

**39th ANNUAL MEETING OF NAFO - SEPTEMBER 2017****Revisions to Article 22 and 23 of NCEM –
reinforcement of the provisions in case of encounter and bottom fishing assessment**

The European Union and other Contracting Parties expressed concerns about the need to better frame the process of deciding measures for VMEs protection, in particular when it comes to the full assessment of each and every closure in light of the FAO guidelines and their six criteria for defining a significant adverse impact. These criteria should be applied in a more consistent and predictable manner. This should also allow us to take account of the latest available science, for example, the emerging evidence indicating a higher resilience of seapens than previously thought.

Proposal

It is proposed to add a sentence at the end of subparagraph (c) to Article 22 of the NAFO CEM:

4. Duties of the Scientific Council:

- (c) [...] **In determining the appropriateness of the temporary closures or other measures, the Scientific Council should describe how these measures respond to the relevant provisions of the FAO guidelines, in particular the six criteria defining a significant adverse impact on an identified VME, consistent with the best available scientific information and the precautionary approach.**

It is proposed to amend paragraph 2 (a) and add a subparagraph (b) to Article 23 of the NAFO CEM:

2. The Commission shall:

- (a) **conduct a reassessment of bottom fishing activities in 2021 and every 5 years thereafter, or when there is new scientific information indicating a VME in a given area, other new scientific information becomes available, or there is a significant change in the fishery, in collaboration with the Scientific Council and the Joint Commission-Scientific Council Working Group on Ecosystem Approach Framework to Fisheries Management; and**
- (b) **take the necessary actions to protect VMEs, including potential adjustment of closed areas, following the reassessment specified in paragraph 2(a) of this Article.**

