

Northwest Atlantic Fisheries Organization (NAFO)



Meeting Proceedings of the General Council and Fisheries Commission for 2003/2004

Printed and Distributed by:
Northwest Atlantic Fisheries Organization
P. O. Box 638, Dartmouth, Nova Scotia
Canada B2Y 3Y9

Foreword

This issue of the Proceedings contains the reports of all meetings of the General Council and Fisheries Commission including their subsidiary bodies held in the twelve months preceding the Annual Meeting in September 2004 (between 1 September 2003 and 31 August 2004). This follows a NAFO cycle of meetings starting with an Annual Meeting rather than by calendar year.

This present 2003/2004 issue is comprised of the following sections:

SECTION I contains the Report of the General Council including subsidiary bodies reports (STACFAD and STACFAC), 25th Annual Meeting, 15-19 September 2003, Dartmouth, Nova Scotia, Canada.

SECTION II contains the Report of the Fisheries Commission including subsidiary body (STACTIC), 25th Annual Meeting, 15-19 September 2003, Dartmouth, Nova Scotia, Canada.

SECTION III contains the Report of the Working Group on the Management of 30 Redfish, 30-31 March 2004, St. John's, Newfoundland & Labrador, Canada.

SECTION IV contains the Report of the Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) and the Report of the Joint Meeting of STACFAC and the Standing Committee on International Control (STACTIC), 15-18 June 2004, Copenhagen, Denmark.

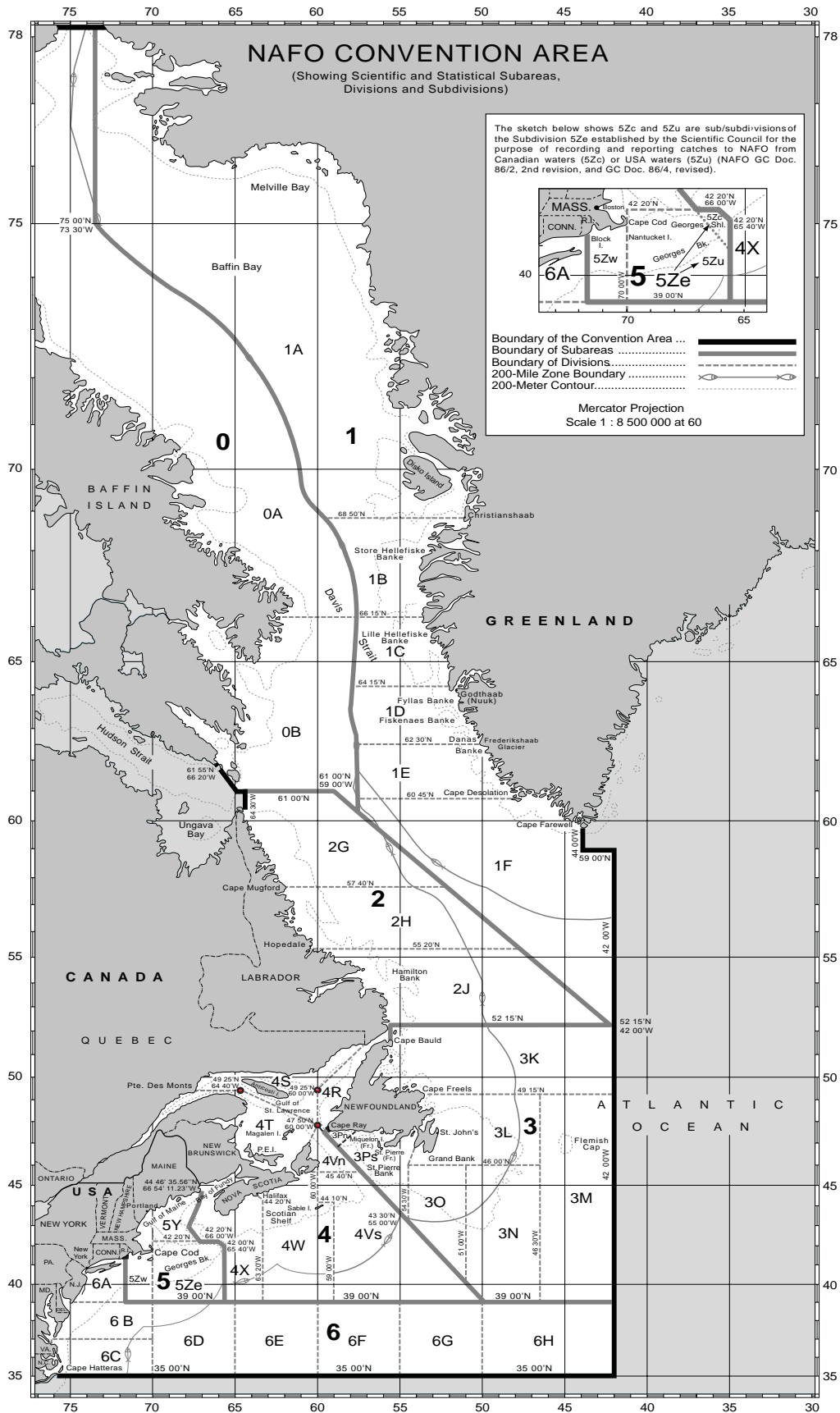
SECTION V contains the Report of the Standing Committee on International Control (STACTIC), 21-23 June 2004, Copenhagen, Denmark.

Contents

Foreword.....	iii
Map.....	viii
Structure of the Northwest Atlantic Fisheries Organization.....	ix
SECTION I. Report of the General Council and its Subsidiary Bodies (STACFAD and STACFAC), 25th Annual Meeting, 15-19 September 2003, Dartmouth, N.S., Canada	1
Part I. Report of the General Council	3
Annex 1. List of Participants	8
Annex 2. Opening Statement by the Representative of Canada (P. Chamut)	20
Annex 3. Opening Statement by the Representative of Japan (M. Miyahara)	22
Annex 4. Opening Statement by the Representative of the European Union (J. Spencer).....	23
Annex 5. Opening Statement by the Representative of Ukraine (V. Chernik)	24
Annex 6. Opening Statement by the Representative of France in respect of St. Pierre et Miquelon (M. Plantegenest)	25
Annex 7. Opening Statement by the Representative of the United States of America (J. Dunnigan)	26
Annex 8. Opening Statement by the Representative of Estonia (A. Soome)	27
Annex 9. Opening Statement by the Representative of the Republic of Korea (Jae Hak Son)	28
Annex 10. Agenda	29
Annex 11. Press Release.....	30
Annex 12. Decisions and Actions by the General Council	36
Annex 13. Report of Consultations between Canada, EU, Latvia and the US, Brussels, April 29-30, 2003	37
Part II. Report of the Standing Committee on Finance and Administration (STACFAD).....	40
Annex 1. List of Participants	48
Annex 2. Agenda	49
Annex 3. Status of spending for the implementation of the Automated Hail/VMS System	50
Annex 4. Classification of Secretariat Staff and Claim for Retroactive Pay Equity	51
Annex 5. Services of the Secretariat to NAFO Fisheries Commission and STACTIC.....	52
Annex 6. Staff Committee	53
Annex 7. Schedule of Outstanding Contributions from Bulgaria	54
Annex 8. Budget Estimate for 2004.....	55
Annex 9. Preliminary Calculation for 2004.....	58
Annex 10. Preliminary Budget Forecast for 2005	59
Annex 11. STACFAD Recommendations to the General Council	60
Part III. Report of the Standing Committee on Fishing Activities of Non- Contracting Parties in the Regulatory Area (STACFAC)	62
Annex 1. List of Participants.....	69
Annex 2. Agenda.....	70
Annex 3. Letter to Belize	71
Annex 4. Letter to the Dominican Republic.....	73
Annex 5. Presentation by Japan on Import Statistics	75
Annex 6. Revised EU Proposal – Scheme to Promote Compliance by Non-Contracting Party Vessels with Recommendations Established by NAFO	77

SECTION II.	Report of the Fisheries Commission and its Subsidiary Body (STACTIC), 25 th Annual Meeting, 15-19 September 2003, Dartmouth, N.S., Canada	81
Part I.	Report of the Fisheries Commission	83
Annex 1.	List of Participants.....	93
Annex 2.	Agenda	105
Annex 3.	Decisions and Actions by the Fisheries Commission.....	107
Annex 4.	Pilot Project on Observers, Satellite Tracking and Electronic Reporting.....	109
Annex 5.	Amendment of the Rules of Procedure for the Fisheries Commission to allow for a STACTIC Vice-Chair	115
Annex 6.	Amendment of the Rules of Procedure for the Fisheries Commission regarding proposals/amendments to the NAFO CEM.....	116
Annex 7.	Amendment to CEM regarding VMS reporting	117
Annex 8.	Chartering Arrangements	118
Annex 9.	Agreed Record of Consultations Among Estonia, Latvia, Lithuania and Russia on Allocation of Joint ("Block") Quotas in the NAFO Regulatory Area	120
Annex 10.	Statement by Ukraine on Traditional Fishing in the NAFO Regulatory Area...	122
Annex 11.	Amendment to CEM re 3L shrimp vessels.....	123
Annex 12.	Comments adopted by Fisheries Commission regarding Precautionary Approach Framework.....	124
Annex 13.	Quota Table for 2004	125
Annex 14.	Statement by Denmark (in respect of Faroe Islands and Greenland) regarding 3L Shrimp	127
Annex 15.	Rebuilding Plan for Greenland halibut in SA 2 and Divisions 3KLMNO	128
Annex 16.	Fisheries Commission Decision on Oceanic Redfish fisheries in NAFO SA2 and Divisions 1F and 3K.....	130
Annex 17.	Fisheries Commission's Request for Scientific Advice on Management in 2005 of Certain Stocks in Subareas 2,3 and 4	131
Part II.	Report of the Standing Committee on International Control (STACTIC)	135
Annex 1.	Agenda	139
SECTION III	Report of the Working Group on the Management of 3O Redfish, 30-31 March 2004, St. John's, NL, Canada.....	143
Annex 1.	List of Participants	147
Annex 2.	Agenda	150
Annex 3.	Redfish in NAFO Div. 3O – Summary of Work and Information Provided by Scientific Council in 2002 and 2003	151
Annex 4.	Potential List of Management Measures for 3O Redfish	155
Annex 5.	Proposal by USA, Canada and Japan for Consideration of TAC for 3O Redfish.....	156
SECTION IV.	Report of the STACFAC Meeting and Report of the Joint Meeting of STACFAC and STACTIC, 15-18 June 2004, Copenhagen, Denmark	157
Part I.	Report of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC).....	159
Annex 1.	List of Participants.....	162
Annex 2.	Agenda	164
Annex 3.	Working Paper presented by Canada on Modification of the NCP Scheme (STACFAC W.P. 04/1)	165

Annex 4.	Working Paper presented by the EU on Modification of the NCP Scheme (STACFAC W.P. 04/3, Version 4)	171
Annex 5.	Working Paper presented by Canada on Article 11 – Entry into Force (STACFAC W.P. 04/6)	177
Part II.	Report of the Joint Meeting of STACFAC/STACTIC.....	178
Annex 1.	List of Participants.....	181
Annex 2.	Agenda	183
Annex 3.	Working Paper presented by Canada – Text to Enhance Compliance By Contracting Parties with NAFO Measures (STACFAC/STACTIC W.P. 04/5)	184
SECTION V.	Report of the Standing Committee on International Control (STACTIC), 21-23 June 2004, Copenhagen, Denmark	187
Annex 1.	List of Participants.....	194
Annex 2.	Agenda	198
Annex 3.	The Compilation of NAFO Fishing Reports for STACTIC Compliance Analysis (by NAFO Secretariat)	199
Annex 4.	Compliance Review (presented by EU)	208
Annex 5.	Quarterly Report on the Objectivity in the Realization and Distribution of Inspection Between the Contracting Parties January – March 2004, (by NAFO Secretariat)	210
Annex 6.	Proposal for Modifications to the NAFO Monitoring and Control Scheme -Harmonization of STACTIC WP 03/12 (Rev), 03/17 and 03/18.....	212
Annex 7.	Text to Enhance Compliance by Contracting Parties with NAFO Measures	253
Annex 8.	Proposal by Canada for Modifications to the NCEM to illustrate and Describe Toggle Chains	255
Annex 9.	Proposal presented by Iceland, Denmark (in respect of Faroe Islands and Greenland) and Norway to harmonize the VMS message format and Reports by fishing vessels consistent with the formats used in NEAFC	257
Annex 10.	Update on 2003 Observer/VMS Pilot Project	265
Annex 11.	Extract from the Report of STACREC, June 2004 regarding the NAFO Observer Program.....	266



**Structure of the Northwest Atlantic Fisheries Organization (NAFO)
(as at 31 August 2004)**

Contracting Parties

Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and United States of America (USA).

President

D. Bevan (Canada)

Constituent Bodies

General Council	Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and USA.	<i>Chair</i> – D. Bevan (Canada) <i>Vice-Chair</i> – T. Lobach (Norway)
Scientific Council	Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and USA.	<i>Chair</i> – J. Morgan (Canada) <i>Vice-Chair</i> – A. Vazquez (EU-Spain)
Fisheries Commission	Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and USA.	<i>Chair</i> – D. Swanson (USA) <i>Vice-Chair</i> – B. Prischeva (Russia)

Standing Committees

General Council	Standing Committee on Finance and Administration (STACFAD)	<i>Chair</i> – G. F. Kingston (EU) <i>Vice-Chair</i> – D. Kramer-Warner (USA)
	Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC)	<i>Chair</i> – D. Silvestre (France in respect of St. Pierre et Miquelon) <i>Vice-Chair</i> – N. Bouffard (Canada)
Scientific Council	Standing Committee on Fishery Science (STACFIS)	<i>Chair</i> – H. Murua (EU-Spain)
	Standing Committee on Research and Coordination (STACREC)	<i>Chair</i> – A. Vazquez (EU-Spain).

