

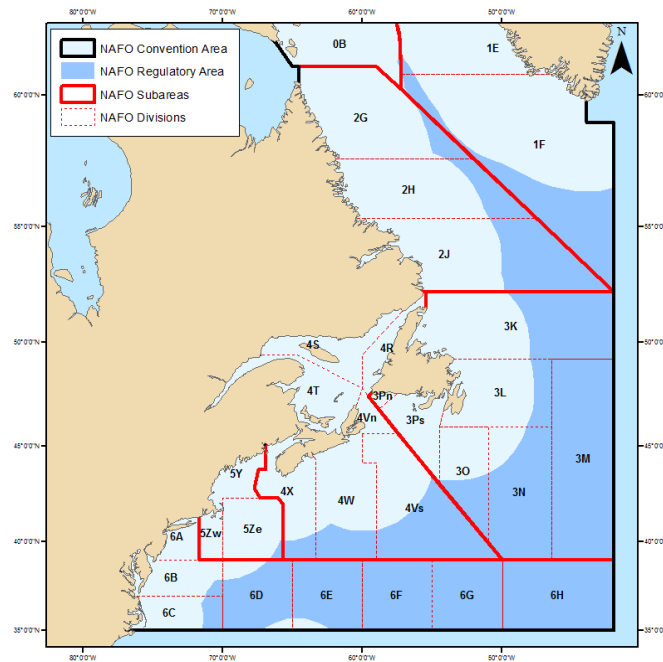


### **45<sup>th</sup> ANNUAL MEETING OF NAFO - SEPTEMBER 2023**

## **Annual Fisheries and Compliance Review 2023 (Compliance Report for Fishing Year 2022)**

### **1.0 Introduction**

The scope of this review covers the fishing activities of NAFO-registered vessels (Article 25 of NAFO CEM) which operated in the NAFO Regulatory Area (NRA) in 2022<sup>1</sup> (see Figure 1.0).



**Figure 1.0.** Divisions of the NAFO Convention Area and the Regulatory Area (dark blue).

This review was conducted in accordance with rules 5.1 and 5.2 of the NAFO Rules of Procedure. As part of the review process, the NAFO Secretariat compiled the 2022 information from a variety of data sources including vessel monitoring system (VMS), hail messages delivered by the vessels (Vessel Transmitted Information – VTI), electronic logbook (haul by haul) reports, port inspection reports (PSC3), at-sea inspection reports, reports on dispositions of infringements, and observer trip reports.

<sup>1</sup> According to Article 1.7 of the 2022 NAFO Conservation and Enforcement Measures (NAFO CEM), a fishing trip includes “the time from its entry into until its departure from the Regulatory Area and continues until all catch on board from the Regulatory Area is unloaded or transhipped”. All article and annex numbers in this report reference the 2022 NAFO CEM. Quantitative information presented in this report are summarized according to 2022 calendar year, unless otherwise indicated.



### Villa de Pitanxo

On 15 February 2022, the Spanish fishing vessel, Villa de Pitanxo, sank during a fishing trip in the NAFO Regulatory Area. Deepest condolences are extended to all of those affected by this devastating tragedy.

## 2.0 Fisheries in the NRA

### 2.1 Fishing effort by gear type

There are three main fisheries that take place within the NAFO Regulatory Area: groundfish (GRO - primarily in Divisions 3LMNO), shrimp (PRA in Division 3M), and pelagic redfish fisheries (REB - primarily in Divisions 1F and 2J). There was no directed fishing for shrimp in Division 3M in 2022. Table 2.2.1 summarizes the main fishing gears and fishing effort for trips in the NAFO Regulatory area that ended in 2022.

Bottom trawlers accounted for 95.18% of fishing effort in terms of fishing days, catching Atlantic cod, Greenland halibut, yellowtail flounder, redfish, thorny skate and silver hake in Divisions 3LMNO. Longline vessels accounted for 4.64% of the fishing effort catching Atlantic cod, Atlantic halibut and white hake. There was one midwater trawler in the NRA in 2022, accounting for 0.18% of the fishing effort that targeted pelagic redfish.

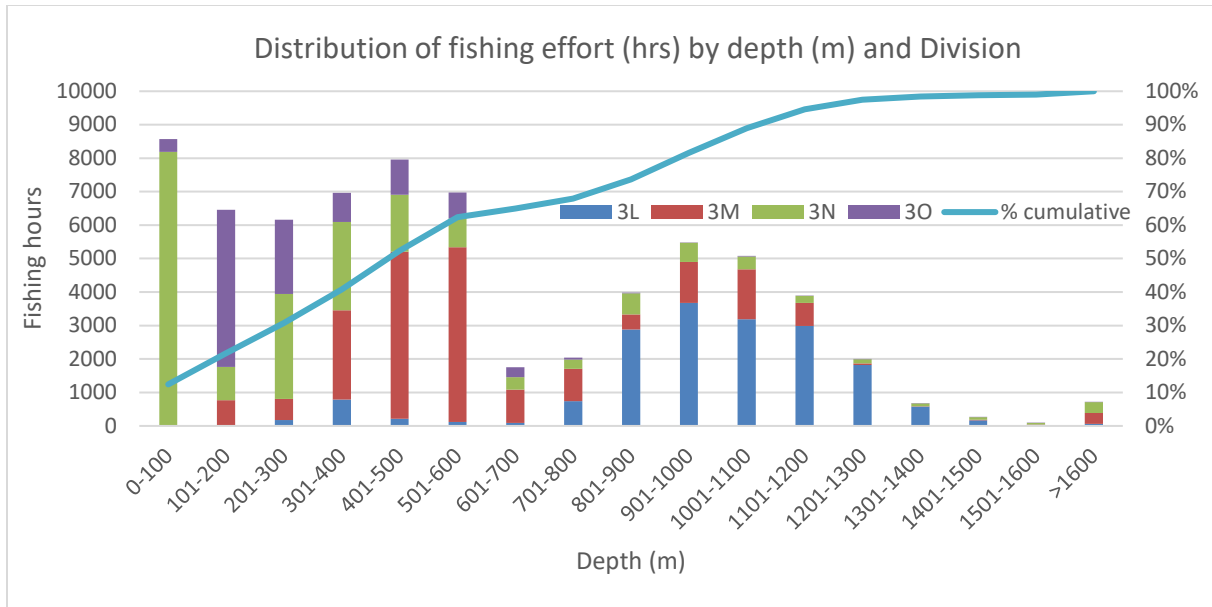
**Table 2.1.1.** *Main fishing gears and fishing effort in the NAFO Regulatory Area for fishing trips that ended 2022.*

Fishing Gear	# Fishing vessels	# Fishing trips	Fishing days in NAFO RA	Main Species (FAO 3-alpha code)	NAFO Divisions
Longline	8	15	180	COD, HAL, HKW	3M, 3N, 3O
Bottom Trawl	29	82	3709	GHL, RED, HKS, YEL, SKA, COD, HAL	3L, 3M, 3N, 3O
Midwater Trawl	1	1	7	REB*	1F
<b>Total</b>	<b>38</b>	<b>98</b>	<b>3896</b>		

\*The pelagic redfish fishery in 1F+2+3K is subject to zero TAC and was fished by the Russian Federation under a unilateral quota.

