consistent with Canadian management measures for this stock, it is proposed to adopt flanking measures to support the recovery of the stock: a seasonal closure for directed fishing, gear requirements, and an increased minimum fish size.

To strengthen compliance, it is proposed that provisions be added requiring a vessel to proceed immediately to a port for a full inspection if it appears that the vessel committed specified infringements while conducting a directed fishery for cod in Division 3L when there was no observer on board.

The following changes to the measures shall become binding on each Contracting Party seven days following the date of transmittal by the Executive Secretary.

## Amendments to the 2024 NAFO CEM

Amend Articles 5, 6, 7, 13, and 38 and Annexes I.A and I.D of the NAFO CEM as follows:

### Article 5 – Catch and Effort Limitations

#### *Closure of Fisheries for Stocks Listed in Annex I.A and I.B Subject to Quota or Fishing Effort*

5. Each Contracting Party Shall:

...

(k) close its directed fishery for cod in Division 3L between 00:01 UTC 15 April 2025 and 23:59 UTC 30 June, 2025. During this period, all Contracting Parties shall ensure that its vessels limit the catches retained on board and in any one haul of this stock in line with Article 6.3.(a) and observe the move-on provisions in Article 6.6(b).

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

#### *Limits for Species Listed in Annex I.A Retained on Board as Bycatch*

3. Each Contracting Party shall ensure that its vessels, including vessels chartered in accordance with Article 26, shall limit the retention of on board species classified as bycatch to the maxima specified below:
- (a) for cod in Divisions 3L and 3M, redfish in 3LN and witch flounder in 3NO: 1 250 kg or 5%, whichever is the greater;

### Article 7 - Cod

#### *Divisions 2J3KL*

1. The Commission shall obtain annually the decision of Canada on the limit it has established for catches by Canadian fishers. Canada will endeavour to inform the Secretariat of its decision by June 15 of each year. This limit shall be 95% of the TAC for this stock. If no limit is established by Canada for the following fishing season, no directed fishing for the stock shall be permitted in the Regulatory Area.
2. ~~The Commission shall establish a catch limit in the Regulatory Area that shall apply to the other Contracting Parties. This limit shall be 5% of the TAC for this stock. Within two business days after obtaining the decision of Canada referred to in paragraph 1, the Executive Secretary will update Annex I.A. in accordance with the distribution key set out in that annex and notify the Contracting Parties accordingly. These quota limits shall become binding on each Contracting Party on July 1 of the current year and shall remain in effect until June 30 of the following year.~~
4. ~~The distribution key that shall apply for the 5% figure when the fishery in the Regulatory Area is resumed shall be 65.4% for the EU and 34.6% for the other Contracting Parties.~~
5. ~~The measures in this Article shall apply when a decision is taken to allow the resumption of fishing for cod in the Regulatory Area, and shall not serve as a precedent in future years for establishing catch limits of criteria for quota allocations of other stocks.~~

## **Article 13 – Gear Requirements**

### ***Mesh Sizes***

1. For the purpose of this Article, mesh size is measured in accordance with Annex III.A.
2. No vessel shall fish with a net having a mesh size smaller than prescribed for each of the following species:
  - (a) 40 mm for shrimps, including prawns (PRA);
  - (b) 60 mm for short finned squid (SQI);
  - (c) 280 mm in the codend and 220 mm in all other parts of the trawl for skate (SKA);
  - (d) 130mm when using the sorting grid referred to in Article 13.9 or 155mm for cod in Divisions 3L and 3M;
  - (e) 130 mm for all other groundfish, as defined in Annex I.C.;
  - (f) 100 mm for pelagic *Sebastes mentella* (REB) in Subarea 2 and Divisions 1F and 3K; and
  - (g) 90 mm for redfish (RED) in the fishery using mid-water trawls in Divisions 3O, 3M and 3LN. Within this fishery mid-water trawl means trawl gear that is designed to fish for pelagic species, no portion of which is designed to be or is operated in contact with the bottom at any time. The gear shall not include discs, bobbins or rollers on its footrope or any other attachments designed to make contact with the bottom. The trawl may have chafing gear attached.

## **Article 38 – Additional Procedures for Serious Infringements**

### ***Duties of the flag State Contracting Party***

3. In the case of a serious infringement, the flag State Contracting Party shall:
  - (a) acknowledge receipt of the related information and images without delay;
  - (b) ensure the inspected vessel does not resume fishing until further notification;
  - (c) using all information and material available, review the case and, within 72 hours:
    - i) require the vessel to proceed immediately to a port for a full inspection under its authority, if any of the following serious infringements are apparent:
      - (1) directed fishing for a stock which is subject to a moratorium;
      - (2) directed fishing for a stock for which fishing is prohibited under Article 6;
      - (3) mis-recording of catch, contrary to Article 28; ~~or~~
      - (4) repetition of the same serious infringement during a 6 months period; or
      - (5) directed fishing during a closed time contrary to Article 5.5(k) or fishing with an unauthorized mesh size, grid or grate bar spacing, or without the use of grid or grate, contrary to Article 13.2(d) when there is no observer on board and the vessel is directing for cod in Division 3L.

## Annex I.A

Species	Cod	
Stock Specification	COD 3L <sup>1</sup>	
% of TAC		% of 3L Cod TAC
<b>Contracting Party</b>		
Canada	18 000 <sup>2</sup>	95.00
Cuba	19.14 <sup>3</sup>	0.101
Denmark (Faroe Islands and Greenland)	19.14 <sup>3</sup>	0.101
European Union	735 <sup>3</sup>	3.88
France (St. Pierre et Miquelon)	19.14 <sup>3</sup>	0.101
Iceland	19.14 <sup>3</sup>	0.101
Japan	19.14 <sup>3</sup>	0.101
Korea	19.14 <sup>3</sup>	0.101
Norway	19.14 <sup>3</sup>	0.101
Russian Federation	19.14 <sup>3</sup>	0.101
Ukraine	19.14 <sup>3</sup>	0.101
United Kingdom	19.14 <sup>3</sup>	0.101
United States of America	19.14 <sup>3</sup>	0.101
Others		0
<b>TOTAL ALLOWABLE CATCH</b>	18 947	100.00

<sup>1</sup> The TAC for this stock is established as per Article 7 with a quota year of July 1 to June 30.

<sup>2</sup> This is the limit established by Canada for Canadian fishers.

<sup>3</sup> This distribution key shall not serve as a precedent in future years for establishing catch limits or criteria for quota allocations. The Commission shall review these allocations upon request by any of the Contracting Parties.

## Annex I.D – Minimum Fish Size

Species	Gilled and gutted fish whether or not skinned; fresh or chilled, frozen, or salted.			
	Whole	Head Off	Head and Tail Off	Head Off and Split
Atlantic cod	41 cm <sup>***</sup>	27 cm	22 cm	27/25 cm <sup>**</sup>
Greenland halibut	30 cm	N/A	N/A	N/A
American plaice	25 cm	19 cm	15 cm	N/A
Yellowtail flounder	25 cm	19 cm	15 cm	N/A

\* Fish size refers to fork length for Atlantic cod; whole length for other species.

\*\* Lower size for green salted fish.

\*\*\* 43cm in 3L