	Standing Committee on Publications (STACPUB)	<i>Chair</i> – M. Stein (EU-Germany)
	Standing Committee on Fisheries Environment (STACFEN)	<i>Chair</i> – E. Colbourne (Canada)
Fisheries Commission	Standing Committee on International Control (STACTIC)	<i>Chair</i> – M. Newman (EU) <i>Vice-Chair</i> – M. Nedergaard (Denmark in respect of Faroe Islands & Greenland)

Secretariat

Executive Secretary	Johanne Fischer
Deputy Executive Secretary	Tissa Amaratunga
Fisheries Scientist	Ricardo Federizon
Administration Officer & Meeting Coordinator	Forbes Keating
Personal Assistant to the Executive Secretary	Bev McLoon
Finance Officer	Stan Goodick
Conservation and Enforcement Measures Officer	Gordon Moulton
Publications and Archives Officer	Ferne Perry
Graphic Arts/Printing Technician	Ron Myers
Graphic Arts/Printing Technician	Barry Crawford
Office Secretary	Dorothy Auby
Information & Web Manager	Barb Marshall
Fisheries Information Officer	Cindy Kerr

Headquarters Location

2 Morris Drive, Dartmouth, Nova Scotia, Canada

SECTION I
(pages 1 to 80)

**Report of the General Council and its Subsidiary Bodies
(STACFAD and STACFAC), 25th Annual Meeting
15-19 September 2003
Dartmouth, Nova Scotia, Canada**

PART I.	Report of the General Council	3
1.	Opening of the Meeting	3
2.	Supervision and Coordination of Organizational, Administrative and Other Internal Affairs	3
3.	Coordination of External Relations	5
4.	Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention.....	5
5.	Finance	6
6.	Closing Procedures.....	7
	Annex 1. List of Participants	8
	Annex 2. Opening Statement by the Representative of Canada (P. Chamut).....	20
	Annex 3. Opening Statement by the Representative of Japan (M. Miyahara)	22
	Annex 4. Opening Statement by the Representative of the European Union (J. Spencer)	23
	Annex 5. Opening Statement by the Representative of Ukraine (V. Chernik).....	24
	Annex 6. Opening Statement by the Representative of France in respect of St. Pierre et Miquelon (M. Plantegenest).....	25
	Annex 7. Opening Statement by the Representative of the United States of America (J. Dunnigan)	26
	Annex 8. Opening Statement by the Representative of Estonia (A. Soome)	27
	Annex 9. Opening Statement by the Representative of the Republic of Korea (Jae Hak Son).....	28
	Annex 10. Agenda.....	29
	Annex 11. Press Release	30
	Annex 12. Decisions and Actions by the General Council	36
	Annex 13. Report of Consultations between Canada, EU, Latvia and the US, Brussels, April 29-30, 2003	37
Part II.	Report of the Standing Committee on Finance and Administration (STACFAD)	40
1.	Opening by the Chairman.....	40
2.	Appointment of Rapporteur.....	40
3.	Adoption of Agenda	40
4.	Auditors' Report for 2002.....	40
5.	Realized and expected costs related to changes to the Automated Hail/Vessel Monitoring System (VMS).....	40
6.	Review and evaluation of work descriptions for NAFO employees in the CR category with respect to consideration and application of Canadian Pay Equity Settlement	41
7.	a)Function and Future Requirements of the Secretariat	41
	b)Interim Staff Committee	43
8.	Meeting of the Pension Society	43
9.	Headquarters Agreement of NAFO	43
10.	Administrative and Financial Statements for 2003.....	44
11.	Review of Accumulated Surplus Account.....	44
12.	Legal opinion regarding staff assessment claim by previous Executive Secretary.....	44

13. Progress report on transition from print to electronic (outgoing) communication and access to information and review of new NAFO Website	45
14. Salary of the Executive Secretary	45
15. Budget Estimate for 2004	46
16. Budget Forecast for 2005	46
17. Time and Place of 2004 and 2005 Annual Meetings	46
18. Other Issues including any questions referred from the General Council during the current Annual Meeting	47
19. Election of Chair and Vice-Chair	47
20. Adjournment	47
Annex 1. List of Participants	48
Annex 2. Agenda	49
Annex 3. Status of spending for the implementation of the Automated Hail/VMS System ..	50
Annex 4. Classification of Secretariat Staff and Claim for Retroactive Pay Equity	51
Annex 5. Services of the Secretariat to NAFO Fisheries Commission and STACTIC	52
Annex 6. Staff Committee	53
Annex 7. Schedule of Outstanding Contributions from Bulgaria	54
Annex 8. Budget Estimate for 2004	55
Annex 9. Preliminary Calculation for 2004	58
Annex 10. Preliminary Budget Forecast for 2005	59
Annex 11. STACFAD Recommendations to the General Council	60
 Part III. Report of the Standing Committee on the Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC)	 62
1. Opening by Chairman	62
2. Appointment of Rapporteur	62
3. Adoption of Agenda	62
4. Review of 2003 information on activities of Non-Contracting Party vessels in the Regulatory Area	62
5. Review of 2003 information on landings and transshipments of fish caught by Non-Contracting Party vessels in the Regulatory Area	63
6. Review of information on imports of species regulated by NAFO from Non-Contracting Parties whose vessels have fished in the Regulatory Area	63
7. Reports by Contracting Parties on diplomatic contacts with Non-Contracting Party Governments concerning fishing in the Regulatory Area	63
8. Reports by Contracting Parties on legal, administrative and practical actions that have been taken to implement the NAFO Scheme to Promote Compliance by Non-Contracting Party Vessels	63
9. Assessment on implementation of the FAO IPOA on IUU within NAFO	64
10. Development of guidance on implementation of paragraph 11 of the NAFO Scheme including report of STACTIC on incorporation of the entire Scheme in NCEM	66
11. Proposals for modifications of the Non-Contracting Party Scheme	66
12. Report and Recommendations to the General Council	68
13. Other Matters	68
14. Adjournment	68
Annex 1. List of Participants	69
Annex 2. Agenda	70
Annex 3. Letter to Belize	71
Annex 4. Letter to the Dominican Republic	73
Annex 5. Presentation by Japan on Import Statistics	75
Annex 6. Revised EU Proposal – Scheme to Promote Compliance by Non-Contracting Party Vessels with Recommendations Established by NAFO	77

PART I

Report of the General Council Meeting

(GC Doc. 03/3)

25th Annual Meeting, September 15-19, 2003

Dartmouth, Nova Scotia, Canada

I. Opening of the Meeting (items 1-5 of the Agenda)

1. The Meeting was opened by the Chair of the General Council, E. Oltuski (Cuba).

The Representatives of sixteen (16) Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland-DFG), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and the United States of America (Annex 1). Bulgaria was unable to attend.

The Chairman welcomed the delegates to the 25th Annual Meeting wishing them productive discussions and successful results of the upcoming discussions. He emphasized the NAFO commitments and goals of sustainable management of fish resources in the NAFO Convention Area.

The Heads of Delegations from Canada, Japan, European Union, Ukraine, France in respect of St. Pierre et Miquelon, Latvia, United States, Estonia, Russia and Korea addressed their opening statements to the assembly (Annexes 2-9).

2. The Executive Secretary of NAFO, Dr. Johanne Fischer, was appointed as Rapporteur.
3. The adopted Agenda is attached in Annex 10.
4. Admission of Observers was addressed by the Executive Secretary reporting on her invitations to FAO, IBSFC, ICCAT, ICES, NAMMCO, NASCO, NEAFC and NPAFC in accordance with the Rules of Procedure. These organizations acknowledged NAFO's invitations. ICCAT, ICES, and NPAFC were unable to attend. FAO was represented by Mr. David Doulman, IBSFC by Ms. Nina Kim from Russia, NAMMCO by Mr. Kolbeinn Arnason of Iceland and NEAFC by the delegate of Denmark (DFG). No applications of NGOs have been received at the NAFO Secretariat pursuant to Rule 9 of the Rules of Procedure.

With regards to non-Contracting Parties identified as harvesting fishery resources in the Regulatory Area, an invitation was sent out to the authorities of Belize. No response has been received.

5. On the item of "Publicity", it was agreed following a proposal by Canada that STACFAD should elaborate a set of rules to provide guidance regarding a NAFO Media Policy to be reviewed by General Council. The President remarked that it might be desirable to keep NAFO Meetings "private" in view of sensitive issues that are discussed and to maintain the current procedures for finalizing the NAFO press release. Participants then agreed to the existing procedure for the present meeting, i.e. that no statements should be made to the media until after the conclusion of the meeting, when the NAFO Secretariat would issue a Press Release. The Press Release was finalized and issued at the closing session of the General Council, September 19, 2003 (Annex 11).

II. Supervision and Coordination of Organizational, Administrative And Other Internal Affairs (items 6-12)

6. Canada proposed that a summary record of agreed decisions should be produced for General Council and Fisheries Commission before the meeting ends and finalized during the last session. Such a record could prevent differing interpretations of a meeting's results and thus avoid confusion after the meeting. Canada presented an example of the format suggested to the Secretariat. The EU supported this proposal and added that together with a record of decisions, resulting actions, responsible persons, deadlines, etc. should be identified.

The President warned about additional workload during the meeting. The Participants agreed to implement Canada's proposal along with the format suggested. (Annex 12)

7. a) The membership of NAFO is 17 Contracting Parties, they are members of the General Council and Scientific Council. The membership of the Fisheries Commission (those members participating in fishery in the NAFO Regulatory Area) is 16 as Bulgaria did not participate in a NAFO fishery.
 - b) Bulgaria had notified the Secretariat that it would not be able to send a Representative to the 2003 NAFO Annual Meeting. The Executive Secretary informed participants that Bulgaria had paid their first installment-debt repayment for 2001-2002 and their general voting rights within NAFO were thus re-instated. She further explained that Bulgaria had informally expressed interest in receiving fishing rights in the NAFO Regulatory Area. There was some confusion about whether Bulgaria had automatically achieved full membership in the Fisheries Commission or whether this needed to be agreed upon separately by General Council. The Executive Secretary was asked to check into this matter and found after consulting the NAFO Convention (Article XIII.1) that there exists a requirement for separate approval of General Council. In the absence of a formal application of Bulgaria, this matter was postponed.
8. Item 8 "Administrative Report" was referred to STACFAD. At the closing session, on the advice of the Chair of STACFAD, the Report was adopted by the General Council.
9. The item "Headquarters Agreement of NAFO" was introduced by the European Union with the purpose to explore the existence of such an Agreement in the light of Article II, paragraph 3 of the NAFO Convention. The Secretariat made available the "Order-in-Council" of 1980 which established the NAFO Secretariat in Canada. The EU was concerned whether the "Order-in-Council" adequately establishes NAFO as a legal body and grants full diplomatic status to the Executive Secretary. Most other Fishery Bodies operate under Headquarter Agreements. Upon a proposal from Canada, the matter was referred to STACFAD for review.
10. At the end of the meeting, Mr. David Bevan (Canada) was elected new Chair and Mr. Terje Lobach (Norway) new Vice Chair of General Council. Mr. Enrique Oltuski congratulated Mr. Bevan and Mr. Lobach. Participants thanked Mr. Oltuski for his excellent services as NAFO President during the past four years.
11. Ms. Barb Marshall, the NAFO Secretariat's Information and Web Manager, introduced participants to the new NAFO Website (www.nafo.int). The EU and Canada applauded the Secretariat for the informative and attractive WebPages.
12. a) The Executive Secretary delivered a Powerpoint presentation on the "Goals, Strategies, and Requirements" of the NAFO Secretariat. She identified 3 goals: (1) Modernization (specifically electronic communication), (2) Improvement of cost efficiency, and (3) Expansion of services (specifically to the Fisheries Commission). Her strategy included: (a) continuous IT training, (b) enhancing electronic publications, (c) acquisition of Meeting Server, (d) additional resources for compilation and preliminary assessment of information for the Joint Compliance Review by STACTIC, (e) review of Secretariat's human resources requirements, and (f) Staff Committee. When implementing all suggested measures, costs of running the Secretariat should decrease within 3 years in the order of \$ 30,000 to 40,000 per year. In addition, depending on the results of human resource requirements, the Secretariat might be able to operate with reduced staff starting in 2005 or 2006. The presentation was received with interest and general approval.
 - b) The Executive Secretary explained that the proposed Staff Committee (see STACFAD Report, Annex 6) would have the mandate to advise and mediate in the rare event of conflicts within the Secretariat that cannot be solved internally. The idea was endorsed in principle. The details of implementation, however, were left for discussion to STACFAD at the next Annual Meeting.

III. Coordination of External Relations (item 13)

13. a) The Executive Secretary reported briefly on the Northwest Atlantic Regional Fisheries Organizations Meeting in 2003.
- b) The Executive Secretary informed participants that the matter of a MOU between NAFO and ICES had been brought up again at the Scientific Council Meeting in June. SC had agreed in principle to such a MOU and re-drafted the proposal by ICES. After some correspondence and discussion of minor changes proposed by ICES, a final draft was agreed upon by SC at the Annual Meeting. The Participants approved the text of the MOU.

IV. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention (items 14-16)

- 14/15. STACFAC vice-Chair, Ms. Nadia Bouffard (Canada), summarized the main results from the STACFAC Meeting (complete report of STACFAC in Part III of this Report). STACFAC recommends to the General Council that:
- a) the letter to Belize (STACFAC Report, Annex 3) be signed by the President of NAFO and delivered to the Government of Belize by the European Union;
 - b) the letter to the Dominican Republic (STACFAC Report, Annex 4) be signed by the President of NAFO and delivered to the Government of the Dominican Republic by the European Union;
 - c) STACFAC, at its 2004 regular meeting, begin to develop proposals to implement those provisions of the IPOA on IUU relating to regional fisheries management organizations it has identified for further work;
 - d) STACFAC, at its 2004 regular meeting, begin to assess whether additional provisions of the IPOA on IUU should be established in NAFO;
 - e) the General Council recommend to the Fisheries Commission that STACTIC play a role in the implementation of the IPOA on IUU in NAFO and specifically draw its attention to work that may be required pursuant to paragraphs 80.7, 80.10, 80.11, 80.14 and 81;
 - f) the General Council recommend to the Fisheries Commission that STACTIC and STACFAC meet intersessionally and jointly consider the implementation of the IPOA on IUU, the development of a trade-tracking system and the elaboration of a Scheme for Contracting Parties with content similar to that of the Scheme for Non-Contracting Parties; and
 - g) STACFAC meet intersessionally to conclude its work on a revised EU proposal to modify the Scheme to promote compliance by Non-Contracting Party vessels with the Conservation and Enforcement Measures established by NAFO.

With regard to the last issue, the EU expressed some disappointment over the tardiness of this project. The EU also was concerned that the planned intersessional STACFAC Meeting might not be able to actually formulate a consensus proposal because these meetings tend to suffer from poor participation. Therefore, the issues will probably have to be re-discussed at the next Annual Meeting. Japan supported the goal of the proposal of modification of the Scheme presented by the EU at STACFAC but pointed out that this proposal was presented too late during the meeting for delegations to consult with experts in Capitals prior to the meeting. Japan therefore suggested that in the future, such proposal be submitted ahead of the meeting. Canada affirmed that although the Scheme had been effective in the past, it did not fully address the problems of IUU fishing for which a solution should be found quickly. Canada agreed with all recommendations of STACFAC and pointed out that the EU proposal was an important stimulus which, however, needed additional work that could be done intersessionally. The USA thanked the EU for their proposal which, however, requires further discussion and consultation with their experts. Finally, the STACFAC recommendations were approved by the meeting and General Council adopted the STACFAC Report as a whole.

16. Regarding inter-sessional consultations on Dispute Settlement Procedures (DSP) in NAFO, Mr. Staffan Ekwall (EU) referred to the discussions at the Annual Meeting in 2002 (GC report, Section 4.3) and reported that

consultations prior to a full (inter-sessional) meeting of the NAFO WG had not been possible to achieve. Instead, it had been agreed to hold those informal consultations between Canada, the EU, Latvia and the USA during the dates originally set for the WG meeting, ie in Brussels between 29-30 April 2003. A report from these consultations had been submitted to NAFO (Annex 13). Participants at the consultations noted the usefulness of a full DSP WG meeting which was supported by Canada which recommended that the General Council agree on the timing of the next Dispute Settlement Procedures Working Group meeting.

The EU referred to the statement of Canada at the 2002 Annual Meeting that it could not agree to the application of Dispute Settlement Procedures in NAFO "until other provisions of the 1995 United Nations Agreement on Straddling and Highly Migratory Fish Stocks are implemented in NAFO" and requested clarification from the Canadian Delegation and queried whether Canada intended to make proposals in NAFO in this regard. The EU representative noted that it saw no reason to hold yet another Working Group Meeting if Canada was to block the adoption of a Dispute Settlement Mechanism in NAFO regardless of the outcome of the technical discussions at a Working Group Meeting. Following a short discussion, the matter was deferred to the 2004 Annual Meeting

V. Finance (items 17-18)

17. Items 17 - 18 were referred to the Standing Committee on Finance and Administration (STACFAD). Chair of STACFAD, Mr. Fred Kingston (EU), presented the STACFAD report (Part II of this Report) to General Council with the following recommendations:

- a) the 2002 Auditors' Report be adopted.
- b) new Auditors be retained to audit the Financial Records of NAFO for the year 2003.
- c) approval of \$35,000 for estimated costs to be incurred in 2004 related to the ongoing operations of changes to the Automated Hail/VMS System.
- d) approval of \$40,000 for estimated costs to be incurred in 2004 to update the VMS.
- e) the issue of applying the Canadian Pay Equity Settlement to NAFO employees in the clerical category be withdrawn from further consideration.
- f) the salary scales of four Secretariat employees in the CR category be adjusted to reflect current pay levels as per the Canadian Federal Public Service, effective 1 January 2004.
- g) approval of back payment plus interest to those four employees, as a result of the postponement of salary adjustments, for the period 29 July 1998 to 31 December 2003.
- h) for budgeting purposes, back payment and interest to the four employees will be distributed equally, over a three year period, commencing in 2004.
- i) the Secretariat develop clearer and more detailed rules and procedures for the assessment, classification and ongoing review of NAFO Secretariat staff. STACFAD further recommended that the Secretariat engage a Human Resources consultant to ensure that these rules and procedures are compatible with the system of the Public Service of Canada with an estimated cost to NAFO's budget of \$5,000.
- j) recruitment take place to find a replacement for an employee anticipated to retire in May 2005 with an overlap period of four months in order to ensure the requirements of this position as mandated would be met. STACFAD also recommend that the Secretariat hire in 2004 a part-time employee to help in the compilation, analysis and presentation of compliance data.
- k) without prejudice to the results of the overall review of the NAFO Secretariat staff, reclassification of a NAFO employee's position from category CR-6 to IS-3, to take effect 1 January 2004.
- l) without prejudice to the results of the overall review of the NAFO Secretariat staff, reclassification of a NAFO employee's position CR-5 to CR-6, to take effect 1 January 2004.
- m) establishment of a Staff Committee with a mandate to provide advice and mediation in the event that a conflict within the Secretariat cannot be solved internally.
- n) issue regarding a Headquarters Agreement be deferred until the next Annual Meeting.
- o) the minimum balance in the Accumulated Surplus Account be increased from \$75,000 to \$125,000 in order to fulfil NAFO's financial obligations in early 2004. STACFAD further recommended that if any of the outstanding contributions are received by the end of 2003, the minimum balance in the Accumulated Surplus Account shall be reduced by the amount of that contribution until it reaches \$75,000.
- p) at each annual meeting of NAFO, STACFAD and the Executive Secretary should identify specific goals which, in conjunction with the general duties as described in her work description, shall form the basis for evaluating eligibility for this performance pay allowance for the coming year.

