



**LDAC ADVICE FOR NAFO 44th ANNUAL MEETING**  
**Porto, 19-23 September 2022**

**Date of issue: 9<sup>th</sup> of September 2022**

**Ref.: R-07-22/WG2**

**State of play: Discussed by Focus Group and WG2 in August 2022**  
**Adopted by the LDAC Executive Committee on 7<sup>th</sup> of September**

**BACKGROUND**

The meeting of the NAFO Scientific Council (SCS) and its Standing Committees, held from the 3<sup>rd</sup> to the 16<sup>th</sup> of June 2022, assessed the state of main commercial stocks in NAFO and as a result a table with recommendations for fishing opportunities for 2023 was presented (see table 1).

A LDAC delegation composed by the Chair, a Vice Chair, the Executive Secretary and members of WG2 representing both the concerned EU MS fleets with commercial interest in the fishery and environmental NGOs participated at a coordination meeting with the DG MARE lead negotiator and his team held virtually on 23 August 2022. A summary overview was given on the report of the Scientific Council and its advice for 2023 and beyond in relation to the main stocks for decision, as well as other conservation issues including ecosystem considerations.

At the meeting there was also a short reference made to the work of several NAFO Working Groups and workshops such as the workshop meeting of fisheries managers and scientists to draft ecosystem objectives on Ecosystem Approach Framework to Fisheries Management (WG-EAFFM); Workshop on Precautionary Approach Framework; or WG on Risk Based Management Strategies (WG RBMS); Specific emphasis was given to the progress made by the EAFFM on the development of an ecosystem approach roadmap and its associated level objectives, including a multispecies assessment. There was also a summary of the last meeting of the Control and Compliance Committee (STACTIC).



## **AIM OF THE ADVICE**

Through the present advice, the LDAC would like to make several recommendations addressed to the negotiating team of DG MARE on behalf of the European Commission and the Fisheries Administrations of the Member States of the EU, based on the outcomes of the Scientific Council and relevant NAFO WGs. One of the key recommendations would be on the fishing opportunities for 2023 that will be decided at that meeting, together with other management and conservation measures which are of relevance of the commercial fisheries for the LDAC members (both EU fleet and other interest groups incl. NGO) in NAFO RA.

For comparative analysis purposes, below is a summary table containing TACs approved for 2021 and 2022, as well as the level of catch in terms of quota consumption in 2022 – source: data agreed at the Joint Commission-Scientific Council “Catch Estimation Strategy Advisory Group” (CESAG) combining DCR (daily catch reports transmitted by fishing vessels to NAFO), port inspection reports for all stocks and countries and STATLANT 21A for Canada catch within its EEZ. Finally, this table also contains the recommended TAC made by the Scientific Council for 2023.

*Figure 1. Estimated catch for 2021 (CESAG), TACs adopted for 2021 and 2022 and SC recommendations for TAC for 2023 for main commercial stocks of NRA.*

<b>Stock</b>	<b>Estimated Catch 2021 (t)</b>	<b>TAC 2021 (t)</b>	<b>TAC 2022 (t)</b>	<b>Recommended TAC for 2023 (t)</b>
Greenland Halibut (GHT) 2+3JKLMNO	15 039	16 498	15 864	15 156
Cod 3M	1 424	1 500	4 000	<5 791
Cod 3NO	493	ndf	ndf	ndf
American Plaice 3LNO	1 556	ndf	ndf	ndf
American Plaice 3M*	104	ndf	ndf	ndf
Witch Flounder 3NO*	626	1 175	1 175	1 295
Redfish 3M	8 339	8 448	10 933	11 171
Redfish 3LN*	10 171	18 100	18 100	<11 500
Redfish 3O*	4 019	20 000	20 000	9 000??
White Hake 3NO	509	1 000	1 000	<400
Capelin 3NO	0	ndf	ndf	ndf
Thorny Skate / Rays 3LNO*	3 677	7 000	7 000	<3 710
Yellow Tail Flounder 3LNO	14 611	17 000	20 000	20 800
Squid 3+4 (3LMNO)*	77	34 000	34 000	-
Shrimp 3M	7 638	-	0	-
Alfonsinos 6G*	0	ndf	ndf	ndf

*ndf = no directed fishery (moratorium); \* Stocks assessed in previous years.*



## REQUESTS FOR ADVICE MADE TO SC BY NAFO COMMISSION FOR 2023

The LDAC notes that the stocks for which SCS has undertaken new assessments with its respective levels of TACs determined for this year are:

- GHL Sub. 2 y Div. 3KLMNO (TAC 2023 applying the HCR)
- Cod Div. 3M (TAC 2023)
- Redfish Div. 3LN (TACs 2023 and 2024)
- Witch Flounder Div. 3NO (TACs 2023 and 2024)
- Thorny Skate/Rays Div. 3LNO (TACs 2023 and 2024)
- Redfish Div. 3O (TACs 2023, 2024 and 2025)

In September 2022, an updated assessment will be issued in order to formulate an advice on recommended level of TAC for the following stocks:

- Squid Div. SA 3+4 (TACs 2023, 2024 y 2025)
- Shrimp Div. 3M (TAC 2023)

The following stocks have been assessed in previous years and the recommendations made in line with a review of the available confirm the recommendations made for 2023.

- Redfish Div. 3M (TACs 2022 and 2023)
- White hake Div. 3NO (TACs 2022 and 2023)
- Cod Div. 3NO (TACs 2022, 2023 and 2024)
- Yellow Tail Flounder Div. 3LNO (TACs 2022, 2023 and 2024)
- American Plaice Div. 3LNO (TACs 2022, 2023 and 2024)
- American Plaice Div. 3M (TACs 2022 and 2023)
- Capelin Div. 3NO (TACs 2022,)
- American Plaice Div. 3M (TACs 2021, 2022 and 2023)



## SECTION I. FEEDBACK TO SC ADVICE ON TAC AND OTHER MANAGEMENT MEASURES FOR MAIN COMMERCIAL STOCKS OF INTEREST FOR THE LDAC

### 1. Cod on NAFO Div. 3M - Flemish Cap (TAC 2023)

#### Summary of scientific advice

At the SC meeting in June 2022, the SCAA Bayesian model approved at the 2018 benchmark was updated. The results show:

- The spawning stock biomass (SSB) has decreased steadily since 2017 but is still above Blimp (median 15 037 t).
- Recruitment (R) estimated in 2021 shows a positive sign after a period of lower levels.
- Fishing mortality (F) has been below Flim (median 0.166) since the reopening of the fishery in 2010 and has further decreased in the last couple of years.