### 2.2 Effort distribution by depth in demersal fisheries other than shrimp

Hourly positions of fishing vessels are required to be transmitted through the VMS in accordance with Article 29.1 of the NAFO CEM. Figure 2.2.1 shows the distribution of fishing effort, in hours, for vessels fishing (assumed fishing speeds for the purpose of this analysis were between 0.5-5 knots) in Divisions 3LMNO. Most of the fishing effort in Divisions 3LMNO is at depths 500 meters and shallower, with an additional concentration of fishing effort around 1000 meters, which can be attributed to the Greenland halibut fishery.



**Figure 2.2.1.** *Distribution of fishing effort (in hours) by depth (m) in the NRA in 2022. Vessels are assumed to be fishing at speed in the range of 0.5-5.0 knots.*

### 2.3 Catches in the NAFO Regulatory Area

A total of 54 306.2 t of fish (53 146.6 t retained + 1 159.6 t discarded) were caught by vessels authorized to fish in the Regulatory Area in 2022 (Tables 2.3.1 and 2.3.2). In terms of quantities caught, the stocks 3M Cod, 3LMNO Greenland halibut, 3M Redfish, 3LN Redfish, 3O Redfish, 3LNO Yellowtail flounder and 3NO Skates constitute the major groundfish fishery in the NRA.

**Table 2.3.1** Total reported retained catches (in tonnes) of species (in FAO 3-alpha code) by Division in calendar 2022 (Source: CA field of CAT Reports).

Species	Common name	3L	3M	3N	3O	1F	TOTAL
<i>Species subject to catch limitations (as listed in Annex I of the NAFO CEM)</i>							
COD	Atlantic cod	69.7	3941.8	239.7	48.1		4299.3
GHL	Greenland halibut	7532.0	1847.7	557.0	6.6		9943.3
HKW	White hake			55.9	295.0		350.9
PLA	Amer. plaice(=Long rough dab)	12.4	130.3	424.6	86.9		654.1
REB	Beaked redfish					63.6*	63.6
RED	Atlantic redfishes nei	1386.9	10277.6	6280.1	3346.0		21290.5
SKA	Raja rays nei	60.3	33.1	2698.8	307.5		3099.6
SQI	Northern shortfin squid			0.0	0.0		0.1
WIT	Witch flounder	17.8	35.3	95.1	161.6		309.8
YEL	Yellowtail flounder			5150.6	3.0		5153.6
<i>Selected species not listed in Annex I</i>							
ANG	American angler			8.4	31.3		39.8
ANT	Blue antimora						0.0
ARG	Argentines						0.0
BET	Bigeye tuna						0.0
CAA	Atlantic wolffish		17.8				17.8
CAB	Northern wolffish						0.0
CAP	Capelin						0.0
CAS	Spotted wolffish		2.6				2.6
CAT	Wolffishes(=Catfishes) nei		5.4	0.0			5.4
CRA	Marine crabs nei						0.0
CRB	Blue crab						0.0
CRQ	Queen crab						0.0
CUX	Sea cucumbers nei						0.0
GDE	Threadfin rockling						0.0
GKS	Broad cockle						0.0
HAD	Haddock		0.1	8.8	1.9		10.8
HAL	Atlantic halibut	34.1	95.0	366.8	58.7		554.6
HKR	Red hake						0.0
HKS	Silver hake			501.9	6707.3		7209.2
HKX	Hakes nei						0.0
MLL	Softhead grenadier						0.0
POK	Saithe(=Pollock)			0.0			0.0
RHG	Roughhead grenadier	45.5	33.6	22.6			101.8
RNG	Roundnose grenadier	25.8	2.8	8.3			36.9
SAN	Sandeels(=Sandlances) nei						0.0
SCU	Sculpins						0.0
SWO	Swordfish						0.0
TUN	Tunas nei						0.0
USK	Tusk(=Cusk)		0.5	1.8	0.0		2.4
<i>Sharks</i>							
BSK	Basking shark						0.0
CFB	Black dogfish						0.0
DGS	Picked dogfish						0.0
DGX	Dogfish sharks nei						0.0
GSK	Greenland shark						0.0
POR	Porbeagle						0.0
SKX	Sharks, rays, skates, etc. nei						0.0
SMA	Shortfin mako						0.0
SRX	Rays, stingrays, mantas nei		0.6				0.6
<b>Total</b>		<b>9184.6</b>	<b>16424.1</b>	<b>16420.4</b>	<b>11053.9</b>	<b>63.6*</b>	<b>53146.6</b>

\*The pelagic redfish fishery in 1F+2+3K is subject to zero TAC and was fished by the Russian Federation under a unilateral quota.

**Table 2.3.2** Total reported rejected catches (in tonnes) of species (in FAO 3-alpha code) by Division in calendar year 2022 (Source: RJ field of CAT Reports).

Species	Common name	3L	3M	3N	3O	1F	TOTAL
<i>Species subject to catch limitations (as listed in Annex I of the NAFO CEM)</i>							
COD	Atlantic cod		5.4	1.4	0.0		6.7
GHL	Greenland halibut	2.3	0.4	0.1			2.7
HKW	White hake	0.2		0.9	4.9		6.0
PLA	Amer. plaice(=Long rough dab)	0.3	2.5	7.8	0.6		11.3
REB	Beaked redfish						0.0
RED	Atlantic redfishes nei	0.0	2.2	0.3	1.3		3.8
SKA	Raja rays nei	1.9	5.1	198.4	0.3		205.7
SQI	Northern shortfin squid				0.0		0.0
WIT	Witch flounder	0.2	0.4	1.8	4.0		6.4
YEL	Yellowtail flounder			21.8	0.0		21.8
<i>Selected species not listed in Annex I</i>							
ANG	American angler	0.1		0.0	1.6		1.7
ANT	Blue antimora	11.2	11.2	7.5			29.9
ARG	Argentines		0.6				0.6
BET	Bigeye tuna				0.2		0.2
CAA	Atlantic wolffish	0.1	0.1	7.4			7.6
CAB	Northern wolffish	0.1					0.1
CAP	Capelin			6.5	0.1		6.6
CAS	Spotted wolffish	0.1					0.1
CAT	Wolffishes(=Catfishes) nei	21.8	25.9	12.3	5.0		64.9
CRA	Marine crabs nei			0.0	0.0		0.0
CRB	Blue crab			0.0			0.0
CRQ	Queen crab			2.1	0.3		2.4
CUX	Sea cucumbers nei			114.8	0.2		115.0
GDE	Threadfin rockling	17.7	3.3	1.2			22.1
GKS	Broad cockle	0.8					0.8
HAD	Haddock			0.0			0.0
HAL	Atlantic halibut			0.1			0.1
HKR	Red hake	1.0	0.1	0.1	0.2		1.5
HKS	Silver hake			10.3	108.9		119.3
HKX	Hakes nei				0.0		0.0
MLL	Softhead grenadier	0.8	0.5				1.2
POK	Saithe(=Pollock)						0.0
RHG	Roughhead grenadier	134.2	85.5	17.5	1.9		239.1
RNG	Roundnose grenadier	50.3	57.6	13.2	0.3		121.5
SAN	Sandeels(=Sandlances) nei			0.0			0.0
SCU	Sculpins			8.4			8.4
SWO	Swordfish		0.1	0.2	9.8		10.1
TUN	Tunas nei			0.2	0.1		0.3
USK	Tusk(=Cusk)						0.0
<i>Sharks</i>							
BSK	Basking shark			2.0	20.0		22.0
CFB	Black dogfish	0.0	0.8	0.0			0.9
DGS	Picked dogfish		0.7	0.1	2.2		2.9
DGX	Dogfish sharks nei	0.9	0.2	0.5			1.7
GSK	Greenland shark	38.2	29.8	13.7	7.9		89.6
POR	Porbeagle	0.2	0.2	2.8	9.9		13.0
SKX	Sharks, rays, skates, etc. nei			0.1			0.1
SMA	Shortfin mako		0.1	3.0	4.5		7.6
SRX	Rays, stingrays, mantas nei		3.8				3.8
<b>Total</b>		<b>282.3</b>	<b>236.6</b>	<b>456.4</b>	<b>184.3</b>	<b>0.0</b>	<b>1159.6</b>

### 3.0 Inspection and Surveillance

Chapter VI of the NAFO CEM outlines the general provisions and protocols for the at-sea inspection and surveillance scheme in the NRA. Canada, the European Union, and the United States of America deployed patrol vessels and their inspectors in the NRA in 2022.