- q) the issue of a possible change in the job classification system and salary scale of the Executive Secretary be deferred to the 2004 Annual Meeting.
- r) the budget of \$1,500,000 for the year 2004 be adopted.
- s) the Secretariat prepare preliminary budget forecasts for two subsequent financial years to assist Contracting Parties in their respective budgetary processes.
- t) the dates for the 2006 Annual Meeting be as follows, with the location in Halifax, unless an invitation to host is extended by a Contracting Party and accepted by the Organization:

Scientific Council	-	06-15 September
General Council	-	11-15 September
Fisheries Commission	-	11-15 September
- u) regarding media requests to attend NAFO meetings, the Executive Secretary's initiative to develop a media plan in consultation with Contracting Parties to be presented at the next Annual Meeting. In the interim, the following measures should apply:
 - i. All requests for media access must be channeled through the Executive Secretary;
 - ii. The Executive Secretary will consult with the Chairs of the three bodies of NAFO, the host country and the country in which the media organization is based, with as much advance notice as possible and will decide if the access requested is appropriate; and
 - iii. The Executive Secretary will then inform all Contracting Parties of the decision as soon as possible. If no objection is received from a Contracting Party within a specified time period, the decision will be understood to be accepted. The Executive Secretary will inform Contracting Parties of the status after the specified time period.

Contracting Parties thanked the STACFAD Chair. Canada and the EU voiced their support for all recommendations. In addition, the EU pointed out that (a) Headquarters Agreement required further clarification; (b) EU encourages Secretariat to further improve electronic communication; and (c) the EU insists on looking into a re-classification of the salary of the Executive Secretary. General Council Chairman noted no further remarks and stated unanimous agreement with the full STACFAD report and recommendations.

VI. Closing Procedures

19. Regarding time and place of the next Annual Meeting, the EU suggested holding it a week later than originally agreed upon. However, the Secretariat has been informed by the hotel manager that these dates are no longer available for the 2004 Annual Meeting. Therefore, the 26th Annual Meeting will be held in Dartmouth, Canada, at the following dates:

Scientific Council:	08 – 17 September 2004
Fisheries Commission:	13 – 17 September 2004
General Council:	13 – 17 September 2004.
20. No other business was discussed.
21. The Executive Secretary presented a draft Press Release which was accepted by Contracting Parties following minor amendments by Canada and the EU (Annex 11).
22. The meeting adjourned at 14:00, September 19, 2003.

Annex 1. List of Participants

CANADA

Head of Delegation

Pat Chamut, Assistant Deputy Minister, Dept. of Fisheries and Oceans, Fisheries Management, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 990 9864 – Fax: +613 990 9557 – chamutp@dfo-mpo.gc.ca

Representatives

Pat Chamut (see address above)

John Angel, President, Canadian Association of Prawn Producers, 19 Spray Avenue, Head of St. Margarets Bay, N.S. B3Z 1Z3

Phone: +902 826 7765 – Fax: +902 826 7065 – E-mail: jangel@hfx.eastlink.ca

Earle McCurdy, President, Fishermen, Food and Allied Workers Union/CAW, P. O. Box 10, St. John's, Newfoundland & Labrador A1C 5H5

Phone: +709 576 7276 - Fax: +709 576 1962

Advisers

Chris Allen, Senior Advisor, Fisheries, Environment & Biodiversity Science Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, 12th Floor, Ottawa, Ontario K1A 0E6

Phone: +613 990 0105 - Fax: +613 954 0807 – E-mail: allenc@dfo-mpo.gc.ca

Ray Andrews, Director, Government and Industry Relations, Fishery Products International, 70 O'Leary Ave., P. O. Box 550, St. John's, Newfoundland & Labrador A1C 5L1

Phone: +709 570 0115 – Fax: +709 570 0436 – E-mail: randrews@fpil.com

Bruce Atkinson, Regional Director, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P.O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 2027 - Fax: +709 772 6100 - E-mail: atkinsonb@dfo-mpo.gc.ca

Jim Baird, Regional Director, Fisheries Management, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 4543 - Fax: +709 772 2046 – E-mail: bairdj@dfo-mpo.gc.ca

Guy Beaupré, Director General, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, 13th Floor, Stn 13-159, Ottawa, Ontario K1A 0E6

Phone: +613 993 1873 – Fax: +613 993 5995 – E-mail: beaupreg@dfo-mpo.gc.ca

David Bevan, Director-General, Resource Management, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6

Phone: +613 990 6794 – Fax +613 954 1407 – E-mail: bevand@dfo-mpo.gc.ca

Jean-Claude Bouchard, Associate Deputy Minister, Dept. of Fisheries and Oceans, 200 Kent Street, 15th Floor, Ottawa, Ontario K1A 0E6

Phone: +613 990 2665 – Fax: +613 998 0499 – E-mail: bouchardjc@dfo-mpo.gc.ca

Nadia Bouffard, Director, Atlantic Affairs, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 993 1860 - Fax: +613 993 5995 - E-mail: bouffardn@dfo-mpo.gc.ca

Ray Bowering, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 2054 - Fax: +709 772 4105 - E-mail: boweringr@dfo-mpo.gc.ca

Bill Brodie, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 3288 - Fax: +709 772 4105 - E-mail: brodieb@dfo-mpo.gc.ca

Bruce Chapman, Executive Director, Groundfish Enterprise Allocation Council, 1388 River Road, Manotick, Ontario K4M 1B4

Phone: +613 692 8249 - Fax: +613 692 8250 - E-mail: bchapman@sympatico.ca

Ches Cribb, Chairman, FFAW/CAW, P. O. Box 1276, Marystown, Newfoundland & Labrador A0E 2M0
 Phone: +709 279 5060 – Fax: +709 279 5063 – E-mail: chescribb@nf.aibn.com

Tom Dooley, Director, Resource Policy, Dept. of Fisheries and Aquaculture, P. O. Box 8700, St. John's, Newfoundland & Labrador A1B 4J6
 Phone: +709 729 0335 – Fax: +709 729 6082 – E-mail – tdooley@mail.gov.nf.ca

Judy Dwyer, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 8831 – Fax: +709 772 2046 – E-mail: dwyerji@dfo-mpo.gc.ca

Wayne Follett, Regional Director General, Newfoundland Region, Dept. of Fisheries, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 4417 – Fax: +709 772 6306 – E-mail: follettw@dfo-mpo.gc.ca

Douglas Forsythe, Counsellor (Fisheries and Environment), Mission of Canada to the European Communities, Avenue de Tervuren, 2, Brussels 1040, Belgium
 Phone: +32 2 741 0688 - Fax: +32 2 741 0629 - E-mail: douglas.forsythe@dfait-maeci.gc.ca

Nancy Fowler, Communications Advisor, Dept. of Fisheries and Oceans, 200 Kent St., 13th Floor, Ottawa, Ontario K1A 0E6
 Phone: +613 993 1512 – Fax: +613 990 1866 – E-mail: fowlern@dfo-mpo.gc.ca

Neil Greig, Makivik Corporation, Box 179, Kuujuaq, Quebec JOM 1CO
 Phone: +819 964 2925 – Fax: +819 964 2613 – E-mail: n.greig@makivik.org

Jorgen Hansen, Senior Advisor, Resource Management, Scotia-Fundy Sector, 176 Portland St., 5th Floor, Marine House, P. O. Box 1035, Dartmouth, N.S. B2Y 4T3
 Phone: +902 426 9046 – Fax: +902 426 9683 – E-mail: hansenj@mar.dfo-mpo.gc.ca

Rhonda Hash, Administrative Assistant, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 998 2644 – Fax: +613 993 5995 – E-mail: hashr@dfo-mpo.gc.ca

Sofeia Horsey, Manager, Financial and Administrative Services, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, Stn. 13159, Ottawa, Ontario K1A 0E6
 Phone: +613 993 1898 - Fax: +613 993 5995 - E-mail: horseys@dfo-mpo.gc.ca

Dave Kulka, Head, Resource Sampling - Aquatic Resources, Science, Oceans and Environment, Newfoundland and Labrador Region, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 2064 – Fax: +709 772 5469 – E-mail: kulkad@dfo-mpo.gc.ca

Brian Lester, Resource Management Officer-Groundfish, Resource Management – Atlantic, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 990 0090 – Fax +613 990 7051 – E-mail: lesterb@dfo-mpo.gc.ca

Patrick McGuinness, President, Fishereis Council of Canada, 38 Antares Drive, Suite 110, Ottawa, Ontario K2E 7V2
 Phone: +613 727 7450 – Fax: +613 727 7453 – E-mail: pmcguinness@fisheriescouncil.org

Brian McNamara, President, Newfound Resources Ltd., 90 O'Leary Avenue, St. John's, Newfoundland & Labrador A1B 4G1
 Phone: +709 579 7676 - Fax: +709 579 7668 - E-mail: nrl@nfld.com

Blair Matthews, Senior Analyst, Resource & Economic Policy, Executive Council, Intergovernmental Affairs, Government of Newfoundland & Labrador, P. O. Box 8700, St. John's, Newfoundland & Labrador A1B 4J6
 Phone: +709 729 6829 – Fax: +709 729 5038 – E-mail: bmatthews@mail.gov.nf.ca

Joanne Morgan, Science, Ocean and Environment Branch, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 2261 – Fax: +709 772 4105 – E-mail: morganj@dfo-mpo.gc.ca

Michael O'Connor, Manager, Fleet Operations and Government Relations, National Sea Products, 100 Battery Point, P. O. Box 910, Lunenburg, Nova Scotia B0J 2C0
 Phone: +902 634 5200 – Fax: +902 634 4926 – E-mail: michael.oconnor@highlinerfoods.com

Dave Orr, Science, Ocean and Environment Branch, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 7343 – Fax: +709 772 4105 – E-mail: orrd@dfo-mpo.gc.ca

Christine Penney, Director of Corporate Affairs, Clearwater Seafoods Ltd. Partnership, 757 Bedford Highway, Bedford, Nova Scotia B4A 3Z7
 Phone: +902 457 2348 – Fax: +902 443-8443 – E-mail: cpenney@clearwater.ca

Rosalind Perry, Executive Director, Northern Coalition, P. O. Box 6421, 189 Water Street, Suite 301, St. John's, Newfoundland & Labrador A1C 1B4

Phone: +709 722 4404 – Fax: +902 722 4454 – E-mail: rwalsh@nfld.net

Senator Gerard Phalen, 3 Glenwood St., Glace Bay, Nova Scotia B1A 4V4

Phone: +902 849 3670

Kym Purchase, International Fisheries Advisor, Atlantic Affairs Div., International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent St., 13th Floor, Stn. 13159, Ottawa, Ontario K1A 0E6

Phone: +613 993 1853 – Fax: +613 993 5995 – E-mail: purchasek@dfo-mpo.gc.ca

Clary Reardon, Marine Advisor, Groundfish, Nova Scotia Dept. of Agriculture and Fisheries, Marine Fisheries, 5151 George St., 7th Floor, P. O. Box 2223, Halifax, Nova Scotia B3J 3C4

Phone: +902 424 0349 – Fax: +902 424 1766 – E-mail: reardonc@gov.ns.ca

Mike Samson, Deputy Minister, Department of Fisheries and Aquaculture, Government of Newfoundland and Labrador, P. O. Box 8700, St. John's, Newfoundland & Labrador A1B 4J6

Phone: +709 729 3707 – Fax: +709 729 4219 – E-mail: msamson@mail.gov.nf.ca

Allison Saunders, Deputy Director, Oceans and Environment Law Division (JLO), Dept. of Foreign Affairs and International Trade, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: +613 996 2643 - Fax: +613 992 6483 - E-mail: allison.saunders@dfait-maeci.gc.ca

Max Short, Special Advisor, NAFO, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland and Labrador A1C 5X1

Phone: +709 772 6369, Cell +709 682 3110 – Fax: +709 772 2046 – E-mail: shortm@dfo-mpo.gc.ca

Louis Simard, Director, Oceans and Environment Law Division, (JLO), Dept. of Foreign Affairs and International Trade, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: +613 992 2104 - Fax: +613 992 6483 - E-mail: louis.simard@dfait-maeci.gc.ca

Don Stansbury, Science, Ocean and Environment Branch, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709-772-0559 - Fax: +709-772-4105 – E-mail: stansburyd@dfo-mpo.gc.ca

Paul Steele, Director, Enforcement Br., Conservation and Protection, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6

Phone: +613 990 0109 – Fax: +613 941 2718 – E-mail: steelep@dfo-mpo.gc.ca

Bob Steinbock, Senior International Fisheries Advisor, Atlantic Affairs Div., International Affairs Directorate, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 993 1836 – Fax: +613 993 5995 – E-mail: steinbob@dfo-mpo.gc.ca

Roger Stirling, President, Seafood Producers Association of Nova Scotia, P. O. Box 991, Dartmouth, N. S. B2Y 3Z6

Phone: +902 463 7790 – Fax: +902 469 8294 – E-mail: spans@ns.sympatico.ca

Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 8021 – Fax: +709 772 2046 – E-mail: strowbridgel@dfo-mpo.gc.ca

Karl Sullivan, V.P. Corporate Planning, Barry Group, 139 Water St., 8th Floor, St. John's, Newfoundland & Labrador

Phone: +709 576 7292 – Fax: +709 576 8843 – E-mail: ksull@seafreez.com

Ben Whelan, Chief, NAFO Unit, International Programs and Corporate Services, Fisheries Management, Newfoundland Region, Department of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1

Phone: +709 772 0928 – Fax: +709 772 2046 – E-mail: whelanb@dfo-mpo.gc.ca

Jan Woodford, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 7622 – Fax: +709 772 4880 – E-mail: woodfordj@dfo-mpo.gc.ca

F. Woodman, P. O. Box 40, New Harbour, Newfoundland & Labrador A0B 2P0

Phone: +709 582 2421 – Fax: +709 582 3263 – E-mail: wfaw1930@yahoo.ca

CUBA

Head of Delegation

Enrique Oltuski, Vice-Minister, Ministerio de la Industria Pesquera, 5^{ta} Avenue y 246, Sta Fe, Barlovento

Phone: +537 297008 – Fax: +537 246297 – E-mail: oltuski@fishnavy.inf.cu

Alternate

Victor Sardá Espinosa, Ministerio de la Industria Pesquera, 5^a Avenue y 246, Sta Fe, Miramar
 Phone: +537 209 7034 - Fax: +537 204 9168 - E-mail: dri@telemar.cu

DENMARK (IN RESPECT OF FAROES AND GREENLAND)**Head of Delegation**

Einar Lemche, Head of Representation, Gronlands Hjemmestyre, Pilestraede 52, Box 2151, DK-1016 Copenhagen K, Denmark
 Phone: +45 33 69 34 35 - Fax: +45 33 69 34 01 - E-mail: el@ghsdk.dk

