

**43rd ANNUAL MEETING OF NAFO - SEPTEMBER 2021****NAFO CEM Article 7 and Article 7 bis realignment and
Extension of Port State control measures****Background**

The Editorial Drafting Group (EDG), at its November 2020 meeting, reviewed the placement of Article 7bis under Article 7-Cod Recovery Plans following the request from STACTIC at the 2020 Annual Meeting. The EDG noted that consideration may need to be given to the title of Article 7, as 3M Cod is not currently under a recovery plan, and that having the text placed under Article 7bis for 3M Cod may cause some confusion. The EDG agreed that STACTIC should further review the text and placement of Article 7bis at the 2021 STACTIC Intersessional meeting.

Based on discussion at the 2021 STACTIC Intersessional meeting, Canada volunteered to draft a proposal to realign to Article 7 and Article 7 bis. The revised text of Article 7 and Article 7 bis can be found below to facilitate the review by STACTIC.

Following conversation at the 2021 STACTIC Annual meeting, Contracting Parties agreed that Canada's proposal should be merged with the EU proposal on Port State control measures (Article 7 bis) of STACTIC WP 21-47. This revision incorporates the changes proposed by the EU in that paper.

Proposal**Article 7 – Cod ~~Recovery Plans~~****~~Cod in~~ Divisions 2J3KL**

1. The Commission shall obtain annually the decision of Canada on the limit it has established for catches by Canadian fishers. This limit shall be 95% of the TAC for this stock.
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.
3. The total of the catch limits set in accordance with paragraphs 1 and 2 shall constitute the TAC for 2J3KL cod.
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 7 bis – 3M Cod⁶~~

~~Division 3M Control Measures¹~~

6. Each Contracting Party shall apply the following control measures for vessels with more than 1,250 kg of 3M cod catches on board²:
 - (a) prohibit its vessels from landing or transshipping 3M cod catches in ports other than those designated in accordance with Article 43.
 - (b) require that at least 48 hours before its estimated time of arrival in port, a vessel or its representative on its behalf, advises the competent port authority of its estimated time of arrival, the estimated quantity of 3M cod retained on board, and information on the division or divisions where any other cod catches retained on board were taken.
 - (c) inspect ~~each~~ at least 50% of the landings or transshipments of 3M cod in its ports and prepare an inspection report in the format prescribed in Annex IV.C, which it submits to the Executive Secretary within 14 working days from the date on which the inspection was completed. The PSC3 report shall identify and provide details of any infringement to the CEM detected during the port inspection. It shall include all relevant information available in reference to infringements detected at sea during the current trip of the inspected fishing vessel.

Duties of the Executive Secretary

7. The Executive Secretary posts without delay the port inspection report submitted in accordance with paragraph ~~46~~(c) to the NAFO MCS Website and ensures that it is made available to all Contracting Parties.

~~Division Interim-3NO - Interim~~ Cod Conservation Plan and Rebuilding Strategy

8. **Objective(s):**
 - (a) **Long-term Objective:** The long-term objective of this Conservation Plan and Rebuilding Strategy is to achieve and to maintain the 3NO Cod Spawning Stock Biomass (SSB) in the 'safe zone', as defined by the NAFO Precautionary Approach framework, and at or near B_{msy} .
 - (b) **Interim Milestone:** As an interim milestone, increase the 3NO Cod Spawning Stock Biomass (SSB) to a level above the Limit Reference Point (B_{lim}). It may reasonably be expected that B_{lim} will not be reached until after 2015.
9. **Reference Points:**
 - (a) Limit reference point for spawning stock biomass (B_{lim}) – 60 000 tonnes³

¹ STACTIC shall review ~~these Division 3M Control Measures this Article~~ and propose amendments as appropriate to the Commission at its Annual Meeting in 2024. ~~These Division 3M Control Measures are This Article is~~ only applicable when the TAC for cod in Division 3M in Annex I.A is under 36 000 tonnes.

² Each Contracting Party shall inspect vessels with less than 1250 kg of 3M cod onboard on a risk-based approach.

³ The Commission shall request the Scientific Council to review in detail the limit reference point when the Spawning Stock Biomass has reached 30 000 tonnes.

(b) An intermediate stock reference point or security margin $B_{isr}1F^4$ – [120 000 tonnes]

(c) Limit reference point for fishing mortality ($F_{lim} = F_{msy}$) – 0.30

(d) Interim B_{target} – 185 000 tonnes and interim F_{target} of $F_{0.1}$ – $0.192F^5$

10. Re-opening to Directed Fishing:

(a) A re-opening of a directed fishery should only occur when the estimated SSB, in the year projected for opening the fishery, has a very low³ F^6 probability of actually being below B_{lim} .

(b) An annual TAC should be established at a level which is projected to result in:

- (i) continued growth in SSB
- (ii) low⁴ F^7 probability of SSB declining below B_{lim} throughout the subsequent 3-year period, and
- (iii) fishing mortality $< F_{0.1}$

11. Harvest Control Rules:

Noting the desire for relative TAC stability, the projections referred to in items (a) through (d) below should consider the effect of maintaining the proposed annual TAC over 3 years. Further, in its application of the Harvest Control Rules, Commission may, based on Scientific Council analysis, consider scenarios which either mitigate decline in SSB or limit increases in TACs as a means to balance stability and growth objectives.

(a) When SSB is below B_{lim} :

- (i) no directed fishing, and
- (ii) bycatch should be restricted to unavoidable bycatch in fisheries directing for other species

Before SSB increases above B_{lim} , additional or alternative harvest control rules should be developed, following the Precautionary Approach, to ensure the long-term objective is met, such as:

⁴ A 'buffer zone' (B_{buf}) is not required under the NAFO PA given the availability of risk analysis related to current and projected biomass values; however, SC has advised that an additional zone(s) between B_{lim} and B_{msy} could be considered. An intermediate stock reference point (B_{isr}) is proposed to delineate this zone. The proposed value is set at a level equivalent to twice B_{lim} . Should the SC review of the limit reference point (B_{lim}) result in a change to that value then the intermediate stock reference point (B_{isr}) should also be re-evaluated.

⁵ B_{target} is a proxy of B_{msy} . The level of F has very low probability of being higher than F_{lim} . The B_{target} is the equilibrium SSB that results from F_{target} . These are interim targets until more stock recruitment and productivity regime information is available to better estimate MSY-based reference points.

⁶ 'very low' means 10% or less

⁷ 'low' means 20% or less

(b) When SSB is between B_{lim} and B_{isr} :

- (i) TACs should be set at a level(s) to allow for continued growth in SSB consistent with established rebuilding objective(s)
- (ii) TACs should result in a low probability of SSB declining below B_{lim} throughout the subsequent 3-year period, and
- (iii) Biomass projections should apply a low risk tolerance

(c) When SSB is above B_{isr} :

- (i) TACs should be set at a level(s) to allow for growth in SSB consistent with the long term objective, and
- (ii) Biomass projections should apply a risk neutral approach (i.e. mean probabilities)

(d) When SSB is above B_{target} :

- (i) TACs should be set at a level of F that has a low probability of exceeding F_{msy} , and
- (ii) Biomass projections should apply a risk neutral approach (i.e. mean probabilities)

12. Ecosystem Considerations:

Considering the importance of capelin as a food source, consistent with the ecosystem approach, the moratorium on 3NO capelin will continue until at least 31 December ~~2021~~[2024](#).

13. Bycatch Provisions:

The bycatch provisions in the CEM for 3NO cod should be reviewed periodically, to coincide with scheduled assessments of the stock by Scientific Council, and adjusted to reflect the overall trend in spawning stock biomass.