Projections for 2023 and beyond were made under nine scenarios:  $F_{sq}$ ,  $F_{bar}=0$ ,  $F_{2021}$ ,  $1/2F_{lim}$ ,  $2/3F_{lim}$ ,  $3/4F_{lim}$ ,  $F_{lim}$ , catch=4000 tones and catch=5000 tonnes.  $F_{bar}$  is the median of F between ages 3-5, while  $F_{sq}$  is  $F_{bar}$  status quo, being the median of  $F_{bar}$  in the last 3 years (2019-2021).

Results indicated that, under all scenarios with  $F_{bar}>0$ , the total biomass will decrease in the years projected with respect of that of 2022, while the SSB will experience a slight increase in 2025 in all scenarios except those with  $F \geq 2/3F_{lim}$ . Probability of SSB in 2025 above that of 2022 is between 9% and 100%, depending on the scenario chosen. Probability of SSB < Blimp in 2024 is low ( $\leq 3\%$ ) in all scenarios. For all scenarios, probability that  $F_{bar}$  is higher than  $F_{lim}$  is equal or less than 3% in 2023 and 2024 (except with  $F_{bar}=F_{lim}$ ).

The SC signals that any level of catch corresponding to F being lower or equal to  $3/4F_{lim}$  in 2023 will have a very low probability ( $\leq 10\%$ ) that SSB is below Blimp in 2024 and very low probability ( $\leq 10\%$ ) of being above  $F_{lim}$ .

#### LDAC considerations

The LDAC reminds that the recommendation of a TAC of 1,500t for 2021 and 4,000t for 2022 meant in practice and economic terms a dramatic reduction of catches from over 17 000 t in three years. However, the LDAC notes that there are some early indications that the biomass and recruitments appear to have stabilised in 2021 and 2022 and hopes the SSB increases according to the projections in 2023-2025 linked to a combination of low fishing pressure and better environmental conditions. The low TAC and technical (flanking) measures in force, including use of mandatory “Norwegian” grid to avoid catch of small individuals and the continuation of the seasonal time area closure in the first quarter of the year (January-March) should contribute to protect spawning aggregations to improve future recruitments.



In line with the precautionary approach and to achieve a proper balance between biological, social and economic sustainability, the LDAC would like to avoid high fluctuations on TAC between years and reiterate its proposal in adopting a robust medium-long term approach which can take into consideration the Management Strategy Evaluation (MSE) process for this stock to allow to set a correct baseline and flexibility mechanisms in the forthcoming years.

The LDAC reminds that environmental factors are playing a major role in the poor recruitments observed in the last decade in the Flemish Cap. Therefore, the LDAC supports the ongoing work of the Ecosystem Based Approach WG on species interactions and ecosystem productivity between cod, shrimp and capelin stocks, and encourages to develop consistent and robust models to inform managers and bring ecosystem considerations into the advice without compromising management decisions on single stocks in the short term.

In summary, stability in catches must strike a balance with the outlook of HCR under development, within the remit of the scientific advice from SCS and the PA framework, while if exploitation patterns will not vary substantially and will remain stable to allow the SCS to run tests on projections.

#### **LDAC Recommendations for Cod NAFO Div. 3M:**

***The SC recommends, given the present level of SSB and the projected decrease of the total biomass under all catch scenarios, any scenario with  $F$  lower or equal to  $F_{sq}$  (catch levels in 2023 lower or equal than 5 791 tones).***

- **The LDAC is aware of the workload of the SCS, and the number of special requests received by the CPCs. However, given the economic and social importance of this stock for the EU fleet, the LDAC demands that work on this stock is given the highest priority and that resources dedicated to it are intensified.**
  
- **The LDAC wishes to maintain the cod fishery open at the highest possible level of catches in accordance with scientific advice. The LDAC invites the Commission to reflect on the different catch option scenarios described in the SC report and associated risks being below Blim or exceeding Flim and SSB in 2025 being higher than SSB in 2022.**
  
- **The LDAC notes that the Faroese longline industry quota for 2023 should be deducted from the excess of catch incurred in 2021 (over 600t) as a result of a science-industry partnership survey which was not in accordance with NAFO CEM rules. It must be reminded that the protocol and methodology for such survey was neither designed nor priorly validated by the SC; and that the EU and many other CPCs asks for accountability and action to be taken as a result of this circumvention of NAFO CEM and close any legal loopholes to avoid repetition in the future and raise this issue if needed at the NAFO Compliance Committee to adopt the corresponding sanctions.**



- Regarding a specific figure for a TAC for 2023, the LDAC groups have different views:
  - The NGO group supports to follow the recommendation from the Scientific Committee above mentioned, apply any scenario with F lower or equal to  $F_{sq}$  resulting in catch levels in 2023 lower or equal than of 5 791 tones, with a preference on the lower value to avoid high variations between years.
  - The fishing industry group represented by the Portuguese and Spanish cod trawl fleets support the selection of the  $F_{bar}$  value from other catch option scenarios based on the fact that the situation has improved this year with the SSB well established above Blim, and the F below Flim. Given the current SSB level, it is proposed to select and apply either a scenario of  $F_{bar} = 2/3$  Flim (7 032 t) or  $3/4$  Flim (7 787t), respectively.
- The LDAC continues to note the discrepancy between scientific estimations of biomass in their surveys and commercial information from skippers in relation to mean length size and age distribution of the catches.
- The LDAC continues supporting the implementation of the technical (flanking) measures adopted at the Annual Meeting in September 2020 to rebuild the stock and protect spawning aggregations of 3M Cod, namely:
  - Improving gear selectivity through the mandatory use of the sorting (“Norwegian”) grid and analogue devices for all demersal trawlers targeting cod operating in NAFO RA.
  - The time area closure for Subdivision 3M (Flemish Cap) from January to March 2023 to protect spawning aggregations of Cod, with fishing activity on cod allowed from April to December despite the significant impact on the fishing companies operations.
- Notwithstanding the above, the LDAC notes that the SC has not been able to assess the measures implemented in 2021, i.e., no directed fisheries in the first trimester (January-March) and compulsory use of Norwegian grid separators for target fisheries on demersal trawlers from 1 April. The SC has said that will need to wait until get a two-year series of logbook data to quantify the impact of these technical measures.
- The LDAC encourages that a scientific protocol should be set in place with a sampling plan to carry out a selectivity trials for both collecting data and testing the effectiveness and impact of the use of sorting grids in the reduction in catches of juvenile and small cod.