Alternate

Andras Kristiansen, Head of Department, Ministry of Fisheries and Maritime Affairs, Yviri við Strond 17, P. O. Box 347, FO-110 Torshavn, Faroe Islands
 Phone: + 298 35 30 30 - Fax: +298 35 30 37 - E-mail: andrask@fisk.fo

Advisers

Johan Joensen, Føroya Reidarafelag, Gongin 10, FO-110 Torshavn, Faroe Islands
 Phone: +298 421448 – Fax: +298 421584 – E-mail: lidin@post.olivant.fo

Martin Kruse, Adviser, FMC-Manager, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, P. O. Box 347, FO-110 Torshavn, Faroe Islands
 Phone: +298 311065 – Fax: +298 313981 – E-mail: mk@vb.fo

Dorthe Lillelund, Head of Section, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland
 Phone: +299 345376 – Fax: +299 323235 – E-mail: doli@gh.gl

Mads Trolle Nedergaard, Fiskerilicensinspektør, Head of Unit, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland
 Phone: +299 345377 - Fax: +299 323235 - E-mail: mads@gh.gl

Arni Nicolajsen, Fiskirannsóknarstovan, Noatun 1, P. O. Box 3051, FR-110 Torshavn, Faroe Islands
 Phone: +298 35 3900 - Fax: +298 35 3901 - E-mail: arninic@frs.fo

Jan Ole Pedersen, Greenland Home Rule, Postbox 269, DK-3900, Nuuk, Greenland
 Phone: + 299 - Fax: +299 – E-mail: jan@gh.gl

Peder Munk Pedersen, Director, Greenland Seafishery and Export Association, P. O. Box 310, 3900 Nuuk, Greenland
 Phone: +299 322404 – Fax: +299 325689 – E-mail: peder@apk.gl

Bent Roll, Minister Counsellor, Royal Danish Ministry, 2, Asiatisk Plads, DK-1448 Copenhagen, Denmark
 Phone: +45 33 92 00 00 – Fax: +45 32 54 05 33 – E-mail: benrol@um.dk

Jens Helgi Toftum, Ministry of Fisheries, P. O. Box 64, FO-100 Torshavn, Faroe Islands
 Phone: +298 353030 - Fax: +298 353035 - E-mail: jenst@fisk.fo

ESTONIA**Head of Delegation**

Ain Soome, Director General, Fishery Resources Dept., Ministry of the Environment, Ravala 8, 10143 Tallinn
 Phone: +372 6604 543 - Fax: +372 6604 599 - E-mail: ain.soome@ekm.envir.ee

Representative

Ain Soome (see address above)

Advisers

Tarvo Roose, Deputy Director General, Estonian Environmental Inspectorate, Kopli 76, 10416 Tallinn

Phone: +3726962233 – Fax: +3726962237, E-mail: tarvo.roose@kki.ee

Väino Ruul, High Seas Fisheries Director, AS Hiu Kalur, Vaike-Poste 11, 80011 Parnu

Phone: +372 44 71317 – Fax: +372 44 71316 – E-mail: vainoruul@hotmail.ee

Toomas Saat, Director, Estonian Marine Institute, 10A Maealuse Str. EE 12618, Tallinn

Phone: +372 6281 570 - Fax: +372 6281 563 - E-mail: tsaat@sea.ee

Tarmo Sild, HETA Law Offices, Ruutli 4, 10130 Tallinn

Phone: +372 699 6611 – Fax: +372 699 6640 – E-mail: tarmo.sild@heta.ee

Arne Sõna, Manager, Reyktal Ltd., Veerenni 39, 10138 Tallinn

Phone: +372 6276 552 - Fax: +372 6276 555 - E-mail: reyktal@trenet.ee

Toomas Tamme, c/o Alvini Adroraadibourou, Roosikrantsi 2, 10119 Tallinn

Phone: +372 6110810 - Fax: +372 6110811 - E-mail: toomas@alvinab.ee

Aare Tuvi, Senior Officer, Fishery Resources Dept., Ministry of the Environment, Ravala 8, 10143 Tallinn

Phone: +372 6604 544 - Fax: +372 6604 599 - E-mail: aare.tuvi@ekm.envir.ee

Lauri Vaarja, Counsellor, Ministry of Environment, Ravala 8, 10143 Tallinn

Phone: +372 5043 002 - Fax: +372 6604 599 – E-mail: laurivaarja@hotmail.ee

Ottar Yngvason, Director, Reyktal AS, Veerenni 39, 10138 Tallinn

Phone: +354 588 7600 – Fax: +354 888 7610 – E-mail: ottar@iec.is

EUROPEAN UNION**Head of Delegation**

J. Spencer, Head of Unit, International and Regional Arrangements, European Commission, Fisheries Directorate General, 200 Rue de la Loi/Wetstraat, B-1049 Brussels, Belgium

Phone: +32 2 295 6858 - Fax: +32 2 295 5700 – E-mail: edward-john.spencer@cec.eu.int

Advisers

Staffan Ekwall, Principal Administrator, European Commission, DG FISH, External Policy and Markets, International and Regional Arrangements, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 299 6907 – Fax: +32 2 295 5700 – E-mail: staffan.ekwall@cec.eu.int

Martin Newman, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7449 – Fax: +32 2 296 2338 – E-mail: martin.newman@cec.eu.int

Fuensanta Candela Castillo, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7753 – Fax: +32 2 295 5700 – E-mail: maria.candela-castillo@cec.eu.int

Jose Mesquita, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 – Fax: +32 2 296 2338– E-mail: jose.mesquita@cec.eu.int

Susana Junquera, European Commission, Joseph II 99, B-1040 Brussels, Belgium

Phone: +32 2 298 4727 – Fax: +32 2 295 5700 – E-mail: susana.junquera@cec.eu.int

Fred Kingston, Senior Adviser, Economic and Commercial Affairs, Delegation of the European Commission in Canada, 45 O'Connor Street, Suite 1900, Ottawa, Ontario, Canada K1P 1A4

Phone: +613 238 6464 – Fax: +613 238 5191 – E-mail: fred.kingston@delcan.cec.eu.int

Luis Teixeira da Costa, Council of the European Union, DG-BIII-Fisheries, Rue de la Loi 175, B-1048 Brussels, Belgium

Phone: +32 2 285 9808 – Fax: 32 2 – E-mail: luis.teixeiradacosta@consilium.eu.int

Colm Hayes, Third Secretary, Fisheries, Permanent Representation of Ireland to the European Union, Rue Froissart 89-93, 1040 Brussels, Belgium

Phone: +32 2 282 3374 – Fax: +32 2 282 3344 – E-mail: colm.hayes@iveagh.irigov.ie

Sonja Feldthaus, Head of Section, Ministry of Food, Agriculture and Fisheries, Holbergsgade 2, 1057 Copenhagen, Denmark

Phone: +45 33 92 35 60 – Fax: +45 33 11 82 71 – E-mail: sfe@fvm.dk

Yann Becouarn, Direction des pêches maritimes et d l'aquaculture, Bureau de la ressource, de la réglementation et des affaires Internationales, Ministère de l'agriculture et de la pêche, 3, place de Fontenoy 75007 Paris
Phone: +33 1 49 55 82 38 – Fax: +33 01 49 55 82 00 – E-mail: yann.becouarn@agriculture.gouv.fr

Mahé, Jean-Claude., IFREMER, Station de Lorient, 8, Rue François Toullec, 56100 Lorient, France
Phone: +33 2 9787 3818 – Fax: +33 2 9787 3801 – E-mail: jcmahe@ifremer.fr

Hermann Pott, Bundesministerium fur Ernährung, Landwirtschaft and Forsten (Federal Ministry of Food, Agriculture and Forestry), Rochusstr. 1, 53123 Bonn, Germany
Phone: +49 228 529 4124 - Fax: +49 228 529 4410 – Email: Hermann.Pott@bmvel.bund.de

Manfred Stein, Institut fur Seefischerei, Palmaille 9, D-22767, Hamburg, Germany
Phone: +49 40 389 05174 – Fax: +49 40 38905 263 E-mail: stein.ish@bfa-fisch.de

Eurico Monteiro, Director-General, Direccao-Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon
Phone: +351 21 303 5887 - Fax: +351 21 303 5965 - E-mail: euricom@dg-pescas.pt

Emilia Batista, Direccao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon
Phone: +351 21 303 5850 Fax: +351 21 303 5922 E-mail: ebatista@dg-pescas.pt

Antonio Avila de Melo, Instituto Nacional de Investigacao Agrária e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon, Portugal
Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: amelo@ipimar.pt

Ricardo Alpoim, Instituto Nacional de Investigacao Agrária e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon, Portugal
Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: ralpoim@ipimar.pt

Margarite Mancebo, Subdireccion General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain
Phone: +34 91 3476176 - Fax: +34 91 3476049 – E-mail: cmancebo@mapya.es

Carlos Domínguez Diaz, Director General de Recursos Pesqueros, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57-3°, 28006 Madrid, Spain
Phone: +34 91 347 6030 - Fax: +34 91 347 6032 - E-mail: cdominguez@mapya.es

Samuel J. Juarez, Counselor for Agricultura, Fisheries and Food, Embassy of Spain, 2375 Pennsylvania Ave., N.W., Washington, D.C. 20037
Phone: +202 728 2339 – Fax: +202 728 2320 – E-mail: mapausa@speakeasy.net

A. Hermida Trastoy, Director General de Estructuras y Mercados de la Pesca, Conselleria de Pesca y Asuntos Maritimos Xunta de Galicia, Calle del Sar, 75, Santiago de Compostela 15702, A Coruna, Spain
Phone: + 34981546347 - Fax: +34981546288 – E-mail: andres.hermida.trastoy@xunta.es

Ignacio Escobar Guerrero, Subdirector Gral de Organismos Multilaterales de Pesca, Direccion General de Recursos Pesqueros, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain
Phone: +34 91 347 6047 - Fax: +34 91 347 6049 - E-mail: iescobar@mapya.es

Enrique De Cardenas, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain
Phone: +34 91 347 6110 – Fax: +34 91 347 6037 – E-mail: edecarde@mapya.es

Tomas Santos, Subdelegacion Gobierno-Dependencie Agr. y Pesca, e/Loueiro Crespo, 7 – Ertlo, 36201 Pontevedra, Spain
Phone: +34 986 866330 – Fax: +34 986 418815 – E-mail: santos@agricultura.pontevedre.mep.es

Fernando Gonzalez-Costas, Instituto Español de Oceanografía, Apto 1552, E-36280 Vigo (Pontevedra), Spain
Phone: +34 9 86 49 2111 – Fax: +34 9 86 49 2351 – E-mail: fernando.gonzalez@vi.ieo.es

Hilario Murua, Fish, Resour. – AZTI Foundation, Herrera Kaia, Portualde z/g, 20110 Pasaia, Basque Country, Spain
Phone: + 34 9 43 00 48 00 – Fax: + 34 9 43 00 48 01 – E-mail: hmurua@pas.azti.es

Antonio Vazquez, Instituto de Investigaciones Marinas, Eduardo Cabello 6, 36208 Vigo, Spain
Phone: +34 9 86 23 1930 – Fax: +34 9 86 29 2762 – E-mail: avazquez@iim.csic.es

Mike Rimmer, Sea Fisheries Conservation Div., Department for Environment, Food and Rural Affairs, Room 124, Whitehall Place (East Block), London SW1A 2HH
Phone: +44 (0)20 7270 8308 - Fax: +44 (0)20 7270 8302 - E-mail: mike.rimmer@defra.gsi.gov.uk

Pedro Franca, Presidente, A.D.A.P.I. – Associacao Armadores das Pescas Industriais, Docapesca, Edificio Dos Armadores 13-A, Pedroucos, 1400-038 Lisbon, Portugal
Phone: +213015020 - Fax: +213019438 - E-mail: adapi.pescas@mail.telepac.pt

Anibal Paiao, Director, A.D.A.P.I.-Associacao dos Armadores das Pescas Industriais, Docapesca, Edificio dos Armadores, 13-A, Pedroucos, 1400-038 Lisbon, Portugal
Phone: +351 213015020 – Fax: +351 213019438 – E-mail: adapi.pescas@mail.telepac.pt

J. Tavera DaMota, Portugal

Phone: +351 234 397530 – Fax: +351 234 364090

Juan Manuel Liria Franch, Presidente, Federacion Espanola de Organizaciones Pesqueras (FEOPE), C/Comandante Zorita, 12, Escalera 4^a - 1ºD, 28020 Madrid, Spain

Phone: +34 915 33 3884 – Fax: +34 915 34 3718 – E-mail: feope@feope.com

Jose Fuertes Gamundi, Director Gerente, ANAMER-ANAVAR-AGARBA, Puerto Pesquero, Apartado 1.078, 36200 Vigo, Spain

Phone: +34 986 433844 - Fax: +34 986 439218 – E-mail: soccoopa@aranzadi.es

Miguel Iriondo, Director Gerente, Pesquera Laurak Bat S.A., Armadores de Buques de Pesca, Edificio Consignatarios, 3ª Planta. Puerto Apdo. de correos, 88 20110 Pasajes, Spain

Phone: +34 943 354177 – Fax: +34 943 353993 – E-mail: langa99@teleline.es

Juan Manuel Oya, Grupo Oya Perez, Calle San Francisco 57-2º, 36202 Vigo, Galicia, Spain

Phone: +34 986 447 484 – Fax: +986 439 229 – E-mail: ecarramal@oyapeez.es

Eloy Carramal, Director Financiero, Grupo Oya Perez, Calle San Francisco 57-2º, 36202 Vigo, Galicia, Spain

Phone: +34 986 447 484 – Fax: +986 439 229 – E-mail: ecarramal@oyapeez.es

Concepcion Andion, Grupo Oya Perez, Calle San Francisco 57-2º, 36202 Vigo, Galicia, Spain

Phone: +34 986 447 484 – Fax: +986 439 229 – E-mail: oyagroup@apdo.com

José Luis Meseguer , Secretario General, ARBAC – Asociacion de empresas de pesca de bacalao, especies afines y asociadas, Enrique Larreta, 10-3º, 28036 Madrid, Spain

Phone: +34 913 151965 – Fax: +34 913 152673

FRANCE (in respect of St. Pierre et Miquelon)

Head of Delegation

Marc Plantegenest, Président du Conseil Général, Place Monseigneur Maurer, BP 187, 97500 Saint-Pierre et Miquelon

Phone: +508 41 45 16 – Fax: +508 41 44 79 – E-mail: cgsmp.president@wanadoo.fr

Advisers

Valerie Sinquin, Chargée de mission, Relations Internationales, Ministère de l'outre Mer, 27 rue Oudino, 75007 Paris

Phone: +33 153692746 – Fax: +33 153692197 - E-mail: valerie.sinquin@outre-mer.gouv.fr

Marc Chapalain, Chef du Service des Affaires maritimes, BP 4206, 97500 Saint-Pierre et Miquelon

Phone: +508 41 15 30 – Fax: +508 41 48 34 – E-mail: marc.chapalain@equipement.gouv.fr

Paul Jaccachury, 1^{er} Vice-Président du Conseil General, Place Monseigneur Maurer, BP 4208, 97500 Saint-Pierre et Miquelon

Phone: +508 41 01 02 – Fax: +508 41 22 97 – E-mail: cgsmp@wanadoo.fr – pjacca@cheznoo.net

Thierry Baslé, Directeur Adjoint, Agence de Développement, SODEPAR, Rue Borda, Palais Royal, BP 4365, 97500 Saint-Pierre et Miquelon

Phone: +508 41 15 15 – Fax: +508 41 15 16 – E-mail: Thierry.basle@cheznoo.net

Bruno Detcheverry, Directeur General, Interpeche S.A., Société des Pêches de Archipel, Quai du Môle Frigorifique, B.P.4249, 97500 Saint-Pierre et Miquelon

Phone: +508 41 39 91 – Fax: +508 41 38 38 / 41 99 47 – E-mail: interpeche@wanadoo.fr

Charles Theault, General Manager, Les Nouvelles Pecheries, Seafood Processor, Boulevard Constant Colmay, P. O. Box 4380, 97500 Saint-Pierre et Miquelon