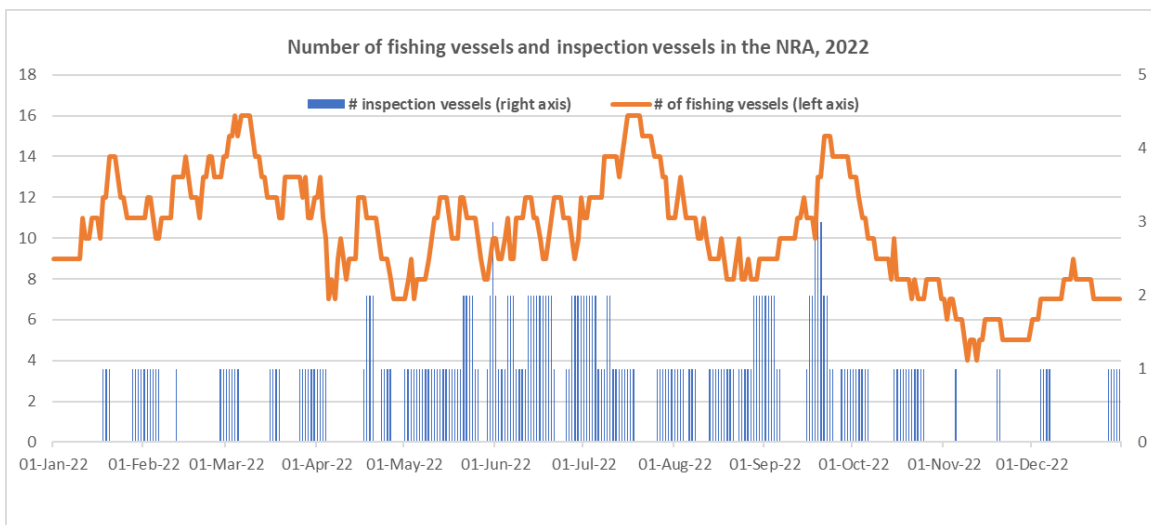
#### 3.1 Patrol Activity

In 2022, seven (7) patrol vessels were deployed in the NAFO Regulatory Area by Contracting Parties with an inspection presence, accounting for 249 patrol-days (Table 3.1). There were 168 days with no patrol vessel, 149 days when there was one patrol vessel, and 48 days when there was more than one patrol vessel present in the NRA. Figure 3.1 shows the time of the year the patrol vessels were present in the NRA in relation to the number of fishing vessels present.

In addition, Canada deployed surveillance aircraft, collectively flying 1221 hours, with 826 vessel sightings in the NRA. No non-Contracting Party vessel suspected of conducting IUU fishing activities was detected.

**Table 3.1** *The total number of patrol vessels, patrol vessel deployments, and patrol days in the NAFO Regulatory area in 2022 by Contracting Party with Inspection Presence.*

Contracting Party with Inspection Presence	Number of Patrol Vessels	Number of Deployments	Number of Patrol Days
Canada	3	28	169
European Union	3	7	66
United States of America	1	1	15
<b>Total</b>	<b>7</b>	<b>36</b>	<b>249</b>



**Figure 3.1** *Fishing vessel and inspection vessel presence in the NAFO Regulatory Area in 2022.*

### 3.2 At-sea inspections

A total of 77 at-sea inspections were conducted in 2022, and five (5) inspections resulted in the issuance of serious infringements. Two (2) of the vessels issued a serious infringement in 2022 had inspections in the 2021 fishing year with serious infringements. In total, there were twelve infringements issued in 2022 during at-sea inspections. A summary of the infringements and their disposition can be found in Section 4.2.

### 3.3 Port inspections

Under Article 10.4(e) of the NAFO CEM, landings of Greenland halibut from Divisions 2+3KLMNO are subject to port inspections if the quantity of this stock on board represents either more than 5% of the total catch or more than 2 500kg. In evaluating compliance with the port inspection measures outlined in Article 10 of the NAFO CEM, a total of 52 trips met the criteria of having more than 5% of the total catch or more than 2 500kg of Greenland halibut on board. Port inspection reports (PSC3s) were received for all 52 of these trips, therefore there is a 100% port inspection coverage, as shown in Table 3.3.1.1.

**Table 3.3.1.1** *Fishing trips in Divisions 3LMNO with Greenland halibut (GHL) catch (based on Daily Catch Reports for the trip) and percent coverage of port inspections for the identified trips, by flag State.*

Flag State CP	Number of identified trips by vessels larger than 24 m: trip with GHL catch > 2.5t	Total amount of GHL from trips identified (t)	Port inspection CP	Number of identified trips with Port Inspection (PSC3)	Port Inspection Coverage (% based on identified trips with GHL catch)
CAN	2	11.3	CAN	2	100%
EU	40	7 633.3	EU	40	100%
JPN	4	1 202.3	CAN	4	100%
RUS	6	1 502.3	DFG (3) EU (3)	6	100%
<b>Overall</b>	<b>52</b>	<b>10 349.2</b>		<b>52</b>	<b>100%</b>

Pursuant to Article 7.6(c) of the NAFO CEM, landings or transshipments of cod from Division 3M were subject to a 50% inspection benchmark for vessels with more than 1 250kg onboard in 2022. In evaluating compliance for 2022 with the port inspection measures outlined in Article 7.6(c) of the NAFO CEM, 32 trips with more than 1 250kg of 3M Cod on board were identified. Port inspection reports (PSC3s) from 30 trips were received, resulting in a 93.75% coverage rate, as shown in Table 3.3.1.2. The trips without a PSC3 had a total of 508.5 t onboard according to the CAT reports.

**Table 3.3.1.2** *Fishing trips with 3M cod catch (based on Daily Catch (CAT) Reports for the trip) and percent coverage of port inspections for the identified trips, by flag State.*

Flag State CP	Number of identified trips by vessels 3M Cod catch > 1250 kg	Total amount of 3M COD from trips identified (t)	Port inspection CP	Number of identified trips with Port Inspection (PSC3)	Port Inspection Coverage (% based on identified trips with 3M Cod catch)
DFG	3	1 086	DFG	2	66.67%
EU	25	1 758.5	EU	25	100%
NOR	2	555.4	NOR	1	50%
RUS	2	243.1	EU	2	100%
<b>Overall</b>	<b>32</b>	<b>3 643</b>		<b>30</b>	<b>93.75%</b>

According to Article 43.10 of the NAFO CEM, the port State Contracting Party shall carry out inspections of at least 15% of all such landings or transshipments by vessels flagged to other Contracting Parties during each reporting year. In evaluating compliance with port State Control measures outlined in Chapter VII of the NAFO CEM, a review of the submission of port State Control Prior Request (PSC1) forms and port inspection reports (PSC3) is presented in Table 3.3.2. The minimum coverage of 15% (Article 43.10) was met by all port State Contracting Parties.