- **In the long term, it would be desirable also to make a comparison of the impact in reduction of fishing effort and catch in VMEs, changes in spatial distribution, changes in catch size and age, and studying of by catch in cod fishery and the catch of cod as by-catch for other target fisheries such as redfish.**

## **2. Redfish (RED) 3LN (TACs 2023 and 2024)**

### Summary of scientific advice:

The catch composition of redfish in this area includes two species from the gender *Sebastes*: *Sebastes mentella* and *Sebastes fasciatus*, known and reported collectively as “beaked redfish”. Both species are managed as one single stock belonging to a complex population structure in the Northwest Atlantic comprising from the Gulf of Mayne until the south of the Baffin Island.

The projection model used for this stock (ASPIC) was updated with available data but was rejected by the SC as basis for its advice. The continuous imbalance between the survey indexes observed recently and biomass estimations from ASPIC ended in a lack of confidence in the model as a result of an over estimation of the recruitment not suitable for this species ( $>0,2$ ).

To make the stock assessment, a mixed approach was used combining the survey indexes result of the median of the Spanish surveys in 3L y 3N and the spring and autumn Canadian surveys in 3LN. The projections have not been carried out due to the rejection of this model.

The rejection of the model and the lack of estimates from the Canadian spring surveys in 2020 and 2021 impedes the calculation of F but based on the available data, it is expected that F levels have not changed substantially (from 2010-2016 was close to zero, then augmented in 2018 and 2019).

In absence of reference points as a result of the flawed model, until the MSE is completed, a provisional Blim has been adopted using a median of the period 1991-2005 with a combined survey index.

In summary, despite the limited knowledge on the state of the stock since 2019, available data indicate that:

- Biomass is within or below the long-term median.
- Stock seems to be above the provisional Blim,
- Recruitment (measured as individuals between 15 and 20 cm) has been below the long-term median since mid-2010s for the four surveys analysed (Canadian spring and autumn and Spanish surveys in 3NO y 3L).



#### LDAC considerations:

The LDAC regrets the limited knowledge of the state of this stock due to a combination of methodological (lack of robustness of the assessment model chosen) and operational (lack of data from Canadian Spring surveys in 2020 and 2021) reasons.

The LDAC notes that F remains at relatively low levels when compared to the last decades of the last century and remain stable.

The LDAC also notes that the Redfish 3LN stock is adjacent to 3M and might have potential stock mixing or population overlaps. For the later, a proposal for setting the TAC for 2022 is of 11 171 t in application of the HCR for this stock.

In the spirit of NAFO Convention, there should be promotion and coordination of conservation and management measures that applies to a stock or group of stocks found both within the Regulatory Area and within an area under national jurisdiction of a coastal State, when considering the ecosystem approach to fisheries.

#### **Recommendation for Redfish 3LN:**

***The SC recommends that total catch allowed do not exceed the current level of 11 500 t (median of the last 5 years).***

- **The LDAC notes that catch levels from EU fleet have remained stable and the TAC has been fully utilized.**
- **The LDAC acknowledges the SC advice that total catch do not exceed the current level of 11 500 t, given the limited knowledge of the state of the stock and uncertainties associated to the change of model and in order to be precautionary in terms of protecting level of future recruitments and biomass.**
- **However, the LDAC would like the EC to explore the possibility of asking maintaining the TAC near the current levels of 18 100 t as starting point for negotiations, given that commercial catch reported in the last 5 year seem to not have compromised the stock size.**
- **The LDAC observes that the setting of a biannual TAC provides legal certainty and economic stability to this fishery.**



### 3. Redfish Div. 3M (TACs 2022 and 2023)

The LDAC has no further comments to make as this is a stock monitored with a current TAC in place, so if there are no changes the current decision is in force: “catches do not exceed  $F_{0.1}$  level resulting in 10 933t in 2022 and 11 171t in 2023”.

### 4. Redfish Div. 3O (TACs 2023, 2024 and 2025)

#### Summary of scientific advice

- This stock is considered data poor.
- The trends-based assessment has been done on a qualitative basis and is based on surveys and catch. It is associated with a high uncertainty.
- A proxy for Bmsy has been adopted based on surveys as the average of the temporal series (since 1991) of a biomass index combined from Canadian spring and autumn surveys. An interim Blim has been defined as 0.3 BMSY-proxy. Given that the survey indexes for this species can show unrealistic fluctuations year after year, a single year above or below Blim is insufficient to indicate a change in the state of the stock.
- The stock is below BMSY-proxy. The biomass in 2020 was above Blim with a high probability (96%). The state of the stock could not be determined for 2021 due to the not realisation of the Canadian spring and autumn surveys in Div. 3O.
- Due the slow growth rate of this species and the interpretation of the fluctuations of the index year after year, it is supposed that the state of the stock in 2021 will be similar to that of 2020. The recruitment indexes since 2012 generally have been around the average for the time series.

#### LDAC Recommendations for Redfish 3O

*The SC concludes that the stock is below a temporal proxy of BMSY based on surveys, but above the limit reference point ( $BLIM=0,3BRMS$ -proxy) with a probability of 96%. There is not sufficient information to base forecast of potential catch levels. The average catch is around 9 000 t during the period used to calculate the MSY proxy (1991 -2021). The SC cannot advice on a level of TAC appropriate for 2023, 2024 and 2025.*

**Given that the SC is not able to provide advise on a TAC for the period 2023-2025, the LDAC proposes a roll over of the current TAC, established in 20 000 t, given that the average catch from recent years is stable around 9 000 t and not increasing and this allow to maintain relative stability and allocation keys for EU countries. Similarly, as for other stocks such as thorny skate, a footnote could be introduced as safeguard as follows: “Should catches exceed 9 000t, additional measures could be adopted for further restrain level of catch in 2023”.**



## 5. Witch Flounder (*Glyptocephalus cynoglossus*) Div. 3NO (TACs 2023 y 2024):

### Summary of scientific advice

Regarding population distribution, this stock is mainly in Div. 3O through the south western slope of the Grand Banks. In some years, a higher percentage can be distributed in shallow waters. The fishery was reopened to a directed fishery in 2015. Before its reopening, this stock was mainly caught as by-catch in the trawl fisheries of yellow tail flounder, redfish, rays and Greenland halibut.

This stock was assessed using a Bayesian surplus production model. The input data were the catch data series from 1960-2021 and the Canadian spring and autumn survey data. Full assessments took place in 2017-2020 and 2022. The results of this evaluation show that this stock is at 49% of Bmsy (60 510 t). In early 2022, there is a 9% risk that the stock is below Blim and 1% risk that F is above Flim ( $F_{msy} = 0.063$ ). Recruitment is uncertain.