Phone: +508 41 15 20 – Fax: +508 41 97 60 – E-mail: ctheault@cheznoo.net

ICELAND

Head of Delegation

Thorir Skarphedinsson, Deputy Director of International Affairs, Ministry of Fisheries, Skulagata 4, 150 Reykjavik

Phone: +354 545 8300 – Fax: +354 562 1853 – E-mail: thorir@hafro.is

Advisers

Kolbeinn Arnason, Ministry of Fisheries, Skulagata 4, 150 Reyjavik

Phone: +354 545 8300 – Fax +354 562 1854 – E-mail: kolbeinn.arnason@sjv.stjr.is

Gudmundur Dadason, The Icelandic Directorate of Fisheries, Ingólfsstraeti, 150 Reykjavik
 Phone: +354 569 7968 - Fax: +354 569 7991 - E-mail: nafo@fiskistofa.is
 Gylfi Geirsson, Commander, Icelandic Coast Guard, P. O. Box 7120, 127 Reykjavik
 Phone: +354 545 2000 ext. 2071 – Fax: +354 545 2040 – E-mail: gylfi@lhg.is
 Kristjan Ragnarsson, Chairman, Federation of Icelandic Fishing Vessel Owners, Borgartun 35, 105 Reykjavik
 Phone: +354 591 0300 - Fax: +354 591 0301 – E-mail: kristjan@liu.is
 Thorsteinn Sigurdsson, Marine Research Institute, Skulagata 4, 101 Reykjavik
 Phone: +354 5520240 - Fax: +354 5623790 - E-mail: steini@hafro.is
 Unnur Skúladóttir., Marine Research Institute, Skulagata 4, Pósthólf Box 1390, 121 Reykjavik
 Phone: +354 552 0240 – Fax: +354 562 3790 – E-mail: unnur@hafro.is

JAPAN

Head of Delegation

Masanori Miyahara, Counselor, Resource Management Dept., Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907
 Phone: +81 3 3591 1086 – Fax: +81 3 3502 0571 – E-mail: masanori_miyahara@nm.maff.go.jp

Advisers

Taro Ichii, Head of Section, National Research Institute of Far Seas Fisheries, 5-7-1 Orido, Shimizu Shizuoka-city 424-8633
 Phone: +81543 36 6056 – Fax: +81543 35 9642 – E-mail: ichii@affrc.go.jp
 Yoshiharu Kashio, Representative, Japan Fisheries Association, Suite 1209 Duke Tower, 5251 Duke St. Tower, Halifax, N.S., Canada B3J 1P3
 Phone: +902 423 7975 - Fax: +902 425 0537 - E-mail: jfa-hfx@ns.sympatico.ca
 Keiko Suzuki, Deputy Director, Fishery Div., Economic Affairs Bureau, Ministry of Foreign Affairs, 2-11-1 Shibakoen, Minato-ku, Tokyo 105-8519
 Phone: +81 3 6402 2234 – Fax: +81 3 6402 2233 – E-mail: keiko.suzuki@mofa.go.jp
 Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F Kanda Ogawa -cho, Chiyoda-ku, Tokyo 101-0052
 Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: jdsta-takagi@msg.biglobe.ne.jp
 Miwako Takase, Deputy Director, International Affairs Div., Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907
 Phone: +81 3 3591 1086 – E-mail: miwako_takase@nm.maff.go.jp
 Keiko Tsuyama, Far Seas Fisheries Div., Resources Management Dept., Fishery Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907
 Phone: +81 3 3502 2443; Fax: +81 3 3591 5824 – E-mail: keiko_tsuyama@nm.maff.go.jp

REPUBLIC OF KOREA

Head of Delegation

Jae Hak Son, First Secretary for Maritime Affairs and Fisheries, Embassy of the Republic of Korea, 2450 Massachusetts Ave. NW, Washington, DC 20008
 Phone: + 202 939 5676 – Fax: +202 387 0402 – E-mail: gowithson@hotmail.com

Advisers

Sung Dae Cho, Distant Water Fishery Officer, Ministry of Maritime Affairs and Fisheries (MOMAF), 139 Chungjeong-No 3, Seodaemun-Gu, Seoul 120-715
 Phone: +82 2 3148 6982 – Fax: +82 2 3148 6985 – E-mail: sd777@momaf.go.kr
 Jeong Do Kim, Fisher Dept./Section Manager, Insung Corp., Insung Bldg., 113-2 Hannam-Dong, Yongsan-Gu, Seoul 140-210
 Phone: +82 2 749 0291 – Fax: +82 2 749 4949 – E-mail: hana@insungnet.co.kr

Hyun-Jong Kim, Deputy Director, Marine Development Div., Ministry of Maritime Affairs & Fisheries (MOMAF),
139 Chungjeong-No 3, Seodaemun-Gu, Seoul 120-715
Phone: +82 2 3148 6533 – Fax: +82 2 3148 6536 – E-mail: harryhkim@momaf.go.kr

LATVIA

Head of Delegation

Normunds Riekstins, Director, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV-1010
Riga
Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: fish@latnet.lv

Alternate

Ricards Derkacs, Head of International Agreements and Legal Division, National Board of Fisheries, Ministry of
Agriculture, 2, Republikas laukums, LV-1010 Riga
Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: ricards.vzp@latnet.lv

Adviser

Dmitrijs Kalinovs, Burinieki Ltd., Brivibas Gatve 215A-46, LV-1039 Riga
Phone: +371 754 2471 – Fax: +371 754 2471 – E-mail: skaga@latnet.lv

LITHUANIA

Head of Delegation

Vytautas Vaitiekunas, Director, Fisheries Dept. under the Ministry of Agriculture, 19 Gedimino av., Vilnius 2025
Phone: +370 52 391174 – Fax: 370 52 391176 – E-mail: vytautasv@zum.lt

Alternate

Algirdas Rusakevicius, Chief Specialist, International Relations, Fisheries Department under the Ministry of
Agriculture, 19 Gedimino av., 2025 Vilnius
Phone: +370 52 391183 – Fax: +370 52 391176 – E-mail: algirdasr@zum.lt

Advisers

B. Kristanavicius, General Director UAB "Atlantic Fishery Company", Jono 12, LT-5800 Klaipeda
Phone: +370 6 493105 – Fax: +370 6 311552 – E-mail: afp@takas.lt
S. Staskus, Director, JSC "Zukme", M. Gimbutienes Str. 35, 3014 Kaunas
Phone: +370 7 370656 – Fax: +370 7 370664 – E-mail: zukme@ijo.net
Arnor Haldorsson, Logmenn sf., Skipholt 50c, 104 Reykjavik, Iceland
Phone: +354 561 8200 – Fax: +354 561 8201 – E-mail: arnorhal@simnet.is

NORWAY

Head of Delegation

Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 185, N-5804 Bergen
Phone: +47 55 23 80 00 Fax: +47 55 23 80 90 E-mail: terje.lobach@fiskeridir.no

Alternate

Stein-Age Johnsen, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 185, N-5804 Bergen
Phone: +47 55 23 80 00 – Fax: +47 55 23 80 90 – E-mail: postmottak@fiskeridir.no

Advisers

Webjørn Barstad, Head of Department, Norwegian Fishing Vessel Owners Association, P.O. Box 67 Sentrum, 6001 Aalesund

Phone: +47 70 10 14 60 - Fax: +47 70 10 14 80 - E-mail: webjorn@fiskebatreder.no

Otto Gregussen, Fisheries Counselor, Royal Norwegian Embassy, 2720 34th Street, N.W., Washington, D.C. 20008

Phone: +202 333 6000 – Fax +202 337 0870 – E-mail: og@mfa.no

Heidi Johansen, Project Coordinator, Norwegian Ministry of Fisheries, P. O. Box 8118 Dep., 0032 Oslo

Phone: +47 22 24 64 44 – Fax: +47 22 24 2667 – E-mail: heidi.johansen@fid.dep.no

POLAND

Head of Delegation

Mirosław Kucharski, Counsellor, Embassy of the Republic of Poland, 443 Daly Avenue, Ottawa, Ontario, Canada K1N 6H3

Phone: +613 789 0468 (#31) – Fax: +613 789 1218 – E-mail: ottawa@polishembassy.ca

Adviser

Bogusław Szemieth, Parkowa 13/17/125, Warsaw

Phone: +48 22 840 8920 – Fax: +48 22 840 8922 – E-mail: fish4szemieth@wp.pl

RUSSIA

Head of Delegation

Anatoly Makoedov, Deputy Chairman, State Committee for Fisheries of the Russian Federation, 12 Rozhdestvensky Boul., Moscow 103031

Phone: +7 095 928 5527 - Fax: +7095 928 5527 – E-mail: kim@fishcom.ru

Representative

Anatoly Makoedov (see address above)

Advisers

Vadim Agalakov, Chief Inspector of “MURMANRYBVOD”, Kominterna 7 str., 183672 Murmansk

Phone: +7 8152 455066 – Fax: +7 815 245 6028 – E-mail: mrv@an.ru

Vladimir Babayan, Head of Laboratory for System Analysis of Fishery Resources, VNIRO, 17, V. Krasnoselskaya, Moscow 107140

Phone: +70 95 264 6983 – Fax: +70 95 264 6983 – E-mail: vbabayan@vniro.ru

Konstantin Gorchinsky, Senior Scientist, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk

Phone: +7 8152 450568 – Fax: +7 8152 473331 – E-mail: gorch@pinro.ru

Nina Kim, Dept. of International Cooperation, State Committee for Fisheries of the Russian Federation, 12 Rozhdestvensky Boul., Moscow 103031

Phone: +7095 928 2873 – Fax: +7095 921 3463 – E-mail: kim@fishcom.ru

Leonid Kokovkin, Representative of the Russian Federation in Canada on Fisheries, 47 Oceanview Drive, Bedford, Nova Scotia Canada B4A 4C4

Phone: +902 832 9225 – Fax: +902 832 9608 – E-mail: rusfish@ns.sympatico.ca

Boris Prischeva, Head of Department, “MURMANRYBVOD”, Kominterna 5 str., 183672 Murmansk

Phone: +7 815 2 45 86 78 – Fax: +7 815 2 45 86 78 – E-mail: mrv@an.ru

Vladimir Shibanov, Research Director, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk 183763

Phone: +7 8152 472614 – Fax: +7 8152 473331 – E-mail: shibanov@pinro.ru

Igor Segaev, Doctor of Oceanography, Senior Scientist, Atlantic Scientific Research Institute of Marine Fisheries and Oceanography (AtlantNIRO), 5, Dmitry Donskoy Str., Kaliningrad 236000

Phone: +7 0112 225 547 – Fax: +7 0112 219 997 – E-mail: west@atlant.baltnet.ru

Ekaterina Volkovinskaia, Translator, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk

Phone: + 7 8152 45 0568 – Fax: + 7 8152 473331 – E-mail: inter@pinro.ru

UKRAINE

Head of Delegation

Vasyl Chernik, Deputy Chairman, State Department for Fisheries of Ukraine, 82A Turgenivska str., Kiev, 04050

Phone: +38044 226 2405 - Fax: +380 44 226 2405 – E-mail: nauka@i.kiev.ua

Advisers

Leonard Chepel, 11 Amin St., Apt. 309, Bedford, Nova Scotia, Canada B4A 4E3

Phone: +902 835 0224 – Fax: +902 835 0224 – E-mail: entropy@accesswave.ca

Anatoliy Chernikov, Head of Department External Economic Relations & Contracts, Capitan Ltd., 24, Primorskaya St., Odessa 65026

Phone: +38 0482 22 00 57 – Fax: +38 0482 22 63 14 – E-mail: kitconsult@ukr.net

Valetin Litvinov, Senior Expert, Div. for International Fishing Policy, State Department for Fisheries of Ukraine, 82A Turgenivska str., Kiev 252053

Phone: +38044 246 8984 – Fax: +38044 246 8984 – E-mail: nauka@i.kiev.ua

Sergey Rebik, Senior Scientist, South Research Institute of Marine Fisheries and Oceanography (YugNIRO), 2, Sverdlov str., Kerch 98300

Phone: +38 06561 2 10 12 – Fax: +38 06561 2 10 12

Ihor Zahlada, Head of the Trade and Economic Mission, Embassy of Ukraine, 310 Somerset Street West, Ottawa, Ontario K2P 0J9, Canada

Phone: +613 230 2961 – Fax: +613 236 7260 – E-mail: ukremb@cyberus.ca

UNITED STATES OF AMERICA

Head of Delegation

Jack Dunnigan, Director, Office of Sustainable Fisheries, U.S. Dept. of Commerce, NOAA, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, MD 20910

Phone: +301 713 2334 – Fax: +301 713 0596 – E-mail: jack.dunnigan@noaa.gov

Representatives

Jack Dunnigan (see above)

Jeff Pike, Director, Government Relations, Scher and Blackwell, Suite 900, 1850 M Street NW, Washington, DC 20036

Phone: +202 463 2511 - Fax: +202 463 4950 - E-mail: jpik@sherblackwell.com

Barbara Stevenson, Seller's Representative, 2 Portland Fish Pier, Suite 109, Portland, ME 04101

Phone: +202 775 5450 – Fax: +207 773 9096 – E-mail: bds02@sprynet.com

Advisers

Sonja Fordham, Fish Conservation, Project Manager, The Ocean Conservancy, Suite 600, 1725 DeSales St., NW, Washington, D.C. 20036

Phone: +202 429 5609 – Fax: +202 872 0619 – E-mail: sonja@oceanconservancy.org

Lisa Hendrickson, Northeast Fisheries Science Center, NMFS, 166 Water St., Woods Hole, MA 02543

Phone: +508 495 2285 - Fax: +508 495 2393 - E-mail: lisa.hendrickson@noaa.gov

Thomas King, Lieutenant Commander, Coast Guard Liaison Officer, Office of Marine Conservation (Rm 5806), U.S. Department of State, 2201 C Street NW, Washington, D.C. 20520

Phone: +202 647 3177 - Fax: +202 736 7350 - E-mail: thking@comdt.uscg.mil

Sarah McLaughlin, Fishery Policy Analyst, Sustainable Fisheries Div., Northeast Region, National Marine Fisheries Service, U.S. Dept. of Commerce, NOAA, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +978 281 9279 – Fax: +978 281 9135 – E-mail: sarah.mclaughlin@noaa.gov

Gene Martin, Attorney, Office of the General Counsel, Northeast Region, National Oceanic and Atmospheric Administration, U.S. Dept. of Commerce, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +1 978 281 9242 Fax: +1 978 281 9389 E-mail: gene.s.martin@noaa.gov

Ralph Mayo, Northeast Fisheries Science Center, NMFS, 166 Water St., Woods Hole, MA 02543

Phone: +508 495 2310 - Fax: +508 495 2393 - E-mail: ralph.mayo@noaa.gov

Pat Moran, International Fisheries Div., F/SF4, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East -West Hwy., Silver Spring, MD 20910

Phone: +301 713 2276 - Fax: +301 713 2313 - E-mail: pat.moran@noaa.gov

Bill Quinby, Director, Mayflower Shipping Ltd., 655 Summer Street, Boston, MA 02210

Phone: +843 577 0560 – Fax: +843 577 6644 – E-mail: mayflower@mindspring.com

Fred Serchuk, Chief, Resource Evaluation and Assessment Division, Northeast Fisheries Science Center, NMFS, 166 Water St., Woods Hole, MA 02543-1097

Phone: +508 495 2245 - Fax: +508 495 2258 - E-mail: fred.serchuk@noaa.gov

Dean Swanson, Chief, International Fisheries Div., F/SF4, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Highway, Silver Spring, MD 20910

Phone: +301 713 2276 – Fax: +301 713 2313 – E-mail: dean.swanson@noaa.gov

Deirdre Warner-Kramer, Senior Atlantic Fisheries Officer, Office of Marine Conservation, United States Department of State (Rm 5806), 2201 C Street NW, Washington, D.C.