**Table 3.3.2** *The number of PSC1s and corresponding PSC3s received by the NAFO Secretariat relating to the inspection of landings or transshipments by vessels flagged to other Contracting Party.*

Port State Contracting Party	PSC1 (prior request)	Number of PSC1's with intention to land/tranship catch	PSC3 (port inspection report)	% Coverage (#PSC3 received /#PSC1)
Canada	14	12	12	100%
EU	6	6	6	100.0%
DFG	5	4	3	75.0%
FRA(SPM)	1	0	0	-

## 4.0 Compliance

In this section, reporting obligations, including follow-up actions to infringements are examined.

### 4.1 Reporting obligations

The NAFO CEM requires fishing vessels and flag State Contracting Parties (through the Fisheries Monitoring Centre - FMC) to provide reports on the fishing activity within a determined time frame.

#### 4.1.1 Vessel Activity Reporting

##### 4.1.1.1 Vessel Transmitted Information (VTI) – Catch-on-Entry (COE), Daily Catch Reports (CAT), and Catch-on-Exit (COX)

The FMCs are responsible for transmitting the VTI reports to the NAFO Secretariat. The COE and COX messages are transmitted at least 6 hours in advance of entry and exit to and from the NRA and identify the amount of catch on board. The CATs contain a record of the daily catch (retained and rejected) reported by species and Division while on a fishing trip. The daily catch reports are used to monitor the quota uptake of the Contracting Parties.

Table 4.1.1.1 outlines the number of COE, COX, and CAT reports received by the NAFO Secretariat, as well as of fishing trips and fishing effort-days in the NRA. All identified 2022 fishing trips had corresponding COE and COX messages. No major technical issues were encountered in transmission and receipt of the VTI reports.

**Table 4.1.1.1** *Fishing effort and VTI statistics in the NRA 2022.*

Number of fishing trips identified	98
Fishing Days <sup>1</sup>	3 896
Number of Daily Catch Reports (CATs) <sup>2</sup>	4 103
Number of Trips with Catch on Entry Reports (COEs)	98
Number of Trips with Catch on Exit Reports (COXs)	98

<sup>1</sup> Estimate based on EXI-ENT date of 2022 fishing year

<sup>2</sup> CATs of 2022 fishing year



#### **4.1.1.2. Catch reporting on sharks**

Article 28.6.g requires that all shark catches be reported at the species level, to the extent possible. When species specific reporting is not possible shark species shall be recorded as either large sharks (SHX) or dogfishes (DGX). Greenland shark and basking shark constitutes most of the total shark catches by weight (see table 2.3.2). The vast majority of shark catches were reported to be discarded according to the daily catch reports (CATs).

#### **4.1.1.3 Fishing logbook (haul by haul) reports**

The submission of logbook data to the NAFO Secretariat became mandatory in NAFO in 2015 (Article 28.8.c of the NAFO CEM). The fishing logbook information submitted to the NAFO Secretariat must contain, at a minimum, the information outlines in Annex II.N of the NAFO CEM. Out of the 98 fishing trips identified, logbook reports from 97 trips were received, resulting in a 98.98% coverage for 2022.

#### **4.1.1.4 Position reporting – VMS**

According to Article 29, every fishing vessel operating in the NRA shall be equipped with a satellite monitoring device capable of continuous automatic transmission of position to its land-based FMC of the flag States, which in turn is transmitted to the Secretariat in real time. The transmission of position reports (POS) shall be no less frequently than once an hour.

The Secretariat can confirm that the requirement is fully complied with. Occasionally, technical problems were encountered by the fishing vessels or FMCs. During these events, the position reports were transmitted manually or queued and transmitted once the technical issues were resolved. Technical issues were usually resolved within a few days through the coordination between the Secretariat and the FMC.

#### **4.1.1.5 Closed areas and exploratory fisheries**

As of 2022, NAFO has restricted bottom fishing activities in 27 areas within the NRA, including 15 areas to protect sponge, sea pen, and corals, and 12 seamount areas. The measures concerning the protection of Vulnerable Marine Ecosystems (VMEs) from bottom fishing are stipulated in Chapter II of the NAFO CEM. No reports of vessels fishing within the VME closure boundaries were received.

#### **4.1.1.6 Chartering arrangements**

Article 26 of the NAFO CEM outlines the provisions for chartering arrangements between two Contracting Parties: the chartering Contracting Party and the flag State Contracting Party of the fishing vessel. Catches by the chartered fishing vessel are counted against the quota of the chartering Contracting Party.

In 2022, there was one (1) chartering arrangement in place pertaining to yellowtail flounder in Divisions 3LNO. Monitoring of the implementation of the chartering arrangements are made possible through the notifications of commencement, suspension, resumption, and termination, and the daily catch reports of the chartered fishing vessel. All reported catches were within the fishing possibilities stipulated in the chartering arrangement. The submission of the required documentation (Article 26.7 and 26.8) and reporting of implementation dates (Article 26.9) were complied with by both parties of the chartering arrangement.

#### **4.1.1.7 Notifications on the use of Others Quota**

There were 36 notifications on the use of Others Quota in 2022 relating to vessels from three (3) Contracting Parties. In 2022, the Others Quota for 3LNO Yellowtail flounder was the only Others Quota to be fully utilized. The NAFO Secretariat circulated a notification on 18 February 2022 with a projection that 100% of the quota could be reached by 20 February 2022.

#### 4.1.1.8 Research activities

In 2022, three Contracting Parties, Canada, the European Union, and Denmark (in respect of the Faroe Islands) submitted notifications for research activities in the NAFO Regulatory Area. Denmark (in respect of the Faroe Islands) notified that the scientific procedures for the 3M Cod survey would be conducted in connection with the commercial fishery.

#### 4.1.2 Observer Reports

Contracting Parties are required to ensure that their vessels have 100% observer coverage while conducting fishing activities in the NAFO Regulatory Area in accordance with Article 30.5 of the NAFO CEM. By way of derogation, Article 30.6 of the NAFO CEM allows for Contracting Parties to allow their vessels to carry an observer for less than 100%, but not less than 25% of the fishing trips conducted by its fleet in the NAFO Regulatory Area.

In evaluating the compliance to observer trip report submission (Article 30.14.a of the NAFO CEM), fishing trips were grouped according to the implementation of Article 30.5 or 30.6. Table 4.1.2 shows the observer coverage percentage, by Contracting Parties, based on the percentage of the submission of the observer trip reports.

**Table 4.1.2** *Observer coverage based on the submission of observer trip reports, 2022. Two Contracting Parties issued notifications on the intention to invoke Article 30.6 of the NAFO CEM, which requires coverage no less than 25% during 2022.*

Contracting Party	Number of Identified Trips	Number of Trips with Trip Observer Reports	% Coverage under Art 30.5 (100% required)
CAN	22	22	100%
DFG <sup>1</sup>	11	1	9%
EU	48	48	100%
JPN	4	4	100%
NOR <sup>2</sup>	2	2	100%
RUS	10	10	100%

<sup>1</sup> Invoked Article 30.6 of the NAFO CEM. Required coverage is no less than 25%.

<sup>2</sup> Submitted a notification in accordance with Article 30.6 of the NAFO CEM, however both trips had an observer onboard.