Two groups of projections were made, with two different assumptions: one considering catch for 2022 equal to TAC (1 175 t) and another considering catch in 2022 will be equal to the average catch of the last five years (700 t). It is estimated that the population will grow for all scenarios, although it will remain below Bmsy until 2025 for those F levels examined with a probability over 85%. Probability that projected SSB is below Blim in 2025 is between 5 and 9% in all catch scenarios and 3-4% in scenarios with  $F=0$ , depending on catch in 2022. Probability that SSB in 2025 is higher than 2022 is more than 60% for all scenarios.

### LDAC considerations

The LDAC notes that, despite the uncertainty, the stock trends are positive:

- The biomass is increasing on a regular basis since 1994 (with an exception of the period 2013-2015).
- The fishing mortality remains at low risk (14%) of being above Flim in 2022.
- It is estimated that the population will increase for all scenarios forecasted, even if it will remain below Bmsy until early 2025 with a probability over 85%.

### **Recommendation for Witch Flounder 3NO**

***The SC recommends that F does not exceed 2/3 Fmsy resulting in catches lower than 1 295t in 2023 and 1 367 t in 2024. The main reason being that there is a probability of exceeding Flim higher than 30% in 2024 for values of F higher than 2/3 Fmsy = 0.041.***



**The LDAC supports the advice of the SC as indicated above and has no further comments to make.**

## **6. Thorny Skate (*Rajas*) in Division 3LNOPs (TACs 2023 and 2024)**

### Summary of scientific advice

The management unit is limited to NAFO Div. 3LNO, which is part of the stock distributed in NAFO Div. 3LNO and Subdivision 3Ps. Rays are caught with gillnets, trawl nets and longlines. In the skates and rays targeted fisheries, other commercial species are landed as by-catch (cod, monkfish, plaice...). Rays are also caught as by-catch for other demersal targeted fisheries.

Fishing in NAFO Div. 3LNO is not subject to quota. Catch levels are well below the TAC because Canada usually does not fish its quota for this stock. The stock is considered as data poor. Its evaluation is qualitative, based on survey and catch trends and is associated with high uncertainty.

The stock was above Blim in 2019. No new survey information is available to ascertain the state of the stock. However, given the long-life traits of this species and the stability in catch in recent years (approximately 3 710 tones, 2017 – 2021), it is not likely that significant changes have occurred in population. Recruitment in 2019 was average and level of F is unknown, but considered to be low.

### LDAC considerations

The LDAC notes that SSB is estimated to be above Blim in 2019 (last value of surveys) and the long-life trait of the species and stability in level of catch in recent years makes it not likely that there have been any substantial changes.

The TAC adopted by NAFO for 2021 and 2022 for Thorny Skate in 3LNO Division is 7,000 t, and the distribution of the quota for this stock is as follows: European Union 4,408t (63%); Canada 1,167t (17%); Russia 1,167 (17%); and others, the remaining 3%. The situation of the stock is stable, so the most logical decision. would seem to be a roll over for 2023-2024.

Regarding the EU, the internal allocation gives to Spain 3,403t (77% of the total), with a declared consumption of quota in 2021 close to 90%. Portugal has assigned 660t (15%), and Estonia 345t (8%).

The SC has included again in his report the recommendation of “*keeping the quotas close to the catches*” and two important countries with quota do not use it: Canada has an independent skate fishery in 3PS within its EEZ and adjacent to 3LNO, over the same stock, but that is managed as a separate unit, and there Canada maintains unchanged since 1997 an independent quota of 1,050t. There is also a small share for San Pierre et Miquelon, and Russia is not interested in the fishery.



A literal application of the Scientific Council recommendation of keeping the quotas close to the catches, will drastically reduce the TAC, so it is very important for the EU's fleet, to roll over the actual Thorny Skate quotas, for the next two years, to keep in the quota table the actual Note 12: "*Should catches exceed 5,000 tones, additional measures would be adopted to further restrain catches in 2023*".

#### **LDAC Recommendation for Thorny skate 3LNO**

*The SC acknowledges that the stock has been stable at recent catch levels (approx. 3710 tones in average for 2017-2021). However, given the low resilience of this species and higher historic biomass stock levels, the SC advises no increase in catches. As in previous years, the LDAC reiterates its agreement with the SC recommendation of "no increase in catches" which are stable in the region of 3,700t in average.*

However, the LDAC has mixed views on the specific translation into figures of the advice for the 3LNO portion as it cuts down the proposed TAC almost in half, from 7000t in the last years to 3710 t for 2023 based on the average catch levels from 2017 to 2021. This interpretation *de facto* penalizes to the only one CPCs (the EU) fishing actively, resulting in a substantial reduction of its quota, without having a real impact in the conservation of the stock.

The fishing sector of the LDAC notes that with the same advice, the proposed TAC for division 3LNO has been set since 2013 at 7,000t, considering that the catch levels are stable around 3,500t given that the EU is the only CPCs having a directed fishing in the zone, with other CPCs (Russia and Canada) not participating in this fishery.

The NGO group (Seas at Risk on behalf of DSCC and North Oceans) argue that the TAC should be the same as the real catches or at maximum at 5,000t.

The LDAC encourage SCS to collect additional data to improve quality and reliability of the stock assessment in future.

#### **Opinion of the fishing sector:**

**In this particular, the fishing sector of the LDAC is of the opinion that a literal application of the Scientific Council recommendation of "keeping the quotas close to the catches", will drastically reduce the corresponding TAC. The fishing sector of the LDAC reminds the importance of the Thorny Skate 3LNO stock for some EU MS, in particular Spain, which do fully utilise its allotted quota (over 2000t reported in 2021 out of 2 901t). This is the reason whereby individual MS should not be penalised or have detrimental effects on the TAC due to the under utilisation of the quota by other CPCs. Therefore, the fishing sector of the LDAC proposes to maintain the TAC for division 3LNO at 7,000t, as it has been the case since 2013 considering that the catch levels are stable around 3,500t given that the EU is the only CPCs having a directed fishing in the zone, with other CPCs (Russia and Canada) not participating in this fishery. As a safeguard measure, the fishing sector of the LDAC is in favour of maintaining in the quota table the reference to Note 12 updated to 2023 as follows: "Should catches exceed 5,000 t, additional measures would be adopted to further restrain catches in 2023".**



### **Opinion of the NGOs:**

The NGO (SAR on behalf of DSCC and North Oceans) argue that the TAC should be aligned with the real catches (3,500t) or at maximum at 5,000t for this stock, given the vulnerability of the elasmobranch species. The NGO group notes that this approach is also consistent with that expressed in the FAO Guidelines on Deepsea Fisheries for vulnerable fish species.