Phone +1 202 647 2883 – Fax: +1 202 736 7350 – E-mail: warner-kramerdm@state.gov

OBSERVER

David J. Doulman, Senior Fishery Liaison Officer, Food and Agriculture Organization of the United Nations (FAO), International Institutions and Liaison Service, Fishery Policy and Planning Division, Fisheries Dept. Viale delle Terme di Caracalla, Room F-409, 00100 Rome, Italy

Phone: +39 0657 056752 – Fax: +39 0657 056500 – E-mail: david.doulman@fao.org

SECRETARIAT

Johanne Fischer, Executive Secretary

Tissa Amaratunga Deputy Executive Secretary

Forbes Keating, Administration Officer & Meeting Coordinator

Stan Goodick, Finance Officer

Bev Cruikshank, Personal Assistant to the Executive Secretary

Gordon Moulton, Conservation and Enforcement Measures Officer

Cindy Kerr, Fisheries Statistics/Conservation & Enforcement Measures Assistant

Barb Marshall, Information and Web Manager

Ferne Perry, Publications and Archives Officer

Ron Myers, Graphic Arts/Printing Technician

Barry Crawford, Graphic Arts/Printing Technician

Dorothy Auby, Office Secretary

SECRETARIAT ASSISTANT

Peter Rioux, Technical Support Analyst, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland

Annex 2. Opening Statement by the Representative of Canada
(P. Chamut)

Mr. Chairman, distinguished representatives, ladies and gentlemen.

It is a pleasure for Canada to participate at this twenty-fifth annual meeting of NAFO, here in Nova Scotia.

Let me begin by extending to all of you a warm welcome to Nova Scotia. I hope that you are able to enjoy the hospitality of this area, and that your stay will be enjoyable.

I would also express the hope that our meetings here this week will be constructive and will demonstrate that this organization has the wisdom and the will to meet the very high expectations for a successful outcome.

The past fifteen years have presented this organization with a major challenge: to design and oversee sustainable fishing regimes that protect and rebuild stocks.

This is not an abstract challenge, but one that has very real consequences for real people. It reflects our collective accountability to those families and communities who have depended on the fishery for generations.

It is clear after more than a decade of effort, that meeting our accountability will be neither easy nor quick.

Despite moratoria and management regimes that have been adopted, groundfish stocks have not rebuilt. Progress has been slow and fragile.

Many stocks continue to be at historically low levels, and we face a long and difficult road to ensure the rebuilding of once abundant stocks. There is no quick fix.

If we are to be successful, we must re-dedicate our commitment to the goal of stock rebuilding and to adherence to three fundamental principles:

First – to make conservation of the resource the number one priority for decision making;

Second – to base our decisions on scientific advice; and,

Third – to ensure that the rules we adopt are adhered to.

A commitment to these principles is, in practice, a reaffirmation of our obligations as members of NAFO.

We have made progress in following these principles. But, if we examine our record honestly, we see that the actions we have taken, or in some cases, have failed to take, have not fulfilled the obligations we have accepted as Parties to this organization.

In some cases, conservation has taken a back seat to the pursuit of short term economic objectives.

Too frequently we have ignored scientific advice, or interpreted it in the most optimistic manner possible.

The most recent Scientific Council assessment for Greenland halibut illustrates these concerns. We have chosen to set quotas above scientific advice, and discounted the warning signs on the deteriorating health of the stock for several years.

We now have to confront the consequences of our choices. Sadly, the real losers are the fishermen and the communities that depend upon this resource. Experience has shown over and over again that we do the industry no favour by ignoring conservation.

The future of Greenland halibut will be a very important consideration at this meeting. Will we again choose to ignore scientific advice and let history repeat itself?

We also have much progress to make on the third principle – improved compliance. Non-compliance continues at an unacceptable rate in the NRA.

Canada will again make a presentation on compliance. It will show there continues to be a directed fishing of moratoria species, misreporting of catch and use of illegal gear. Regrettably, effective follow up on infringements by member states is lacking in many instances.

If we are to have more effective compliance, we must maintain or improve our ability to detect infringements and we must have strong deterrents to ensure that there are consequences for those who do not follow the rules.

We face some significant and difficult issues at this meeting. The decisions we take will be important to the resource, and to the economic future of our fishing communities, and indeed to the future of this organization.

I have high expectations for the outcome of this meeting. My expectations reflect the demands which are being made by Canadians who expect strong action from NAFO to protect and rebuild stocks.

I referred earlier to Greenland halibut and whether we would again ignore scientific advice, and let the obituary be written for another stock. Let me assure you, such an outcome is not an option if NAFO wishes to retain any credibility.

The outcome of this meeting is being watched very closely in Atlantic Canada. The level of scrutiny is a measure of the importance of the outcome to interests here in Canada. But sadly, it also reflects an increasing skepticism that NAFO can successfully address the challenges it faces.

There is a growing frustration in Canada over NAFO's performance. This frustration has prompted political scrutiny, and demands for a stronger, unilateral response by Canada to protect fish stocks that have sustained our fishermen for hundreds of years.

While Canada is here to work cooperatively with all Contracting Parties, we must demonstrate that this organization can oversee a sustainable fisheries management regime that will protect and rebuild groundfish stocks.

We look forward to a constructive and positive dialogue, and a result which will confirm the credibility of this organization, and provide hope for a brighter future for those who depend on the fishery.

Thank You.

Annex 3. Opening Statement by the Representative of Japan
(M. Miyahara)

Mr. Chairman,
Distinguished delegates,

It is a great pleasure for us to participate in this twenty-fifth annual meeting of NAFO in the beautiful city of Dartmouth, Nova Scotia. Particularly for me, this participation is impressive and memorable since it is the first time for me both to attend NAFO and to visit this attractive region of Canada.

On behalf of the Japanese delegation, I would like to express sincere appreciation to the Canadian Government and the regional authority for hosting this meeting as well as to the Secretariat for preparation for this meeting.

At the beginning of this meeting, I would also like to present a few comments from the Japanese perspective.

1. Japan has a long history of fishing in this northwest region of the Atlantic Ocean. We had 23 trawlers until early 80's when this important RFMO started its functions. But the number of our fishing vessels was reduced to four in 1990, three in 1995, and is just two from 1996. In other words, our fishing fleet is minimal existence in this region. We are like a candle in the wind. We cannot take another violent blow, which may well be fatal to our fleet.

2. The second point is a fundamental question on why we are still facing the difficult situation of poor resource conditions after twenty-five years of the hard and sometimes painful work of this Commission. Despite the great effort, out of the twenty stocks assessed by the Scientific Council, ten stocks are under a fishery moratorium. And this year we received a shocking scientific recommendation on another important stock, which requires a 60 % reduction from the current harvest level. Is something fundamentally wrong? However hard we worked under this forum to take conservation and management measures, recovery of the stocks has never been realized. Are the measures fully respected? Or were the past decisions by this Commission wrong? There must be various reasons for this plight. Above all, however, compliance with the measures is a very serious question. Our fishing vessels are subject to both boarding and landing inspection by Canadian and EU inspectors. Equitable level of enforcement is needed to all the fishing fleets operating in the region. And in case of alleged violation, all the flag states should conduct prompt investigation and if necessary, impose a penalty in a timely fashion.

3. Thirdly, it is of critical importance for NAFO to shut the backdoor. IUU fishing operations are multi-nationally organized activities. Those operators are closely watching a move of RFMOs. If NAFO drastically reduces a TAC for a certain stock without effective control of catches by non-parties, such reduction would just benefit the IUU fishing operators. In fact, after the Scientific Council meeting in June, the price of Greenland halibut already started to increase because of speculation in Japan, the world largest market of this species. The IUU operators will not overlook this chance of business. We are very concerned over this sort of backdoor spending of the resources under jurisdiction of NAFO.

These important points I just mentioned should be properly addressed this week. Our delegation will make utmost effort to a fruitful conclusion of this NAFO meeting.

Thank you.

Annex 4. Opening Statement by the Representative of the European Union
(J. Spencer)

Good afternoon Ladies and Gentlemen,

On behalf of the European Union delegation I would wish to express our personal pleasure at being here in Atlantic Canada. For me personally it has been some time since I have been in this "neck of the woods", as we say, and it's indeed a very beautiful spot as we saw on our way in on the aircraft.

We are very pleased to be here because we believe that the essence of international fisheries management resides in the work of regional fisheries organizations, that multilateral cooperation underpins that work and that there is frankly no alternative to that. We are quite happy to participate actively in this Organization as in other regional fisheries organizations.

Mr. Chairman firstly I would like to take the opportunity of welcoming amongst us our new Executive Secretary. It is her first annual meeting and we feel certainly on the basis of the experience to-date that this Organization has been very wise in its choice so we look forward to working with her in the coming years to the benefit of this Organization

Looking at the agenda of both the General Council and Fisheries Commission and their subsidiary bodies we have a heavy workload in front of us with some difficult decisions to reach and from the Community's perspective we will certainly be looking to further the policy of consensus decision-making within this Organization as we believe it is the only way forward for a multilateral organization to function effectively.

In terms of the scientific advice and the conservation of the stocks, it is a very sober and rather depressing scientific report, and I echo the comments made by our Japanese colleague when he cited the number of fisheries that are currently closed in this region.

Similarly we were extremely perturbed and surprised by the scientific advice on the Greenland halibut. Contrary to perhaps implications in previous speeches we do not consider that decisions were taken contrary to scientific advice in the past. We consider the new scientific advice however to be much clearer and better argued, and we will have to face our responsibilities in General Council and Fisheries Commission in addressing the conservation and the rebuilding of that Greenland halibut stock. It would indeed be interesting, but I won't anticipate the debate in the Fisheries Commission, if we applied the evaluation method used for Greenland halibut to some other stocks to see what results that would give us but no doubt we will have that debate later on.

The second key element for the Community is the compliance aspect. We continue our commitment through our inspection presence and through our independent observer program to endeavour to ensure the control and the respect of the provisions that we have elaborated as an Organization. We will never get to an ideal situation, human nature being as it is, but there is no question that progress needs to be made in that area and we will have proposals to that effect in the course of this week.

In terms of the depleted stocks in the NAFO area we are its true faced by the ever increasing challenge from fishing by non-Contracting Party vessels. These vessels as you all know change their flag with greater rapidity and certainly do not have to await a three or four or six month objection period like foreseen in Conventions. They move very, very fast and we have to develop mechanisms so we that can effectively combat this phenomena and as we have to take painful measures in the regulatory area to reduce fishing possibility, it is not tolerable for the Community that presence of legitimate Contracting Parties should be replaced by non-Contracting Party vessels. We trust that the subsidiary bodies of this Organization as well as the General Council and Fisheries Commission will actively pursue this issue. It is not new to NAFO but perhaps the nature of the challenge is new.

Mr. Chairman we consider that the effective functioning of this Organization is very dependent on a dynamic Secretariat, NAFO needed a dynamic Executive Secretary and we look forward to hearing from the Executive Secretary on her approach to the management of the organization which is after all underpinning all our work and as we try to develop more and more sophisticated control mechanisms then we need an ever more efficient Secretariat.

So as I said I won't dwell any longer on the issues before us. We will have ample time to come back to them and I can assure you that my delegation and myself will be fully committed to the dialogue process during the course of this week in order that come Friday we will have solid, defendable and effective conservation measures in force.

Thank you.

Annex 5. Opening Statement by the Representative of Ukraine
(V. Chernik)

Mr. Chairman, dear Colleagues!

It is very important for us to take part in this Annual Meeting of NAFO and to visit once again such a beautiful place of Canada as Dartmouth. Four years ago we had presented Ukraine as a new Contracting Party and it was done after eight years of the state's independence.

We are grateful to our colleagues and Canadian representatives for their kind invitation. A lot of problem of collaboration have become more and more clear and understandable for us. We have done first concession when we did not start an active fishing in the NAFO Regulatory Area right away.

Each annual meeting shows that Ukraine is gradually adapting itself to the NAFO realities. Ukrainian vessels at first were chartered by other contracting parties further we chartered vessel from other Contracting Party. This year is the first one when a Ukrainian vessel does first independent fishing operations in this area, with full compliance with the NAFO Conservation and Enforcement Measures.

Today we want to have stronger relations with other Contracting Parties and would like to obtain all due fishing rights in the NAFO Regulatory Area.

We would like to express our gratitude to all Contracting Parties which understand and support us.

From our side we are ready to support all initiatives from other Contracting Parties in their wishes to make NAFO more effective community:

- fair and equitable share of the increased abundance some species;
- constructive movement towards to the fair, equitable and transparent NAFO quota allocation process;
- other progressive steps.

The Ukrainian Delegation wishes to all participants of this meeting very fruitful and productive work.

Thank you for attention.

Annex 6. Opening Statement by France in respect to Saint-Pierre et Miquelon
(M. Plantegenest)

Mr. Chairman, distinguished delegates,

The French delegation would like to thank you, Mr. Chairman, as well as the Canadian authorities for hosting this year's NAFO meeting in Nova Scotia.

As head of the French delegation, Mr. Plantegenest wishes also to take this opportunity to salute all participants to the 25th Annual Meeting of NAFO.

France on behalf of SPM has always been heavily dependent on fisheries which remain a vital activity for its local economy.

The fishing industry still provides jobs for 250 individuals at sea or on land. In other words, it is 10% of the small workforce of SPM that earns a living directly from the fishing industry.

Without expanding further on the issues that will be discussed this week, be they stock management or other topics which are of particular importance to us, I will conclude, Mr. Chairman, by expressing to you that the French delegation is honored to take part, along with the other delegations, in this NAFO session.

Thank you.

Annex 7. Opening Statement by the Representative of the United States
(J. Dunnigan)

Thank you Mr. Chairman and good afternoon.

Once again the United States is pleased to join our colleagues around the table for this Twenty-fifth meeting of the Northwest Atlantic Fisheries Organization. Twenty-five years is significant – we would call it a silver anniversary. And over those years NAFO has brought together the fishing nations of the northwest Atlantic Ocean to work together to ensure the conservation and management of these valuable fishery resources.

Let me also extend the gratitude of the U.S. delegation to our friends and colleagues in Canada for kindly hosting this meeting. Our two countries have a long history and common tradition. And perhaps nowhere is this better seen than in the close similarities between our New England area and Atlantic Canada. For most of the last two centuries, we have sailed the same waters, fished the same stocks, and seen the same sunrises and sunsets that have marked progress for our people. Being in Nova Scotia for us is almost like being at home. We are pleased to work with our Canadian colleagues on a whole host of fisheries issues that we share; and we hope to carry this spirit of cooperation into NAFO this week.

Mr. Chairman, the United States is at a crossroads in evaluating the level of its participation in NAFO, and we come to this meeting with a very clear purpose. Like many governments, in these days of tight fiscal constraints, we are aware of the need to focus on the highest priority issues for our country. We became a member of NAFO eight years ago with hopes and expectations of being able, eventually, to conduct fisheries within the NAFO Regulatory Area. We are extremely disappointed and discouraged that a reasonable fishing allocation has never been made to our country. The United States has been a strong and interested partner around this table. We are a coastal state with a rich historical tradition in fisheries regulated by NAFO. We pay the second-highest share of the NAFO budget – 20%. To continue to have no practical fishing rights under such circumstances is manifestly unfair. To expect the United States, or any party for that matter, to continue to make such a substantial investment under these circumstances is unrealistic. Each country around this table will make a strategic decision to invest its time and money where it will do the most good for its interests. I would like to go home with the ability to try to make the strong case that my country has a substantial and sufficient interest to justify our investment in NAFO. Without a reasonable and practical allocation of fishing opportunities, that will be very difficult indeed.

On other issues the U.S. delegation looks forward to working with our colleagues around the table. There are a lot of difficult problems before us this week. We continue to be disturbed, and concerned for the future of NAFO, given the ongoing extremely high levels of bycatch in the NAFO Regulatory Area, especially the bycatch of some moratorium species. We share the interest of other NAFO members in improving compliance, and properly reviewing the range of compliance issues. We also maintain our view that scientific advice should be followed, because it is the best way, over the long term, to secure the benefits of conservation for all of our fishermen. If we delay facing up to the reality of conservation, if we try to bend the scientific advice to minimize the medicine that we have to take now, then we only make ourselves more ill in the long run.

Mr. Chairman, our delegation is working on a number of proposals on issues such as the application of the precautionary approach and following up on the advice of the Scientific Council with respect to thorny skates. We look forward to discussing these and other matters with our colleagues around the table. And we very much look forward to going home with an allocation that is consistent with our interests and our investment in NAFO.