DFG invoked Article 30.6 NAFO CEM derogation allowing a coverage of no less than 25% but only deployed observers on 9% of the trips. That Contracting Party submitted a report Article 30.6(e) on the difficulties of completing a data comparison on observed and non-observed trips.

Review of Contracting Party compliance with Article 30 more broadly indicates that further improvements within the application of the program are possible, including in relation to ensuring the independence, safety, and appropriate training of observers; the use of observer program data; and the submission of Contracting Parties' reporting requirements.

#### 4.2 Infringements detected at-sea and at-port

In 2022, a total of ten (10) vessels were cited with an infringement by inspectors at sea and port authorities. Details on the nature of the infringements and their disposition are provided in Table 4.2.

**Table 4.2** *Summary of infringements detected by inspectors at-sea and by port authorities in 2022 and their disposition. Infringements presented in bold were considered serious by the inspectors as per the NAFO CEM Article 38 definition.*

CP	Infringements detected at-sea. <b>Serious Infringements in bold</b>	Infringements detected in port (PSC3: Section E.1.B.c). <b>Serious Infringements in bold</b>	Follow-up to Infringements, as reported by the Contracting Party
EU		Failure to meet labelling requirements (Article 27.1, Article 27.2); <b>Obstructing inspectors (Article 38.1(l)). Gaining access to sealed areas (Article 38.1(n)).</b>	Case pending. Case led by Portugal. Precautionary order - seizure of relevant catches
EU		Exceeding bycatch limits (Article 6.3(a), Article 6.3(b), Article 6.3(d))	Case Pending. Case led by Portugal.
EU		Underreporting certain catches (Article 28.1); Failed to maintain accurate stowage plan (Article 28.5(a)(i)(1)).	Case Pending. Case led by Portugal.
EU	<b>Failed to maintain accurate fishing logbook (Article 28.2(a)); Failed to maintain accurate production logbook (Article 28.3(a)); Failed to maintain accurate stowage plan (Article 28.5(a)); Infringements considered serious (Article 38.1(i)).</b>	Failure to meet labelling requirements (Article 27.1, Article 27.2); Exceeding bycatch limits (Article 6.2(b), Article 6.3(a))	Case Pending. Case led by Portugal.
DFG		<b>Failed to maintain accurate fishing logbook (Article 28.2(a)); Infringement considered serious (Article 38.1(i)).</b>	Case closed. Faroe Islands Fisheries Inspection (Vørn) have collected all Infringements against the vessel together and have made a legal proceeding against the vessel. But in the meantime, forced auction was made against the vessel 20th January 2023, and the owner and company were judge bankrupt.
DFG	<b>Failed to maintain accurate fishing logbook (Article 28.2(a)); Infringement considered serious (Article 38.1(i)).</b>	<b>Failed to maintain accurate fishing logbook (Article 28.2(a)); Infringement considered serious (Article 38.1(i)). Failed to label products (Article 27.1(b), (d), (e)); Infringement where there is no observer onboard (Article 38.1(m)).</b>	Case closed. Faroe Islands Fisheries Inspection (Vørn) have collected all Infringements against the vessel together and have made a legal proceeding against the vessel. But in the meantime, forced auction was made against the vessel 20th January 2023, and the owner and company were judge bankrupt.
CAN	<b>Failed to maintain accurate fishing logbook (Article 28.2(a)); Failed to maintain accurate production logbook (Article 28.3(a)); Infringements considered serious (Article 38.1(i)). Article 25.9; Article 27.1 (a), (b), (d), and (e).</b>		Actions taken concerning infringement / surveillance. A complete Investigation was undertaken by CAN authorities in port, including a fully monitored offload of the vessel. The investigation undertaken confirmed the infringements issued. CAN authorities have laid charges related to these infringements against both the master and licence holder. The case is presently before the courts. Judicial / administrative actions or sanctions. CAN authorities have laid charges related to these infringements against both the master and licence holder. The case is presently before the courts.
DFG		<b>Failed to maintain accurate fishing logbook (Article 28.2(a)); Infringement considered serious (Article 38.1(i)).</b>	Case closed. Faroe Islands Fisheries Inspection (Vørn) have collected all Infringements against the vessel together and have made a legal proceeding against the vessel.

CP	Infringements detected at-sea. <b>Serious Infringements in bold</b>	Infringements detected in port (PSC3: Section E.1.B.c). <b>Serious Infringements in bold</b>	Follow-up to Infringements, as reported by the Contracting Party
			But in the meantime, forced auction was made against the vessel 20th January 2023, and the owner and company were judge bankrupt.
CAN		Exceeding bycatch limits (Article 6.3(b), Article 6.3(g)); <b>Conducted directed fishery contrary to Article 6.6(a); Infringement considered serious (Article 38.1(c)).</b>	Case Closed.  Actions taken concerning infringement / surveillance A complete Investigation was undertaken by CAN authorities in port, including a fully monitored offload of the vessel. The investigation undertaken confirmed the infringements issued. Consultation with the prosecution service determined that these infringements did not meet the threshold to proceed to prosecution. As result of this finding, the case has now been closed by CAN authorities.
EU	<b>Failure to produce documents on request of inspectors (Article 35.1 (g)); Obstructing inspectors (Article 38.1(l)).</b>		Case Pending. Case led by Portugal.
CAN		Exceeding bycatch limits (Article 6.3(b), Article 6.3(g)).	Case Closed.  Actions taken concerning infringement / surveillance A complete Investigation was undertaken by CAN authorities in port, including a fully monitored offload of the vessel. The investigation undertaken confirmed the infringements issued. Consultation with the prosecution service determined that these infringements did not meet the threshold to proceed to prosecution. As result of this finding, the case has now been closed by CAN authorities.
CAN		Exceeding bycatch limits (Article 6.3(b), Article 6.3(g)); <b>Conducted directed fishery contrary to Article 6.6(a); Infringement considered serious (Article 38.1(c)).</b>	Case Closed.  Actions taken concerning infringement / surveillance A complete Investigation was undertaken by CAN authorities in port, including a fully monitored offload of the vessel. The investigation undertaken confirmed the infringements issued. Consultation with the prosecution service determined that these infringements did not meet the threshold to proceed to prosecution. As result of this finding, the case has now been closed by CAN authorities.
CAN		Exceeding bycatch limits (Article 6.3(g)).	Case Closed.  Actions taken concerning infringement / surveillance A complete Investigation was undertaken by CAN authorities in port, including a fully monitored offload of the vessel. The investigation undertaken confirmed the infringements issued. Consultation with

CP	Infringements detected at-sea. <b>Serious Infringements in bold</b>	Infringements detected in port (PSC3: Section E.1.B.c). <b>Serious Infringements in bold</b>	Follow-up to Infringements, as reported by the Contracting Party
			the prosecution service determined that these infringements did not meet the threshold to proceed to prosecution. As result of this finding, the case has now been closed by CAN authorities.
EU	<b>Failed to maintain accurate fishing logbook (Article 28.2(a)); Failure to submit CAT report (Article 28.6(c)); Infringements considered serious (Article 38.1(i)).</b>		Case pending. Case led by Portugal. Precautionary order: sealing of the hold.

### 4.3 Follow-up to infringements

Article 39 of the NAFO CEM outlines the obligations of a flag State Contracting Party that has been notified of an infringement. It includes taking immediate judicial or administrative action in conformity with the national legislation of the flag State Contracting Party and ensuring that sanctions applicable in respect of infringements are proportional to severity.