### **7. Cod in Divs. 3NO**

A TAC zero has been established for this stock. Due to the very low recruitments and poor state of the stock in terms of biomass, the SC recommends a non-directed fishery for the period 2022-2024.

#### **LDAC Recommendations for Cod in Divs. 3NO**

- The LDAC notes that the level of catch for this stock is very low and F is below Flim.
- **The industry of the LDAC opposes in principle to the idea of a non-directed fishery and setting a moratorium for this stock, as it is linked in terms of stock distribution to the area where Canada has a TAC in place within their EEZ (namely Div. 3L).**

### **8. Shrimp 3M**

#### **EU past and present catch effort**

The LDAC reiterates its gratitude for EC key-role in reopening the fishery in 2020 but regrets the fact that it has been decided to be closed again for 2022 in the last Annual Meeting of 2021 after two years. This is expected to produce again a serious economic impact in certain EU fleets which are members of the LDAC as the EU is by far the largest stakeholder among the NAFO CPs, both in terms of the current fishing-day allocation share and historical catches from this stock. Within the EU, Estonia is the largest fishing nation of 3M shrimp followed by Latvia and Lithuania. The stock has also been harvested, to a lesser extent, by Denmark, Poland, Spain, and Portugal.

A Lithuanian trawler was fishing in October in 2020 for one trip. In 2021, both Lithuanian and Danish trawlers were fishing. Due to insufficient export documentation available from Canadian veterinary authorities, those EU vessels were not able to unload its catches in Canada, causing a “de facto” landing ban for the EU fleet and negatively affecting the track record of EU effort.



## LDAC considerations

### Science – ICES Benchmark Workshop on Pandalus Stocks (WKPRAWN)

The LDAC notes that ICES held a benchmark workshop on Pandalus stocks on 24–28 January 2022 for three stocks of Northern shrimp called WKPRAWN. The goal of an ICES benchmark is to evaluate the appropriateness of data and methods to determine stock status and investigate methods to be used in future update assessments.

This assessment methodology can be an analytical assessment, but can also be non-analytical, for instance, based on trends in an assessment or in a selected set of (survey) indicators, with or without forecasts. The result will be the "best available" method that ICES advice will be based on. Benchmark workshops are open to experts and stakeholders, and the entire process is reviewed by external experts.

According to WKPRAWN report, there was limited progress on the Flemish Cap stock (pra.27.3M). An excellent long-term EU survey from 1988-present is available for the stock covering the period of the moratorium. This shows an increase from 2016 to 2019 with a subsequent decrease. Length-composition data are also available from the survey for this assessment. In future, it may be possible to explore an SS3 model for this stock given the partial and patchy nature of the available data.

### Management regime change

The LDAC regrets that the NAFO intersessional meeting initially scheduled for mid-2022 was decided to be postponed and will now take place on Sunday 18 September, i.e., one day prior to the start of the annual meeting. Such timing does not give enough time for consideration of the subjects discussed there between all the relevant stakeholders. This will in turn lead to a likely more uncertain outcome, and it remains to be seen if scientists will recommend a reopening of the fishery.

The LDAC is willing to assist the European Commission to discuss possible management proposals in relation to this stock and would appreciate the inclusion of scientists from ICES and NAFO Joint WG on Pandalus to check its feasibility in accordance with scientific advice. An update on the work on ecosystem modelling for the Flemish Cap and a calendar for forthcoming benchmark workshops would also be useful to ensure active participation from the LDAC in future.

The LDAC would like to stress an important factor at play concerning EU's share in future allocation of fishing opportunities. The NAFO 3M shrimp fishing rights are divided between a total of 12 NAFO Contracting Parties (CP). Some CP have barely ever fished for shrimp in NAFO. Other were quite active before the millennium but represent minor activity during this century. Because of how widespread the fishing possibilities are, it is impossible for all parties to fully utilize the fishing rights at their disposal within the same year.



The LDAC fears a new management system that limits the EU fleets possibilities while other Contracting Parties do not utilize their fishing possibilities. For example, if a new management regime of simple tonnage quota system had been implemented before the reopening in 2021, the Lithuanian vessel Taurus would have only been able to fish one trip, while the share of Russia, Norway, and Iceland would have gone unutilized.

This demonstrates how at relatively low level of total allowable catches, e.g., 5,500-15,000mt, a new quota tonnage regime that does not account for the high likelihood of underutilization would severely limit the economic viability of the fishery for the European fleet.

Within nation states it is common that those who do not exercise their fishing right forfeit that right and other active participants can take their place for the socioeconomic benefit of the society. However, that is not the case when the parties underutilizing the resource are nation states and therefore underutilization in international waters can persist for a long time.

Therefore, the LDAC deems it of utmost importance that the new management regime aims to keep the fishing effort within scientific limits, but at the same time consider the socioeconomic harm that underutilization causes. The simplest way to achieve this is applying a catch limit but keeping the effort-based system in place. There might be other feasible options and the LDAC welcomes collaboration with the European Commission on other possibilities that consider the current commercial reality and socioeconomic impact.

Considering these facts and the limited progress made in discussions among the CP during the time of the Covid pandemic, the LDAC feels that the most logical step if the scientific data proves to be good is to open the fishery under the current effort-based regime but with a total allowable catch limit. Allowing for commercial fishing of shrimp again would support the scientific effort, as shrimp is never a by-catch and a continuation of the moratorium leads to no commercial data being available.

Last but not least, the LDAC is concerned with and aware of the potential complications that are beyond the control of the EU but could hamper progress on management of this stock, namely:

1. A scientific recommendation against reopening the fishery.
2. The lack of agreement of a robust management framework due to the conflict between Russia and Ukraine which are both contracting parties of NAFO.

The LDAC is certain that the prospect of reopening the fishery on the basis of fishing effort (days at sea) only is highly unlikely due to reticence of several CPCs (Iceland, US, Canada) in the past. Therefore, it encourages the EU to move forward towards a transition system allowing a mix of fishing effort and TAC system.



### **LDAC Recommendation for Shrimp 3M**

- The LDAC strongly encourages ICES and NAFO to continue frontloading the assessment of 3M Shrimp from November to early September to ensure advice is ready and available for informing policy makers to make a decision during the Annual Meeting.
- The LDAC would like to ask the EC to ensure active participation from the LDAC in future workshops on ecosystem modelling and discussions on possible management proposals in relation to the stock.
- The LDAC urges the EC to consider how to meet the challenge of underutilization of the fishery by other contracting parties. Leaving the current management regime in place with a limit on the total allowable catch would be the simplest way to achieve it.
- The LDAC feels that if the scientific data is good, there is nothing that prevents reopening the fishery next year under the current regime, but with a limit on the total allowable catch.

