



North Pacific Fisheries Commission

CMM 2024-07

(Entered into forced 1 June 2024)

CONSERVATION AND MANAGEMENT MEASURE FOR CHUB MACKEREL

The North Pacific Fisheries Commission (NPFC),

Recognizing that outcomes of the small ad hoc workshop for the scientific analysis of chub mackerel stock were presented to the Scientific Committee (SC) in April 2017 and the SC recommended to establish the Technical Working Group on Chub Mackerel Stock Assessment (TWG CMSA);

Noting that CMM 2016-07 states the SC will complete the stock assessment of chub mackerel as soon as practicable, even if such assessment is provisional, and provide advice and recommendations to the Commission in accordance with Article 10, paragraph 4(b) of the Convention;

Reaffirming the General Principles provided in Article 3 of the Convention, in particular, paragraph (h) stipulating that any expansion of fishing effort does not proceed without prior assessment of the impacts of those fishing activities on the long-term sustainability of fisheries resources;

Noting paragraph 1(a) of Article 7 of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995 (hereinafter, “1995 Agreement”), stipulating that the relevant coastal States and the States whose nationals fish for straddling fish stocks in the adjacent high seas area shall seek to agree upon the measures necessary for the conservation of these stocks in the adjacent high seas area;

Recognizing paragraph 2(a) of Article 7 of the 1995 Agreement stipulating that the conservation and management measures adopted and applied in accordance with article 61 of the United Nations Convention on the Law of the Sea in respect of the same stocks by coastal States within areas under national jurisdiction and ensure that measures established in respect of such stocks for the high seas do not undermine the effectiveness of such measures;

Reaffirming paragraph (i) of Article 3 of the Convention, stipulating in accordance with Article 7 of the 1995 Agreement, that conservation and management measures established for straddling fish stocks on the high seas and those adopted for areas under national jurisdiction are compatible in order to ensure conservation and management of these fisheries resources in their entirety;

Recalling that concern was expressed on an adverse impact on the stock of chub mackerel given the rapid increase in vessels that appear to be fishing for chub mackerel in the Convention Area, as articulated in paragraphs 9 and 10 of Report of the 1st Meeting of the Technical and Compliance Committee;

Noting that the NPFC Catch/Effort statistics shows a significant fall in chub mackerel catch in 2022 and 2023 from those in previous years;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

1. Members of the Commission and Cooperating non-Contracting Parties (CNCs) with substantial harvest of chub mackerel in the Convention Area shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for chub mackerel from the historical existing level until the stock assessment by the SC has been completed.
2. Members of the Commission and CNCs without substantial harvest of chub mackerel in the Convention Area are encouraged to refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for chub mackerel from the historical existing level until the stock assessment by the SC has been completed.
3. As a provisional measure until the Scientific Committee adopts NPFC stock assessment of chub mackerel and the Commission accordingly revises this Conservation and Management Measure, Members shall take necessary measures to ensure that the fishing activities for chub mackerel in the Convention Area shall be undertaken in accordance with the fishing season defined in paragraph 18 and the following provisions:

- (a) The annual total allowable catch of chub mackerel in the Convention Area, excluding the amount in paragraph 11, shall be set at 94,000 tonnes for each of the 2024 and 2025 fishing seasons.
 - (b) Of this annual total allowable catch, the catch for trawlers shall not exceed 14,000 tonnes for each of the 2024 and 2025 fishing seasons.
 - (c) Of this annual total allowable catch, the catch for purse seiners shall not exceed 80,000 tonnes for each of the 2024 and 2025 fishing seasons.
 - (d) China shall not authorize more than 3 trawlers to conduct fishing operations at the same time.
 - (e) The EU shall not authorize more than 1 trawler to conduct fishing operations at the same time.
4. Members of the Commission participating in chub mackerel fisheries in areas under national jurisdiction adjacent to the Convention Area are requested to take compatible measures in paragraph 1 and 3. Such Members¹ may divert part of their catch limit for areas under their jurisdiction to their own catch of chub mackerel in the Convention Area by vessels entitled to fly their flags and authorized to fish for chub mackerel, provided that: (i) the Member has established a catch limit for chub mackerel in its jurisdiction; (ii) the Member has notified the Commission of the catch limit; and (iii) the total catch of the Member in the Convention Area and the areas under their jurisdiction adjacent to the Convention Area will not exceed the Member's total catch limit for its jurisdiction.
5. Members of the Commission and CNCPs shall prohibit fishing vessels over 10,000 Gross Tonnage that are flying their flag and authorized to fish for chub mackerel, from fishing in the Convention Area.