Article 40 requires Contracting Parties to report on the disposition of the infringements. The legal resolution of infringements may take more than a year. Contracting Parties shall continue to list such infringements on each subsequent report until it reports the final disposition of the infringement. Table 4.3 summarizes the status of infringement cases in the last five years (2018-2022) and their resolution.

**Table 4.3** *Resolution of citations (by at-sea inspectors and port authorities) against vessels fishing in the NRA by year in which the citations were issued (as of March 2022). A citation is an inspection report that lists one or more infringement. Inspections carried out for confirming a previous citation are not included.*

Year	Number of Inspection Reports with an infringement citation	Number of Resolved Cases	Number of Pending Cases*	% Resolved
2018	7	6	1	86%
2019	5	4	1	80%
2020	12	5	7	42%
2021	16	7	9	43.8%
2022	16	8	8	50%

*\*still under investigation, litigation or appeal*

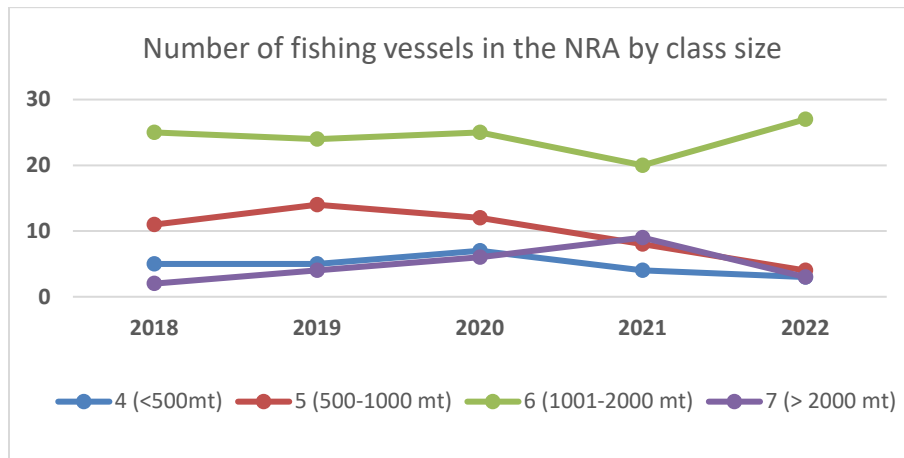
### 5.0 Trends and Analysis

Five-year trends (2018-2022) on effort and catch, reporting obligations of Contracting Parties and observers, compliance by fishing vessels, and at-sea inspections, and infringements are presented in this section.

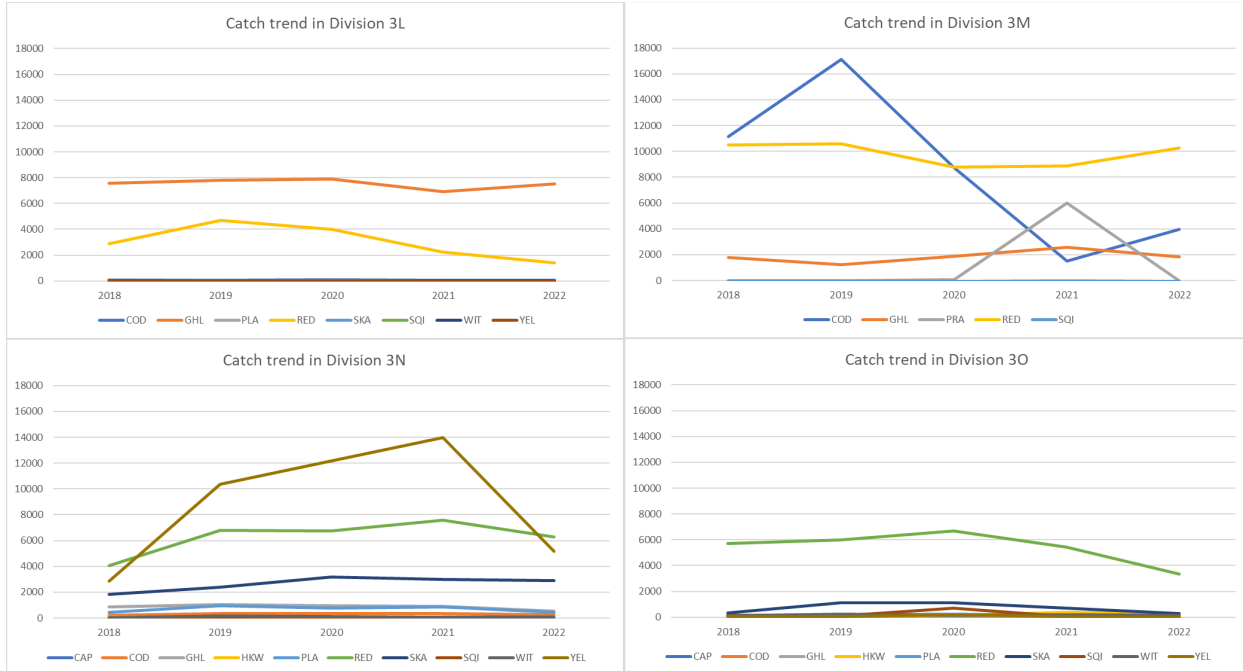
**5.1 Effort and Catch**

**Table 5.1** Fishing days, as defined by Article 1.6, by fishing gear.

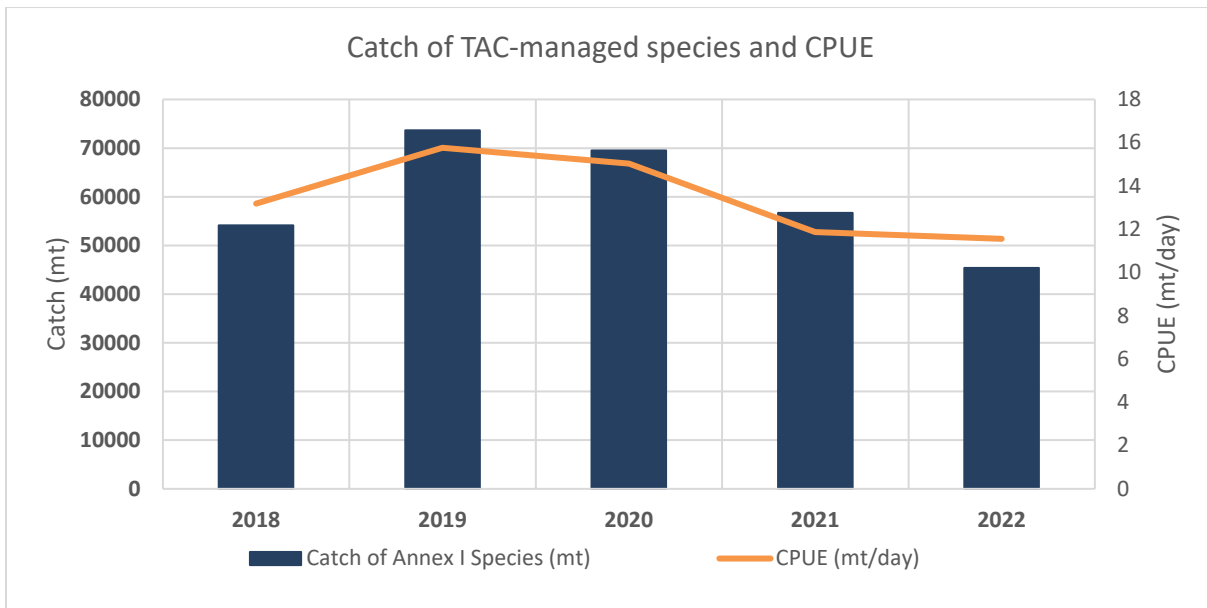
	Longline	Mid-water Trawl	Bottom trawl	Shrimp trawl	TOTAL
2018	304	82	3719	0	<b>4105</b>
2019	321	56	4297	0	<b>4674</b>
2020	250	127	4224	21	<b>4622</b>
2021	169	0	4247	479	<b>4895</b>
2022	180	7	3709	0	<b>3896</b>