### **9. Greenland Halibut (GHL) 2+3KLMNO**

#### **Summary of scientific advice**

The present HCR was adopted by the NAFO Commission at the Annual Meeting in 2017 to calculate TACs for GHL in the Subarea 2 + Div. 3KLMNO. The HCR is based on the biomass indexes from scientific surveys and has two components of the biomass used to calculate the TAC: one based on the biomass to be achieved ("*target*") and the other on the trends shown by the surveys ("*slope*"). The final annual TAC is the result of the mean average of the estimation of TAC from both "*target*" and "*slope*", with the restriction of not allowing a TAC variation of +/- 10% between consecutive years.

The survey indexed upon which the HCR is applied are: Canadian autumn survey in Divs. 2J3K; Canadian spring survey in Divs. 3LNO; Canadian autumn survey in Divs. 3LNO; European survey in Flemish Cap in Div. 3M; and Spanish survey in Div. 3NO. This year, three of the five last values of the Canadian spring survey are missing, so that series has been excluded in the HCR. The sensitivity analysis indicated that excluding these surveys has a minimal impact (below 5%) in the result of the HCR.



### LDAC remarks

The LDAC notes the considerable reduction in fishing effort made by the fishing fleets (mainly EU) since the HCR entered into force, with a decrease in catches from a TAC of approximately 45,000 t to the ceiling now established around 16 000 t.

- Notwithstanding the above, and despite the starting point being set at low levels, the LDAC considers that the HCR are proving effective in providing stability and long-term planning to the management of this fishery.
- However, it notes that the application of the HCR as currently designed has implied a 15% decrease of the TAC since 2020, i.e., from 16 926 t to 15 156 t.
- In this particular, the reply from SC to question #3 of the NAFO Commission (CR) is linked to decrease in TAC as a result of the application of the HCR in the last 3 years as follows.

### Scientific surveys in closed areas for GHJ (CR Question #3)

- The SC considers that the real impact of the hauls carried out in the scientific surveys for demersal bottom trawlers in the closed marine areas would be significantly reduced if they were shortened up to 20 minutes duration max.
- The quality of the EU survey indexes for GHJ y RHG in subareas 2 y 3 show a loss of quality in the estimations when omitting these hauls. Besides creating noise and bias to the estimation of the biomass index, it omits those with higher age or length size (same applies to RED and WIT).
- Despite the SC recommends that this issue should be dealt with by experts from WGESA during its November meeting, we would like to flag this issue in this advice.
- The LDAC notes that, according to the SC, in 2022 exceptional circumstances have not occurred despite the missed values of the Canadian spring survey for 3LNO.

### Development of MSE for GHJ+3KLMNO and RED 3LN (CR Question #4)

- The SCE recommends under point a) to compile catch and survey data and any additional source of information used in current assessment models.
- In this respect, the LDAC thinks that this should be an argument also to consider carrying out again hauls in MPAs for scientific surveys only and with the limited time to minimise impact to be able to carry out a robust assessment.



## **LDAC Recommendation for Greenland Halibut 2+3KLMNO**

***The SC in application of the Harvest Control Rule advises a TAC for 2023 based on the approved HCR, resulting in 15 156 t.***

The LDAC notes that this is a further annual 5% decrease in relation to 2022 (15 864 t), leading to an accumulated decrease of 15% in the last three years. Whereas the LDAC accepts the rationale of this reduction because of the application of the HCR, the Spanish and Portuguese trawl fleet industry note that it seems to do not reflect the real situation in the fishing grounds, where they find all group ages of GHL in abundance in their trawls, showing a disparity between catch reports from fleets and scientific survey.

One possible explanation could be attributable to the size and wide distribution of the stock. The scientific surveys only cover some sample areas and are an average of 5 different campaigns with different weight.

The LDAC looks with concern the lack of data in the last three years of the Canadian spring survey, which has not been carried out. The area and time where this campaign takes place correlates with the best time and area (Subdiv. 3LN) to fish where more catches are reported by the commercial fleet. As a result, if this survey is excluded, the HCR automatically shows a reduction of the TAC superior to 3%.

Regarding the scientific surveys, the LDAC notes that there seems to be a bias in the estimation of the biomass index which has impact in the assessment of this stock leading to a 5% decrease per year as a result of the exclusion of closed areas in the sampling from scientific surveys in the last 5 years.

The LDAC notes that in 2023 there will be a review of the HCR with a test of the two existing evaluation models (SSM and SCAA). The LDAC would like to be timely updated by DG MARE on the state of play of this review exercise. The LDAC would also ask the EU to consider revising upwards the starting point of the new HCR.

The LDAC also wishes to note that "*exceptional circumstances*" have not occurred yet. However, the lack of data because of the absence of the Canadian spring survey, could affect to the HCR and suspend its application, as it would trigger in 2023 the exceptional circumstances subject to evaluation of SC to decide on other measures to propose a TAC recommendation.

The LDAC hopes that Canada can carry out their spring survey in 3LN in 2023 following 2 years of operational problems (COVID and mechanical problems with research vessels). The EU is recommended to follow up this issue bilaterally with Canada in their negotiations, given the importance of this survey for assessing the biomass of the stock and repercussions on the fixation of the TAC because of the application of the HCR. The repeated absence of spring survey for third consecutive year also bears the risk to trigger the exceptional circumstances and have a negative "knock on" effect for the economic performance of the concerned fishing fleets.



#### **10. Northern Shortfin Squid in Subareas 3+4**

The LDAC notes that, in terms of fishing dynamics, since the 90s, the squid fishery has been mainly a seasonal one with low level of catches. However, there is several Spanish vessels represented in the LDAC which have become more active in the area targeting squid during the last years.

The SCS made a recommendation in 2019 for the period 2020–2022: *The primary biomass index (Div. 4VWX) and mean body size value for 2018 were not available for use in the assessment. The 2019 values indicated that the stock may be moving towards a high productivity period. SC advice is a TAC of no more than 34 000 tones/year.* The assessment for this stock has been deferred until the Annual Meeting.