Thank you very much, Mr. Chairman.

Annex 8. Opening Statement by the Representative of Estonia
(A. Soome)

Thank you Mr. Chairman.

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen,

It is a great pleasure for the Estonian Delegation to participate in the 25th Annual Meeting of NAFO. We would like to thank the Canadian Government and NAFO Secretariat who have provided the excellent facilities for our work here in Dartmouth. During this year several working group meetings and multilateral meetings between different NAFO parties have taken place. In these meetings a lot of work has already been done and now at the Annual Meeting it is time to take the appropriate decisions and approve the proposals which have been prepared by these meetings for the fish resource management for the fiscal year 2004 and for the future.

Mr. Chairman I would like to recall the recommendation of the Quota Allocation Working Group meeting which took place in March in Miami where it was agreed between the parties that the block quota issue should be decided quickly. We all remember that the block quota issue has been unsolved since 1992 when Estonia and other Baltic States joined this Organization. Despite of the efforts which have been made by the four block quota States to solve the matter, it has been one of the longest outstanding questions here. And now that agreement has been reached between the States which are involved in the block quota, we expect that this will be approved by this Organization during this meeting. There are many fish stocks in the NAFO Regulatory Area which situation is in the low level. At the same time, we also have the stocks which situation is rather good and we can even see from year to year the improvement in rise of these stocks - for example, shrimp stocks. It is our obligation to take decisions which will help to recover all stocks in the NAFO Regulatory Area.

I would like to confirm that the Estonian delegation is prepared for constructive discussions with all other Contracting Parties and delegates in order to take the decisions for the benefit of fish resources and for the benefit of all of us for the year 2004 and for the future.

Annex 9. Opening Statement by the Representative of the Republic of Korea
(Jae Hak Son)

Mr. Chairman, Distinguished Delegates,

It is a great honor for me to participate in the 25th Annual Meeting of NAFO in this wonderful venue – Nova Scotia.

On behalf of the Korean Government, I would like to thank the Chairman, the Secretariat of NAFO, and Canadian Government for hosting, organizing and preparing this meeting.

As you know, NAFO waters were historically very important fishing grounds for Korea. Therefore, Korea decided to be a Contracting Party of NAFO in 1993 for conservation and management of fisheries resources in NAFO waters, and on the grounds that appropriate quota could be allocated to Korea as a Contracting Party.

However, 10 years have passed since becoming a Contracting Party and implementing NAFO rules without sufficient quota to work again. And I think it has been time to consider Korea as an eligible fishing country in NAFO waters to be able to work again through appropriate quota allocation.

I know it is not an easy matter to rebuild depleted fish stocks in accordance with appropriate quota allocation. But we have to try to seek a reasonable way to accomplish our goals during this meeting.

I hope we can make a good result through the cooperation and understanding among Contracting Parties.

Thank-you.

Annex 10. Agenda

I. Opening Procedure

1. Opening by Chairman, E. Oltuski (Cuba)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

II. Supervision and Coordination of the Organizational, Administrative and Other Internal Affairs

6. Record of Agreed General Council Decisions at 2003 NAFO Annual Meeting
7. Review of Membership
 - a) General Council
 - b) Fisheries Commission (Status of Bulgaria: Contributions and fishing rights)
8. Administrative Report (STACFAD)
9. Headquarters Agreement of NAFO
10. Election of Chair and Vice-Chair
11. Review of new NAFO Website (presentation by Secretariat)
12. a) Function and Future Requirements of Secretariat (presentation by Secretariat)
b) Interim Staff Committee (proposal by Secretariat)

III. Coordination of External Relations

13. a) Report of Executive Secretary on North Atlantic Regional Fisheries Management Organizations (NARFMO) Meeting in 2003
b) NAFO cooperation with ICES

IV. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention

14. Consideration of non-Contracting Party activity in the NAFO Regulatory Area and agreement on the task of STACFAC at the current meeting
15. Report of STACFAC at the Annual Meeting and decisions on actions
16. Report from inter-sessional consultations on Dispute Settlement Procedures (DSP) in NAFO

V. Finance

17. Report of STACFAD at the Annual Meeting
18. Adoption of the Budget and STACFAD recommendations for 2004

VI. Closing Procedure

19. Time and Place of Next Annual Meeting
20. Other Business
21. Press Release
22. Adjournment

Annex 11. Press Release

1. The 25th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held at the Holiday Inn Harbourview in Dartmouth, Nova Scotia, Canada, during 15-19 September 2003, under the chairmanship of Enrique Oltuski (Cuba), President of NAFO.
2. The meeting was attended by 200 delegates from sixteen Contracting Parties - Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and United States of America.
3. Prior to the Annual Meeting, the following NAFO meetings were held during 2003: (1) Scientific Council Workshop on the Precautionary Approach to Fisheries Management (St. John's, NL, Canada, March 31 – April 4); (2) Working Group on the Allocation of Fishing Rights to the Contracting Parties of NAFO (Miami, FL, USA, March 26-27); (3) Conference Call of the STACTIC Working Group on the Pilot Project (14 April); (4) Dispute Settlement Procedures (DSP) Consultations (Brussels, Belgium, April 29-30); (5) Standing Committee on International Control (Copenhagen, Denmark, June 16-19); (6) Scientific Council Regular Meeting (Dartmouth, N.S., Canada, June 5-19).
4. The Scientific Council, under the chairmanship of Ralph K. Mayo (USA), conducted assessments of 20 stocks in the NAFO Convention Area during the past year, and advice was presented to the Fisheries Commission at this Annual Meeting. Most stocks in the NAFO Regulatory Area remain at low abundance, except for yellowtail flounder in Div. 3LNO and northern Shrimp in Div. 3M and in Div. 3LNO. In particular, the Scientific Council expressed concern with the 3LMNO Greenland halibut stock. As such, Scientific Council advised that a substantial reduction in catches is required in order to halt the decline in the biomass of this stock.

Scientific Council also reported progress in the further development of a Precautionary Approach framework. Building on the work of a Scientific Council sponsored Workshop on the Precautionary Approach to Fisheries Management, the Scientific Council presented a revised framework to the Fisheries Commission that offered flexibility in management actions while retaining the essential features of the framework proposed in 1997.

5. The Fisheries Commission, under the chairmanship of Dean Swanson (USA), considered the advice of the Scientific Council in relation to the conservation of fish stocks in the Regulatory Area and agreed to conservation and enforcement measures.

The Fisheries Commission established a 15-year rebuilding program for Divisions 3LMNO Greenland halibut with a TAC for the period 2004-2007. This is the first such rebuilding program to be set up in the history of the Organization and serves as an example of forward-looking, precautionary fisheries management.

The Fisheries Commission agreed to continuing conservation measures in shrimp fisheries on the Flemish Cap and Division 3L, yellowtail flounder in Divisions 3LNO, short-finned squid in Subareas 3 and 4, redfish in Division 3M, and Redfish in Subarea 2+Divisions 1F and 3K.

The Fisheries Commission agreed to continue moratoria ("no directed fishery") in 2004 on the following stocks: cod in Division 3M and Division 3L (that portion within the Regulatory Area) and Divisions 3NO, redfish in Division 3LN, American plaice in Divisions 3M and 3LNO, witch flounder in Division 3NO and 3L (that portion within the Regulatory Area); and capelin in Division 3NO. The Quota Table for 2004 was adopted (Attachment 1).

The Fisheries Commission also agreed to a reformatted and simplified version of the NAFO Conservation and Enforcement Measures.

The Fisheries Commission adopted rules governing the chartering of fishing vessels among NAFO Contracting Parties.

6. The General Council, under the chairmanship of Enrique Oltuski (Cuba), considered a number of substantive issues regarding NAFO's finances and internal and external policy, in the following way:

- the Standing Committee on Non-Contracting Party Fishing Activity in the Regulatory Area (STACFAC) was asked to continue, in conjunction with STACTIC where necessary, its work to implement the International Plan of Action on Illegal, Unreported and Unregulated (IUU) Fishing in the NAFO Regulatory Area and to explore adoption of more stringent measures to combat IUU fishing;
- to convey the concern expressed by NAFO members about the Non-Contracting Party fishing activities in the NAFO Regulatory, the President of NAFO will write to the flag states involved (Belize and the Dominican Republic) with a request that they take all appropriate actions to halt the undermining of NAFO conservation and management measures. STACFAC was requested to continue monitoring this activity.

7. The following elections of NAFO officers took place:

President of NAFO and Chair of General Council	- David Bevan (Canada)
Vice-Chair of General Council	- Terje Lobach (Norway)
Chair of Fisheries Commission (re-elected)	- Dean Swanson (USA)
Vice-Chair of Fisheries Commission (re-elected)	- Boris Prischepa (Russian Federation)
Chair of Scientific Council	- Joanne Morgan (Canada)
Vice-Chair of Scientific Council	- Antonio Vazquez (EU-Spain)
Chair of the Standing Committee on Finance and Administration (STACFAD) (re-elected)	- Fred Kingston (EU)
Vice-Chair of STACFAD (re-elected)	- Deirdre Warner-Kramer (USA)
Chair of the Standing Committee on International Control (STACTIC)	- Martin Newman (EU)
Vice-Chair of STACTIC	- Mads Trolle Nedergaard (Denmark in respect of the Faroe Islands and Greenland)
Chair of the Standing Committee on Fisheries Science (STACFIS)	- Hilario Murua (EU-Spain)
Chair of the Standing Committee on Research Coordination (STACREC)	- Antonio Vazquez (EU-Spain)
Chair of the Standing Committee on Fisheries Environment (STACFEN) (re-elected)	- Eugene Colbourne (Canada)
Chair of the Standing Committee on Publications (STACPUB) (re-elected)	- Manfred Stein (EU-Germany)

Attachment 1 - Annex I.A Annual Quota Table

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2004 of particular stocks in Subareas 1-4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Species	Cod			Redfish			American plaice		Yellow-tail	Witch		Capelin	Greenland halibut	Squid (Illex) ¹	Shrimp	
	3L	3M	3NO	3LN	3M	Sub-area 2 and Div. 1F + 3K	3LNO	3M	3LNO	3L	3NO	3NO	3LMNO	Sub-areas 3+4	3L	3NO
Canada		0	0	0	500	7500 ^{2,4}	0	0	14137 ⁵		0	0	2223	N.S. ⁶	10,833	
Cuba		0	-	0	1750	7500 ^{2,4}	-	-	-		-	0	-	510	144	
Denmark (Faroe Islands and Greenland)		0	-	-	69	25000 ^{2,3}	-	-	-		-	-	-	-	144	
European Union		0	0	0	3100	25000 ^{2,3}	0	0	290 ⁵		-	0	8203	N.S. ⁶	144	
France (St Pierre et Miquelon)		-	-	-	69	7500 ^{2,4}	-	-	-		-	-	-	453	144	
Iceland		-	-	-	-	25000 ^{2,3}	-	-	-		-	-	-	-	144	
Japan		-	-	-	400	7500 ^{2,4}	-	-	-		-	0	1519	510	144	
Korea		-	-	-	69	7500 ^{2,4}	-	-	-		-	-	-	453	144	
Norway		0	-	-	-	25000 ^{2,3}	-	-	-		-	0	-	-	144	
Poland		0	-	-	-	25000 ^{2,3}	-	-	-		-	0	-	227	144	
Estonia		0	0	0	1571	7500 ^{2,4}	-	0	-			0	-	128	144	
Latvia		0	0	0	1571	7500 ^{2,4}	-	0	-			0	-	128	144	
Lithuania		0	0	0	1571	7500 ^{2,4}	-	0	-			0	-	128	144	
Russia		0	0	0	9137	25000 ^{2,3}	-	0	-			0	1890	749	144	
Ukraine						7500 ^{2,4}									144	
United States of America		-	-	-	69	7500 ^{2,4}	-	-	-		-	-	-	453	144	
Others		0	0	0	124	-	0	0	73 ⁵		0	-	985 ⁷	794	0	
TOTAL ALLOWABLE CATCH	*	*	*8	*8	5000 ^{9,8}	32500 ¹¹	*8	*	14500 ¹⁰	*	*	*8	14820	34000	13000	*

- * Ban on fishing in force – The provisions of Article 8, paragraph 3 shall apply.
1. Any quota listed for squid may be increased by a transfer from any “coastal state” as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded.
Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.
 2. The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.
 3. Quota to be shared by vessels from Denmark (Greenland and Faroe Islands) European Union, Iceland, Norway, Poland and Russia. Catches in the NAFO Convention Area shall be deducted from the quotas allocated in the NEAFC Convention Area.
 4. Quota to be shared by vessels from Canada, Cuba, Estonia, France (St Pierre et Miquelon), Japan, Korea, Latvia, Lithuania, Ukraine and USA.
 5. Contracting Parties shall inform the Executive Secretary before 1 December 2003 of the measures to be taken to ensure that total catches do not exceed the levels indicated.
 6. The allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC (= 29.458 tons).
 7. Of which no more than 60% (591 t) may be fished before 1 May 2004
 8. Applicable to 2004 and 2005.
 9. Each Contracting Party shall notify the Executive Secretary every second week of catches taken by its vessels from this stock until accumulated reported catch reaches 50%, after which time weekly notification shall apply. Not more than 2500 tons may be fished before July 1, 2004. The Executive Secretary shall notify without delay all Contracting Parties of the date on which, for this stock, accumulated reported catch taken by vessels of the Contracting Parties is estimated to equal 50% and then 100% of the TAC.
 10. The provisions of Article 8, paragraph 3 of the Conservation and Enforcement Measures shall apply.
 11. In the case of the NEAFC decision which modify the level of TAC for Oceanic Redfish in 2004 as compared to 2003, these figures shall be accordingly adjusted.

Attachment 1 - Annex I.B
Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2004

CONTRACTING PARTY	NUMBER OF FISHING DAYS	NUMBER OF VESSELS
Canada	456	16
Cuba	100	1
Denmark		
– Faroe Islands	1606	8
– Greenland	515	14
Estonia	1667	8
European Union	457	13
France (in respect of St Pierre et Miquelon)	100	1
Iceland	N/A	N/A
Japan	100	1
Korea	100	1
Latvia	490	4
Lithuania	579	7
Norway	1985	32
Poland	100	1
Russia	2100	N/A
Ukraine	100	1
USA	100	1

Attachment 1 - Annex I.C
Rebuilding Plan for 3LMNO Greenland Halibut

Species	Greenland halibut	Greenland Halibut	Greenland halibut	Greenland halibut
Division/ Contracting Party	3LMNO 2004	3LMNO 2005	3LMNO 2006	3LMNO 2007
Canada	2223	2112	2056	1778
Cuba	-	-	-	-
Denmark (Faroe Islands and Greenland)	-	-	-	-
European Union	8203	7793	7588	6562
France (St Pierre et Miquelon)	-	-	-	-
Iceland	-	-	-	-
Japan	1519	1443	1405	1215
Korea	-	-	-	-
Norway	-	-	-	-
Poland	-	-	-	-
Estonia	-	-	-	-
Latvia	-	-	-	-
Lithuania	-	-	-	-
Russia	1890	1796	1748	1512
Ukraine	-	-	-	-
United States of America	-	-	-	-
Others	985 ¹	935 ¹	912 ¹	789 ¹
TOTAL ALLOWABLE CATCH	14820	14079	13709	11856

¹ Of which no more than 60% may be fished before 1 May in each year.

Annex 12. Decisions and Actions by the General Council

Substantive Issue (Agenda Item)	Decision/Action
5. Publicity	<u>Agreed</u> : STACFAD to develop guidelines for a NAFO media policy.
6. Record of Agreed General Council Decisions at 2003 NAFO Annual Meeting	<u>Agreed</u> : Summary record of agreed decisions taken during General Council Meeting to be finalized each evening of the meeting, circulated and approved by participants before meeting ends.
7. Review of Membership b) Fisheries Commission (status of Bulgaria: contributions and fishing rights)	<u>Agreed</u> : Executive Secretary review status of Bulgaria's membership in the Fisheries Commission in the light of the text of the Convention and advise Chair of General Council accordingly. *
9. Headquarters Agreement of NAFO	<u>Agreed</u> : Defer to STACFAD
10. Election of Chair & Vice-Chair	<u>Elected</u> : Chair: David Bevan (Canada) Vice-Chair: Terje Lobach (Norway)
13. MoU NAFO-ICES	Approval of final draft by Scientific Council
14/15. STACFAC report and recommendations	Adopted in whole (see Part III of this report-page 65)
16. Dispute Settlement Procedures	<u>Deferred to 2004 Annual Meeting</u>
17. STACFAD report and recommendations	Approved as a whole (see Part II of this report-page 43)
19. Next Annual Meeting	<u>Agreed</u> : Scientific Council: 8-17 September 2004 General Council/Fisheries Commission: 13-17 Sep 2004

* Based on Article XIII.1 (Convention), General Council is required to decide on full membership at Fisheries Commission separately from general NAFO membership and voting rights.