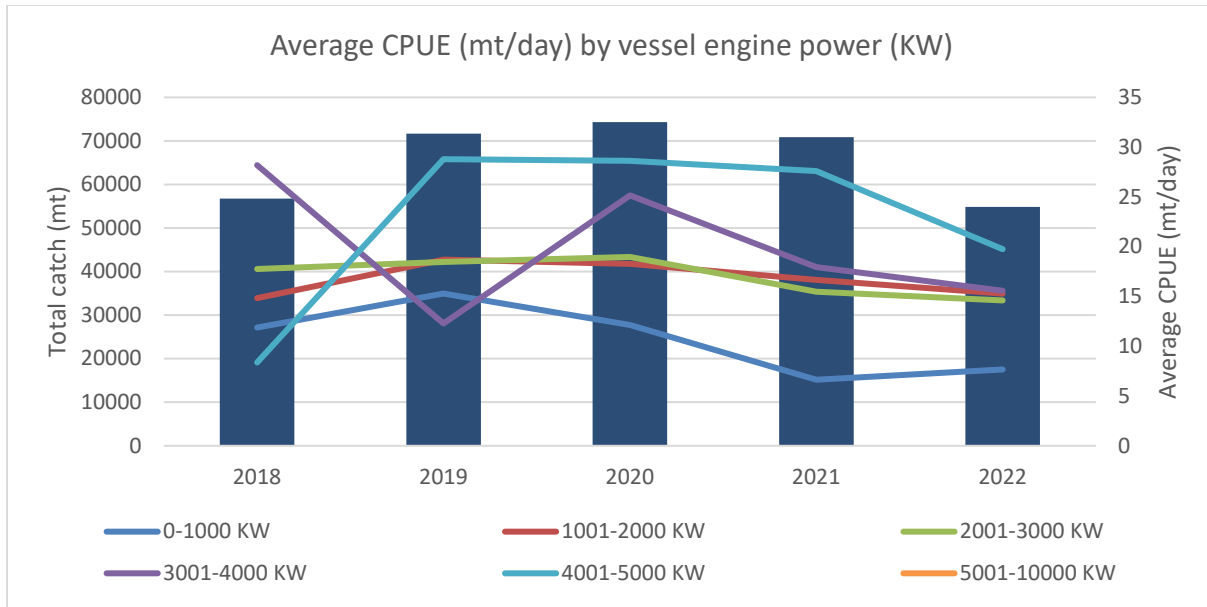
**Figure 5.1.1** Number of fishing vessels that completed trips in the NRA in Divisions 3LMNO by class size, 2018-2022. The class sizes are based on the STATLANT classification.



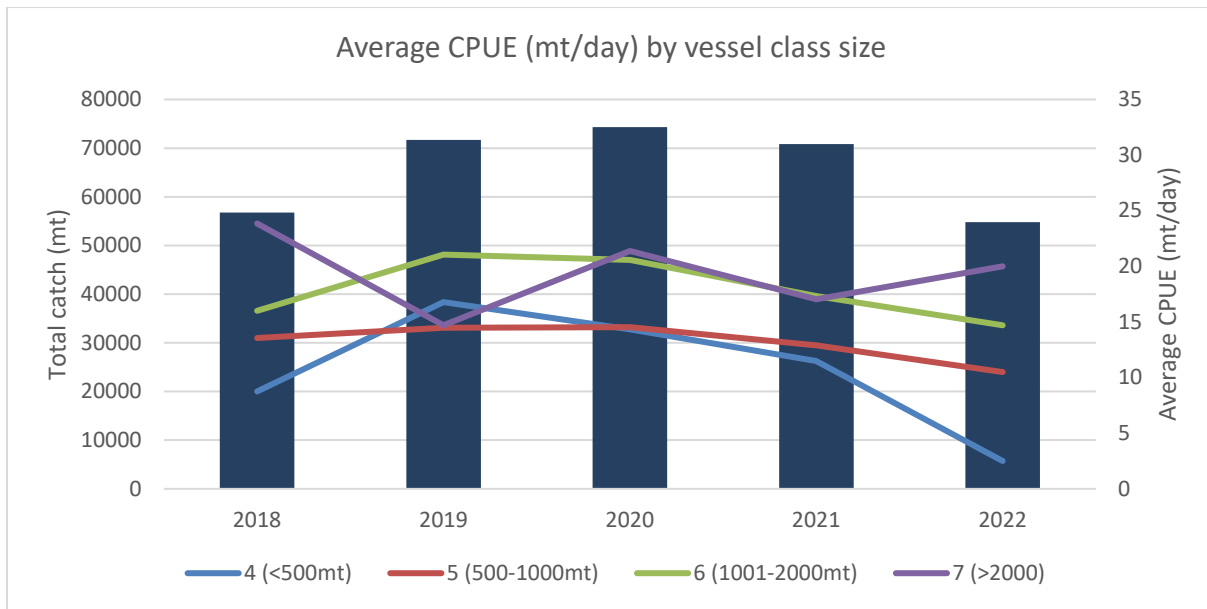
**Figure 5.1.2** Catches (in tonnes) by Division of selected species managed by TAC, 2018-2022 (Source: CATs).



**Figure 5.1.3** Catch of TAC-managed species and CPUE in 2018-2022, expressed in total catch of TAC-managed species per fishing day. Data Source: CATs and VMS reports.



**Figure 5.1.4** Total catch for trips from 2018-2022 and the average CPUE (mt/day) by vessel engine power (kw) per year.



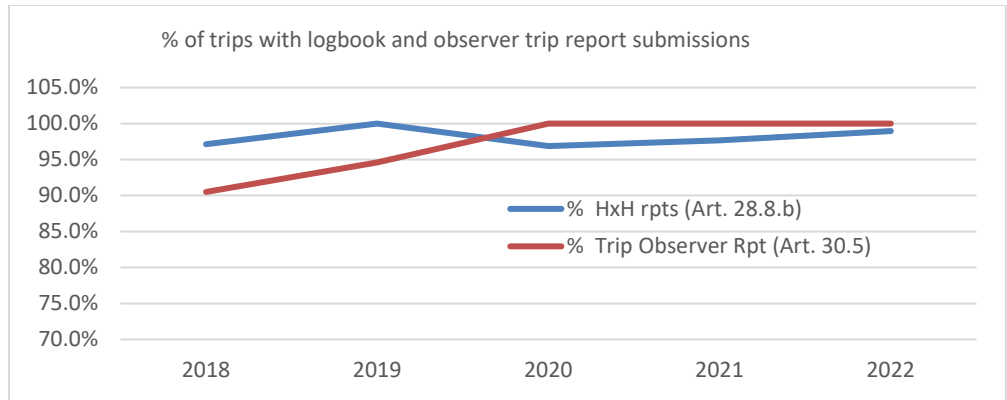
**Figure 5.1.5** Total catch for trips from 2018-2022 and the average CPUE (mt/day) by vessel class size per year. The class sizes are based on the STATLANT classification.