#### **Recommendation for Squid in Subareas 3+4 (*Illex illecebrosus*):**

- **The LDAC looks forward to having the interim monitoring for this stock.**
  
- **The LDAC advises that the European Commission should consider requesting a rollover of 34 000t for this stock considering the socio-economic importance of this fishery for the Spanish cephalopod freezer fleet.**



## SECTION II. ECOSYSTEM CONSIDERATIONS

### **Review of Vulnerable Marine Ecosystems and proposals for closed areas**

The LDAC notes the ongoing review of the adequacy of VME closures in the NRA, in addition to the 2021 assessment of Significant Adverse Impacts on VME indicator species in the NRA, which will apply all 6 criteria from the FAO Guidelines on Deep Sea Fisheries, progress can be made to advance VME protections. With the UNGA Review of bottom fishing measures which finally took place in August 2022 this year, it was highlighted the extensive work from Spain on seabed mapping and VMEs and the ongoing work from RFMO and in particular NAFO to address protection of marine habitats classified as VMEs.

In 2020, the SC provided advice with regards to specific VMES where protection has been deemed poor or inadequate, that management measures be agreed in particular for the 30 coral closure, Area 1 and Areas 4-12 in addition to revisiting Area 14. This work is expected to continue in this year's Annual Meeting.

The LDAC appreciates the clarity of the traffic light system (Green, orange and red) to assess significant adverse impacts in VMEs looking at ecosystem indicators, protected areas, biomass for each indicator, area in risk and ratio caused by fishing activity in terms both of area covered and biomass. The ones that show high risk of impact by fishing are small gorgonians, black corals, bryozoans and arcidias. Pennatulaceans have medium risk and big gorgonians and sponges present a low risk.

The NAFO Commission should have a clear objective in terms of protection of VMEs and indicators to measure it, as it is not obvious to date or there is no reasoning on why they have been included based on FAO guidelines (there is no percentage of features or anything similar). Only WG ESA has estimated a good level of protection at 60% for the indicators, which is quite high and this should be properly evaluated by WG EAFFM.

In addition, the LDAC recommends that there should be studies outside the fishing footprint to include aspects of connectivity between ecosystems and relevance of the features protected so they can be reviewed if necessary.

The LDAC notes that there are several new areas expanded and changed in the proposal, most in the Grand Banks. Of particular concern for the industry are three new candidate areas for VMEs where there are existing fishing footprint and another two which would mean closing areas which might be potentially of fishing value as they are adjacent to existing fishing grounds for certain fleet segments.



As an overall reflection, there is a need to discuss if this continuing dynamic of proposing new VMEs area because of new sensitive habitats or features (such as bryozoans or ascidians) identified are duly justified, considering there are already many areas where there are no fishing footprint and fishing activities cannot be exercised unless there is an experimental campaign backed by science. The fishing industry of the LDAC is of the view that a freeze of the fishing footprint could be a solution to protect other areas with minimal affectation to existing activities in terms of fisheries footprint and buffer areas allowing expansion to adjacent fishing grounds.

#### **LDAC Recommendations on VMEs and closed areas**

- **The LDAC asks for coherence and full protection of VME features from all extractive and human activities that have an impact on them, such as mining for minerals or oil and gas prospections, and not only fishing. The LDAC understand that NAFO has not a dedicated legal mandate to do this, but understand this topic should be raised in the context of the present discussions within UN BBNJ based on international obligations and commitments made by MS and CPCs in the area of protection of marine ecosystems. In addition, Contracting Parties who are also coastal States with competency for the regulation of extractive activities should strive to ensure that areas closed to protect biodiversity at NAFO are similarly closed to extractive activities**
- **In this sense, the LDAC supports the EU proposal reflected in the EC concept paper formulated for the Annual Meeting in 2021 on looking at the current closed areas and divide the proposed new areas in three different groups to consider affectation to existing fishing activities and existing scientific knowledge. This will allow to avoid rushing into adopting additional closures without adequate scientific evidence and socio-economic impact assessment of all economic activities, including oil and gas prospection. The LDAC encourages NAFO to continue with this work and build on the outcomes of the workshop recently held in August 2022 on this topic which had participation of relevant scientists, managers, policy makers, and a few stakeholders.**

#### **Additional remarks from fishing industry on VMEs and SAIs**

- **The fishing industry of the LDAC notes that, with exception of the reopening of Area 14 for sea plumes, there has been a steady expansion of closed areas for fishing in the last 10 years, while other extractive activities harmful (gas/oil prospections) are still taking place there, one clear example being the Flemish Pass. The reduction in fishing effort is likely not to render any benefits for those sites if there are other human activities that are causing irreversible damage in the same convention area.**



- Further, the fishing industry rejects simplistic impact analysis such as claiming that “1% of impact”. Impact can and must be measured in several different variables. It is entirely different to talk about 1% of area, 1% of time, 1% of catches in tons, 1% of catches in value, or 1% of CPUE. For example, 1% of area can be linked to for much more than 1% of catches. Or 1% of overall catches might be a very significant part of the catches in one specific stock or fleet. Closing areas can only be done with specific impact assessment, weighed against the desired benefit.

#### Additional remarks from NGO on VMEs and SAIs

- The NAFO Scientific Council “*Review of Significant Adverse Impacts on VMEs*” presents a reasonable case for increasing the protection of VMEs and that all proposed closures should be adopted. Proposals will impact less than 1% of the fishing activity and VMS data has already been included in the SC considerations for boundary amendments and new areas. NAFO CPs have had near 15 years to fully implement UNGA 61/105. The new proposals will increase the protection of VME biomass by almost 60%. Some VMEs have zero protection and this is not acceptable. Further delay on making management decisions will leave VMEs vulnerable to SAI and will indicate a failure on behalf of CPs to adhere to commitments made in numerous international fora.
- All proposed amendments to the closure of seamounts and other features be adopted in full. There are active fisheries in these areas and the 2021 SC advice represents a comprehensive and consistent review of protections of VME elements within the NAFO Convention Area.
- NAFO's efforts to protect VMEs are laudable, however they are incomplete. The work to fully implement the UNGA resolutions related to bottom fishing will be largely complete once NAFO follows all scientific advice, including areas that have been recommended but not agreed for closure. Results of the UNGA workshop on bottom fishing should be taken into account.
- NAFO has expressed interest in having its VME areas, or a subset of these areas, considered as OECMS that could be counted towards global marine protected area targets. This can only be done once science advice is fully adhered to, and areas are also off limits to oil and gas development by the coastal State.



### **Ecosystem Approach (CR Question #5)**

Given the progress made over the past several years at the Scientific Council on an ecosystem approach to fisheries management, and with the view that at some point NAFO managers will be in the position to make decisions for management of fish stocks based on an ecosystem modelling approach, there are key recommendations from the Scientific Council that can be agreed in the coming years. The development of the NAFO Ecosystem Roadmap has meant significant investment by Contracting Parties and their scientists.