¹ Paragraph 4 applies to Russia and Japan.

6. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish for chub mackerel record their catches and report them to the relevant flag State authorities in accordance with their national data recording and reporting requirements.
7. To comply with the provisional measure stipulated in paragraph 3, Members of the Commission shall report to the Executive Secretary, in electronic format, monthly catches of chub mackerel in the Convention Area by fishing vessels flying their flags, by the 10th of the next month, until the total accumulated catch by Members in a fishing season reaches 60% of the catch limit set out in paragraph 3. After the total accumulated catch by Members in a fishing season reaches 60% of the annual catch limit set out in paragraph 3, Members of the Commission shall report to the Executive Secretary, in electronic format, weekly catches of chub mackerel in the Convention Area by fishing vessels flying their flags, by Wednesday of the next week.
8. The Executive Secretary shall make publicly available the compiled catch of chub mackerel in the Convention Area on the Commission's website, as well as each Member's catch of chub mackerel in the Convention Area, on the Member's page of Commission website without delay.
9. In the event that the total accumulated catch by Members in a fishing season reaches 95% of the annual catch limit set out in paragraph 3, the Executive Secretary shall notify Members of that fact without delay, and each Member participating in the chub mackerel fishery shall close the fishery for its flagged vessels within 2 days from the above notification by the Secretariat until the end of the fishing season.
10. Development of new fishing activity for the chub mackerel fishery in the Convention Area by Members of the Commission without documented historical catch for chub mackerel in the Convention Area shall be determined in accordance with relevant provisions, including but not limited to, as appropriate, Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
11. In accordance with paragraph 10, and in addition to the fishing opportunities under paragraph 3, the EU shall be entitled to fish an additional 6,000 tonnes of chub mackerel for each of the 2024 and 2025 fishing seasons, without prejudice to future discussions on chub mackerel allocation in the Convention Area.

12. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag operating in the Convention Area to fish chub mackerel are to be equipped with an operational vessel monitoring system that is activated at all times.
13. Members of the Commission and CNCPs shall provide their data on chub mackerel separated by the Convention Area and the areas under national jurisdiction adjacent to the Convention Area in accordance with the data requirements adopted by the Commission in the Annual Report by the end of February, every year. The Commission shall review such information at the annual meeting every year.
14. Members of the Commission and CNCPs shall cooperate to take necessary measures including sharing information, in order to accurately understand the situation and eliminate IUU fishing for chub mackerel.
15. The SC and its subsidiary Technical Working Group on Chub Mackerel Stock Assessment (TWG CMSA) will complete the stock assessment of chub mackerel in 2024 in accordance with the terms of reference agreed at the TWG CMSA meeting in December 2017, even if such assessment is provisional, and provide advice and recommendations to the Commission in accordance with Article 10, paragraph 4(b) of the Convention.
16. After the chub mackerel stock assessment has been completed, the provisions in Paragraph 1, 3 and 11 shall be reviewed by the Commission and those provisions shall not be a precedent to hinder those Members who are not harvesting substantial amounts of chub mackerel in the Convention Area to develop their own chub mackerel fisheries in the Convention Area, noting the Commission shall regularly review chub mackerel harvests in the Convention Area by all Members.
17. This management measure enters into force on 1 June 2024 (aligned with the start of the fishing season for chub mackerel). The Commission shall review and revise, as appropriate, this CMM based on the advice and recommendations from the SC, but no later than at the 10th Commission meeting.

18. For the purpose of this measure the ‘fishing season’ starts on 1 June and ends on 31 May.

19. This CMM is an amendment of the NPFC CMM 2023-07.