**5.2 Reporting Obligations by Contracting Parties**

Compliance relating to reporting obligations is quantified as a percentage coverage – the ratio of the fishing trips accounted for by the reports and of the total number of relevant fishing trips. A 100% coverage would mean that all expected reports were transmitted to the Secretariat. Figure 5.2 shows the submission rates in the period of 2018-2022. In 2022, the submission rates of electronic logbook reports (Article 28.8(c) of the NAFO CEM) and observer trip reports (Article 30.5 of the NAFO CEM) are 98.9% and 100% respectively.







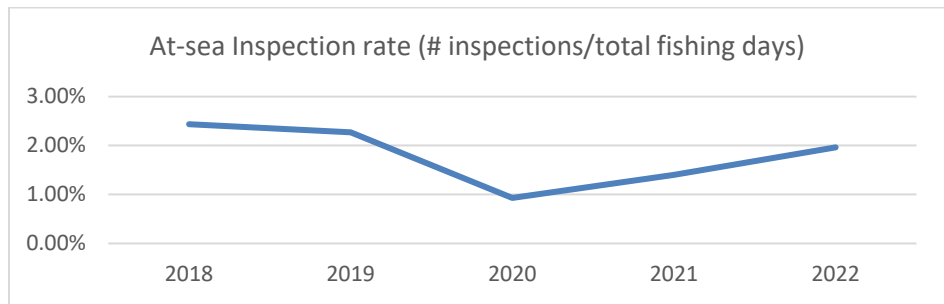
**Figure 5.2** Percent coverage of observer trip reports for fishing vessels (operating under Article 30.5), and logbook (haul by haul) reports (Article 28.8(c)), 2018-2022.

**5.3 Compliance by Fishing vessels**

In the 5-year review period of 2018-2022, VMS and VTI requirements (Article 28 and 29) have been fully complied with. Hourly position reports (POS), as well as the daily catch reports by Division (CATs), were transmitted to the Secretariat while the vessels were in the NRA. The Catch-on-Entry (COE) and Catch-on-Exit (COX) reports for each fishing trip were also transmitted.

**5.4 Inspections and Infringements**

At-sea inspection rates, computed as a ratio of the number of at-sea inspections and the total fishing effort (fishing days), in the period 2018-2022 are presented in Figure 5.4.1. The inspection rate continues to increase from its lowest level in 2020, from 0.9% to 1.96% in 2022, though it is still below the pre-COVID inspection rate.



**Figure 5.4.1** Inspection rates (number of at-sea inspections/fishing days) in the NAFO Regulatory Area, 2018-2022.

With regards to the infringements detected at sea and in port, mis-reporting of catches remains the most common infringement (Figure 5.4.2).

	2018	2019	2020	2021	2022
By-catch requirements			•	•••	••••••••
Catch communication violations				•	•
Directed fishing of moratorium stock					••
Directed fishing of stock without quota allocation	•				
Evidence tampering			•	••	•
Fishing after date of closure					



Gear requirements - mesh size, illegal attachments			•	•	
Greenland halibut control measures (Art. 10.4.d)			•		
Inspection protocol (interference)			••		••
Observer protocol			•	••	
Production logbook requirements				••	•••
Mis-recording of catches - inaccurate recording	••••	••	•••	•••••	••••••••
Mis-recording of catches -stowage	•	••••••		••	••
Product labelling	••	••	••••	•••••	••••
Vessel requirements - capacity plans	••	•		•	•

**Figure 5.4.2** Frequency of infringement cases detected by at-sea inspectors and port authorities in 2018-2022. Black and blue dots represent infringement issued at-sea and at port, respectively.

## 6.0 Conclusions

During 2022, the main NAFO fisheries were demersal trawls and longlines for groundfish. The total catches decreased to approximately 54,000 tonnes in 2022 compared to approximately 70,000 tonnes in 2021. The 2022 CPUE for managed stocks was consistent with what was seen in the 2021 fishery, though total catch decreased.

The at-sea inspection rate continues to increase following a decrease in inspections resulting from the COVID-19 pandemic, however they are still below pre-pandemic levels. In 2022, in addition to Canada and the European Union, the United States of America also participated in the At-Sea Inspection and Surveillance Scheme, deploying an inspection vessel in the NRA for the first time since 2011. There was an approximately 40% increase in the number of infringements issued in port in relation to bycatch requirements of the NAFO CEM compared to previous years.

In 2022, a Contracting Party conducted directed fishery in the pelagic redfish REB (1F\_2\_3K) subject to a zero TAC based on an objection to the TAC and a unilateral quota.

A Contracting Party invoked Article 30.6 NAFO CEM derogation allowing a coverage of no less than 25% but only deployed observers on 9% of the trips. That Contracting Party submitted a report Article 30.6(e) on the difficulties of completing a data comparison on observed and non-observed trips.

Timely receipt of CATs has allowed effective monitoring of quota uptakes. The timely submissions have also assisted inspection services in carrying out risk assessments and conducting monitoring, control and surveillance activities, providing an accurate reporting of catches taken in the NRA along with compliance of other obligations under the NAFO CEM.

The 2022 data on enforcement indicates a different practice in place by Contracting Parties with regard to the application of NAFO CEM bycatch rules.

## 7.0 Recommendations

- STACTIC recommends that all Contracting Parties continue to explore and report back on the use of remote electronic monitoring and equivalent sensor technologies, with a view to incorporate these tools into the NAFO CEM.
- STACTIC highlights that all Contracting Parties need to comply with the NAFO Observer Program requirements, including ensuring the independence, safety, and appropriate training of the observers; the analysis and follow-up of the observer program data for risk assessment and inspection; the submission of the Contracting Party's reports required by the NAFO CEM, and that the level of observer coverage specified in the NAFO CEM is maintained on an annual basis.
- STACTIC recommends Contracting Parties participate and engage in the Inspectors' Workshop, for the purpose of sharing best practices and procedures and to promote international cooperation on control amongst Contracting Parties.
- STACTIC recommends that the annual review of Contracting Parties' compliance with Article 30 be reflected in this review, and that analysis of observer data in this document be increased.
- STACTIC recommends Contracting Parties continue to support the NAFO Secretariat on the development and implementation of the NAFO Observer Application.
- STACTIC encourages Contracting Parties to continue to maintain inspection presence in the NAFO Regulatory Area and promote inspector exchanges on at-sea deployments, as well as the use of novel technologies for control such as Remotely Piloted Aircraft Systems.
- STACTIC recommends Contracting Parties consider including, in this Compliance Review, a review of any infringement trends that have been observed within a 3-year time period.
- STACTIC recommends Contracting Parties consider including in this review a review of CP compliance with the submission of required notifications, including but not limited to vessel authorizations, Others quota notifications, and submission of research plans. STACTIC recommends that to prevent the possibility of backdating those notifications in the MCS website.
- STACTIC recommends Contracting Parties continue to review the work of other RFMOs' Compliance Committees to identify best practices that can be incorporated to the NAFO compliance review.
- STACTIC recommends Contracting Parties find consensus and apply consistent methodologies for the verification of compliance with NAFO CEM provisions on catch recording and reporting.
- STACTIC recommends Contracting Parties commit to follow up on all infringements in a timely and consistent manner and, depending on the gravity of the offence and in accordance with domestic law, adopt sufficiently deterrent judicial or administrative actions.
- STACTIC recommends that the understanding of the NAFO CEM on bycatch rules is harmonized, and that, to the extent necessary, the NAFO CEM provisions are revised to provide consistent outcomes that provide appropriate deterrents.