The WG-EAFMM Workshop held from 8-10 August 2022 in Halifax confirmed broad support for the work undertaken by scientists on the Total Catch Index (TCI). Following the work of three independent experts who reviewed and validated the suitability and robustness of the Total Catch Index (TCI), it is fundamental that all relevant parties (scientists, policy makers, stakeholders...) are actively involved prior that TCI have the potential to be used as additional tool for stock assessments and underpinning of management decisions. This will ensure a common understanding on definitions and implications of scenarios proposed, including the effects and implications in the bilateral and multilateral negotiations leading to decisions on management of commercial fishing stocks.

#### **LDAC Recommendations:**

**To ensure that this investment on developing an ecosystem approach to fisheries management ultimately benefits the sustainability of the fisheries in the NRA and advances RFMO progress on ecosystem-based decision making, the LDAC recommends the following to be agreed at the NAFO Annual Meeting:**

- **The LDAC encourages NAFO WGESA to make progress in 2023 in further developing an ecosystem roadmap as a matter of priority, including the advancing in multi-species models and simulations to evaluate the reliability of decision rules for species aggregated (TCI) catch levels.**
- **As proposed at the WG-EAFFM meeting in August 2022 and as an interim measure in the implementation of the roadmap, that when the combined TACs of NAFO managed fisheries are two-fold above the Total Catch Indicator guidance, consequences to fisheries sustainability be considered. Such an agreement would be in keeping with NAFO's current fisheries sustainability sheets and ecosystem sheets and would advance the incorporation of NAFO's stoplight approach. Given the reduced protection potential of the 2JK and 3LNO ecosystem units (40% and 30% respectively), there is a need to better link this reduced potential to recommended catch levels.**



- **Regular discussions take place on how to explore effective methods to communicate TCI information to NAFO Commission on annual basis so policy makers and managers can integrate this element in their decisions, taking into account socio-economic considerations.**

#### **Identification of medium-term Work plan from SC (CR question #8)**

The SC updated the work plan 2022-2023 and identified some gaps and priorities. This is an iterative process between SC and Commission. The plan included the general activities to develop in the coming years and a detailed list of all activities to complete on a yearly basis.

However, the SC has reiterated that the implementation of this plan will be altered and likely deferred due to the existing workload of this body, coupled with the lack of dedicated funding to this task from NAFO, and the overload of questions directed to them.

The LDAC considers it necessary to make the tasks identified in the Work plan a priority and if possible, to strengthen hiring of staff (there are currently two vacancies that have not been covered) or allocated time for experts from scientific institutes of the contracting parties to operationalise the work established in the roadmap, enhancing collaboration of multinational working teams.

#### **Mapping on Impact of Human Extractive Activities other than Fishing in NRA (CR question #12)**

In the updated map of geographical position of human extractive activities occurring in NAFO Divs. 3LNM presented to SC, there are overlaps between oil and gas activities, fisheries in NAFO and closed areas identified as VMEs. In comparison with the information previously reported by WGESA, there are two new “exploration areas” in Div. 3L, one of them placed within one of the NAFO fishing grounds. Information is included since 2018 in the Ecosystem Summary Sheets (ESS) and shows that oil and gas activities have increased in the area in recent years.

The SC has reiterated that these activities have a potential impact to harm the fishing resources and the ecosystem. It also states that, despite there are public data available on the occurrence and location of these activities, there is very limited or difficult to access information on its potential impacts of such activities, together with mitigation measures adopted (if any). The SC finally acknowledges the lack of expertise within the SC and WGESA to undertake long term impact assessments of these activities in fishing resources, VMEs and marine ecosystems.

The EU fishing sector is alarmed in relation to the proliferation of new permits for oil and gas prospections in the NRA, as the one recently publicised for the Flemish Cap. It is of particular concern that this occurs while scientific surveys are limited in terms of excluding hauls and samples within closed areas in VME and that weakens the advice on a sustainable management of the fish stocks. In some cases, the oil and gas platforms and fields are taking place within part of those VMEs without regard to the direct impact of these activities in the protected habitats and features identified by NAFO. There are no reports available of the impacts of the preliminary seismic activities and losses in oil that might occur as a result of the carrying out of this activity.



In terms of data and mapping of all human extractive activities occurring in NAFO RA, the LDAC commends the work carried out on a voluntary basis by the IEO since 2018 compiling publicly available data and information from different sources to show where other extractive activities such as oil and gas exploration and exploitation licenses and activities (e.g., seismic prospections) occurring, including reported and documented incidents of oil spills, etc.

The LDAC encourages IEO to continue with this work and to NAFO WGESA to validate this work during its meeting. It also encourages the NAFO CPCs and the Commission to allocate sufficient funding and resources to identify relevant external experts in this field (currents, physics, and geology) that can take this work forward in the field. This would allow to address data gaps, build a robust database, and carry out in the longer term a fully-fledged study including an impact assessment of each of the activities found in the habitats (e.g., environmental degradation and resilience of VMEs and other selected features) and species (e.g., displacement of stocks caused by anthropogenic noise).

The LDAC believes that NAFO as prominent RFMO should take the initiative in the field despite the constraints in relation to its legal mandate circumscribed to fisheries conservation and management. It should also work in cooperation with other international bodies and for a feed in this work in international law instruments such as the future UN Treaty on Biodiversity Beyond National Jurisdiction (BBNJ) which will look at a coherent approach to multiple economic activities having an impact in a specific maritime area.

### **SECTION III. MONITORING, CONTROL AND SURVEILLANCE CONSIDERATIONS**

**At the last STACTIC WP 22-25, there was a proposal from Canada in relation to adding the “capture date” to the labelling requirements for a product.**

Canada noted that the requirement “*capture date*” already exists specifically for shrimp under NAFO CEM Art. 27.34. He proposed to delete from point 1.c) of art. 27 the specific mention to shrimp and therefore extend this requirement to all other stocks as follows: “*the date of capture (including the year, month, and day)*”

In reply to this proposal, DFG and the EU noted that this measure might have a difficult compliance in practice. The EU indicated that they would need more time to analyse carefully the possible impacts in the current practices on board fishing vessels as well as identify the range of scenarios before taking any decision on this. Canada expressed its will to continue discussing this matter and consider limiting the scope of application to a few selected species. Canada added that they would work at intersessional meetings to come up with a modified proposal together with other CPCs in time for the next STACTIC meeting.



**LDAC Recommendations on Monitoring, Control and Compliance:**

The LDAC advises the DG MARE negotiation team to regularly inform on the state of play of these discussions that will likely happen at the next STACTIC to be held during the NAFO Annual Meeting. We also request that this item is included for discussion in the mid-week meeting between the EU and the stakeholders, as any potential measure adopted could have an impact for the fishing vessels' operations.

**-END-**