**Annex 13. Report of Consultations between Canada, EU, Latvia and the US
Brussels, April 29-30, 2003 (GC W.P. 03/1)**

Further to the discussion of Dispute Settlement Procedures (DSP) at the 2002 NAFO Annual Meeting, the European Commission organized consultations of interested NAFO Contracting Parties regarding the way forward for the NAFO DSP Working Group. Representatives of Canada, the European Commission, Latvia and the United States of America met in Brussels April 29-30, 2003. The Canadian letter of March 21, 2003 addressed to the NAFO Secretariat was used as the discussion document for this informal meeting. Good progress was made on identifying the remaining outstanding grounds for discussion and avenues to achieve progress. Participants in the meeting agreed that the progress made at this meeting would make a further meeting of the DSP Working Group useful.

Discussion at the meeting suggested that the following text from the Canadian letter, with the amendments indicated below, might usefully contribute to the work of the next NAFO DSP Working Group Meeting:

XII.4

When presenting an objection to a proposal in accordance with paragraph 1 or giving notice of its intention not to be bound by a measure in accordance with paragraph 3, a Commission member shall provide a statement of the reasons for its objection or notice and a declaration of its intentions following the objection or notice, including a description of any measures it intends to take or has already taken for the conservation and management, including control and enforcement measures, of the stock concerned.

Paragraph 2

If any dispute arises between two or more Contracting Parties concerning the interpretation or application of this Convention, including the statement, declaration and measures referred to in paragraph 4 of Article XII as well as any actions taken by a Contracting Party further to its use of Article XII(1) or (3) , those Contracting Parties shall seek to resolve their dispute by negotiation, inquiry, mediation, conciliation, ad hoc panel procedures, arbitration, judicial settlement or other peaceful means of their own choice.

Subparagraph 3.1

Where a dispute concerns the interpretation or application of a proposal adopted by the Fisheries Commission pursuant to Article XI or matters related thereto, including the statement, declaration and measures referred to in paragraph 4 of Article XII as well as any actions taken by a Contracting Party further to its use of Article XII(1) or (3), the parties to the dispute may submit the dispute to a non binding ad hoc panel constituted in accordance with procedures adopted by the General Council.

Participants in the meeting considered the Canadian proposal for a new subparagraph in Paragraph 3 creating a link between the ad hoc panel procedure and the Fisheries Commission. As a result of the discussion, the participants determined that the following text would provide a useful addition to the NAFO Consolidated Text 2001:

Subparagraph 3.3

If the Contracting Parties concerned accept the recommendations of the ad hoc panel, they shall within 14 days of receipt of the panel's recommendations, notify, through the Executive Secretary, all other Contracting Parties of the actions they intend to take with a view to implementing the recommendations. Consideration of the recommendations of the ad hoc panel may be referred to the Fisheries Commission, in accordance with the appropriate NAFO procedures.

The old subparagraph 3.3 would become subparagraph 3.4

As a result of the discussions on provisional application of the ad hoc panel recommendations, the European Commission suggested that this concept be moved from Paragraph 4 into Paragraph 5 and reformulated as follows to address concerns expressed by some participants during the meeting:

Subparagraph 4.1 would remain as is and 4.2 would be deleted

Subparagraph 5.1 would remain as is and the following subparagraph 5.2 would be added:

Subparagraph 5.2:

If binding dispute settlement procedures are invoked in accordance with this paragraph, the parties to the dispute, unless they agree otherwise, shall apply provisionally any recommendation made by the ad hoc panel pursuant to paragraph 3. Such provisional application of the panel's recommendation shall cease when the Contracting Parties agree on arrangements of equivalent effect, when a court or tribunal to which the dispute has been referred has prescribed provisional measures or made a final determination or, in any case, at the date of expiration, if applicable, of the proposal of the Fisheries Commission.

For the same reasons suggested to introduce subparagraph 3.3, a new subparagraph was proposed to provide a link between the provisional application of ad hoc panel recommendations and final determinations with the Fisheries Commission.

Subparagraph 5.3

Subparagraph 3.3 shall apply *mutatis mutandis* to the provisional application of the ad hoc panel and to any final determination made by a court or tribunal to which the dispute was referred.

With respect to paragraph 6, the participants in the meeting determined that all brackets in the 2001 NAFO Consolidated Text could be removed except for those around the words "and optimum utilization", and the text could be usefully reorganized as follows:

Paragraph 6

A court, tribunal or panel to which any dispute had been submitted under this Article shall apply the relevant provisions of:

- a) **this Convention;**
- b) **the UN Convention on the Law of the Sea;**
- c) **in addition to the above instruments, where the dispute concerns one or more straddling stocks, the 1995 UN Fish Stocks Agreement,**

as well as generally accepted standards for the conservation and management of living marine resources and other rules of international law not incompatible with the said instruments, with a view to ensuring the conservation [and optimum utilization] of the fish stocks concerned.

The participants in the meeting thought the Canadian proposal relating to the rights of State Parties to the 1995 UN Fish Stocks Agreement was a useful addition to the draft NAFO DSP text. It was felt, however, that it should be expanded in order to treat the UN Convention on the Law of the Sea in an identical manner as follows:

Paragraph 7

Provided, however:

(1) where a party to a dispute is a State Party to the UN Convention on the Law of the Sea, nothing in this Convention shall be argued or construed as preventing it from submitting the dispute to binding procedures pursuant to Part XV of the UN Convention on the Law of the Sea as against any other State Party to that Convention; and

(2) where a party to a dispute is a State Party to the 1995 UN Fish Stocks Agreement, nothing in this Convention shall be argued or construed as preventing it from submitting the dispute to binding procedures pursuant to Article 30 of the 1995 UN Fish Stocks Agreement as against any other State Party to that Agreement.

The participants in the meeting noted that the next NAFO DSP Working Group meeting should consider the above draft text, as well as the draft 2001 Consolidated DSP Text and the Annex to this text (Annexes 11 and 12 of the 2001 DSP WG Report (NAFO/GC Doc. 1/4), rules of procedure relating to the ad hoc panel and the method of adoption of a DSP text in NAFO.

PART II

Report of the Standing Committee on Finance and Administration (STACFAD)

1. Opening by the Chairman

The first session of STACFAD was opened by Fred Kingston (EU) on 15 September 2003.

The Chairman welcomed delegates and Dr. Johanne Fischer, the Executive Secretary appointed in January 2003.

Present were delegates from: Canada, European Union, Japan, Latvia, Norway, Russian Federation, Ukraine, USA (Annex 1).

2. Appointment of Rapporteur

Sofeia Horsey (Canada) and Stan Goodick (NAFO Secretariat) were appointed Rapporteurs.

3. Adoption of Agenda

The provisional agenda, as circulated to the Contracting Parties (Annex 2), was adopted.

4. Auditors' Report for 2002

The Finance Officer presented the Auditors' Report and Financial Statements of the Northwest Atlantic Fisheries Organization for the year ended 31 December 2002. The Chairman indicated the Auditors' Report, signed by Deloitte & Touche, had been circulated to the Heads of Delegation prior to the 25th Annual Meeting. He noted no comments had been received on the report.

The report mentioned that the NAFO Financial Statements have not recorded a liability of \$30,300 for enhanced employee termination benefits. It was noted by the Committee that NAFO has been in the practice of funding this liability at the rate of \$10,000 per annum, the latest amount of which had been approved by General Council in 2002 at the 24th Annual Meeting of NAFO (Note 4 of the Auditors' Report entitled "Provision for Employee Termination Benefits").

Committee members reviewed these statements in detail. All variances in expenditures versus budgeted items were explained to the satisfaction of the Committee.

STACFAD recommended that the 2002 Auditors' Report be adopted.

The EU proposed that the Committee consider changing the auditors. The EU considers it desirable, as a matter of policy, to change auditors in regional fisheries organizations from time to time in order to provide possible new perspectives to the audit. Canada sought clarification as to whether NAFO would incur additional expenses in administration fees to change auditors. The Executive Secretary was not certain if this would be the case, but she said she could seek bids from several potential firms.

STACFAD recommended new Auditors be retained to audit the Financial Records of NAFO for the year 2003.

5. Realized and expected costs related to changes to the Automated Hail/Vessel Monitoring System (VMS)

STACFAD WP 03/1 was tabled for discussion (Annex 3).

An expenditure of \$35,000 was identified and included in the 2004 forecasted budget to provide for costs related to the ongoing operations of the system, as proposed by STACTIC.

STACFAD recommended approval of \$35,000 for estimated costs to be incurred in 2004 related to the ongoing operations of the Automated Hail/VMS.

NAFO/FC Doc. 03/3 was tabled outlining a proposal approved by the Fisheries Commission to update the VMS used by NAFO to include Catch and Observer Reports (Pilot Project). Estimated cost is \$40,000.

STACFAD recommended approval of \$40,000 for estimated costs to be incurred in 2004 to update the VMS.

**6. Review and evaluation of work descriptions for NAFO employees
in the CR category with respect to consideration of application of
Canadian Pay Equity Settlement**

The Executive Secretary tabled STACFAD WP 03/2 (Annex 4-without annexes).

The Executive Secretary spoke on behalf of the affected employees. She stated they unanimously requested to withdraw any claims to a retroactive application of the pay equity settlement as provided for employees of the Public Service of Canada. She noted that, although NAFO had adopted a salary scale and a position classification system "based, to the extent possible, on the salary scale and position classification system of the Public Service of Canada", pursuant to Rule 6.1 of the NAFO Financial Regulations, it recognized the settlement was a unique situation.

STACFAD therefore agreed that the issue of applying the Canadian Pay Equity Settlement to NAFO employees in the clerical category be withdrawn from any further consideration.

It was recalled that, as a result of initiating a pay equity assessment for NAFO staff in the Clerical Category, salary increases for four employees of NAFO had been postponed. Only economic increases ranging from 2 to 3.2% were applied over the period 1998-2002. The Executive Secretary recommended to STACFAD that salary levels be adjusted to reflect current pay levels effective July 29, 1998.

STACFAD agreed and recommended that the salary scales of four Secretariat employees in the CR category be adjusted to reflect current pay levels as per the Canadian Federal Public Service, effective 1 January 2004.

STACFAD further recommended approval of back payment plus interest, as a result of the postponement of salary adjustments, for the period 29 July 1998 to 31 December 2003. Interest would be calculated following Government of Canada guidelines for the payment of interest beginning 1 January 2004. After discussions with the four employees concerned, the Executive Secretary informed STACFAD that they would be willing to accept this back payment stretched over a three-year period commencing in 2004.

STACFAD recognized the understanding and patience of the four employees of the Secretariat staff in awaiting resolution of this issue and agreed that, for budgeting purposes, back payment and interest will be distributed equally, over a three year period, commencing in 2004.

STACFAD further asked the Executive Secretary to convey its appreciation to the four employees of the Secretariat staff for their willingness to accept this arrangement.

7a) Function and Future Requirements of the Secretariat

The Executive Secretary presented a thorough and detailed overview of the present services provided by, as well as the process and operations of, the Secretariat in a presentation entitled "Goals, Strategies and Requirements of the NAFO Secretariat". Included were statistical data on the distribution and concentration of human and financial resources.

The focus of the presentation was to outline a possible strategy to improve the cost efficiency of services rendered by the Secretariat, to modernize the Organization and to expand services to Contracting Parties. The Executive

Secretary outlined initiatives that should take place within the next 5 years to pursue these objectives with respect to the following areas:

- Communications
- Organization/Support of meetings
- Publications
- Conservation and Enforcement Services
- Finance and administration
- Other office tasks

STACFAD expressed its support, in principle, for the Executive Secretary's presentation. Some of the major initiatives proposed by the Executive Secretary are the following:

1. As expressed in the Executive Secretary's presentation, the Secretariat will need to enhance and restructure staff responsibilities to meet its objectives as effectively and efficiently as possible. To accomplish this, it would be necessary to write new work descriptions for Secretariat positions. In addition there is also a need to develop more clear and detailed rules and procedures for the assessment, classification and ongoing review of positions. This could be accomplished by contracting the services of an expert on the Canadian Government Classification System to collaborate with the Secretariat.

STACFAD recommended that the Secretariat develop clearer and more detailed rules and procedures for the assessment, classification and ongoing review of NAFO Secretariat staff. STACFAD further recommended that the Secretariat engage a Human Resources consultant to ensure that these rules and procedures are compatible with the system of the Public Service of Canada with an estimated cost to NAFO's budget of \$5,000.

2. The Executive Secretary tabled STACFAD WP 03/9 (Annex 5) proposing the addition of one new staff member for a period of 12 to 14 months to:

- Ensure the continuity of services upon the retirement in 2005 of a staff member and
- Develop enhanced technologies and processes to undertake additional services requested by the Fisheries Commission with respect to the compilation, analysis and presentation of compliance data.

Recruitment would be in the Professional Category given the nature of the work and the qualifications required.

After detailed discussions, STACFAD recommended that the Secretariat hire in 2004 a part-time employee to help in the compilation, analysis and presentation of compliance data. The estimated cost to the NAFO budget in 2004 would be \$30,000. STACFAD also recommended that recruitment take place to find a replacement for an employee anticipated to retire in May 2005 with an overlap period of four months in order to ensure the requirements of this position as mandated would be met.

3. The Executive Secretary presented STACFAD WP 03/7, a proposal to reclassify a NAFO employee's category from CR-6 to IS-3 to more accurately reflect her new duties and enhanced responsibilities. In particular, this employee is now principally responsible for maintenance and content of the new NAFO WebPages requiring specialized skills and expertise.

STACFAD recommended, without prejudice to results of the overall review of the NAFO Secretariat staff, the reclassification of this position to the level of IS-3, to take effect 1 January 2004.

4. In respect of other changes implemented by the Secretariat, it was noted that the work duties of another employee in the CR-5 category had also changed substantially with the addition of new duties and increased responsibilities related to the running of NAFO's Conservation and Enforcement Scheme, thereby requiring adjustment to her classification level.

STACFAD recommended, without prejudice to results of the overall review of the NAFO Secretariat staff, the reclassification of this position from CR-5 to CR-6, to take effect 1 January 2004.

7b) Interim Staff Committee (proposal by Secretariat)

The Executive Secretary introduced STACFAD WP 03/6 (Annex 6) proposing the establishment of an external Staff Committee to provide advice and mediation in the event that a conflict within the Secretariat cannot be solved internally. It was anticipated that this Committee would rarely be called upon in this regard. It is proposed that the Staff Committee comprise three members nominated by Secretariat Staff and appointed by General Council. At least one of the members should be a resident of the Dartmouth/Halifax area. Staff Committee could serve one year and be re-elected at every Annual Meeting with no restrictions on re-election. The Secretariat staff intends to nominate Committee members in the near future.

STACFAD supported this proposal in principle and recommended the establishment of a Staff Committee with a mandate to provide advice and mediation in the event that a conflict within the Secretariat cannot be solved internally.

8. Meeting of Pension Society

The Executive Secretary tabled STACFAD WP 03/3, a summary report of the meeting of the International Fisheries Commissions Pension Society (IFCPS), held May 1-2, 2003, in Halifax, N.S.

Of note:

- The employer's normal cost as a percentage of payroll will remain the same for 2004 at 9.3%.
- The Auditors' Report was presented with a Statement of Operations of the IFCPS for the years ending 31 December 2001 and 31 December 2002 and the Review Report for 2002. The statements were approved by the membership.
- The Canadian Department of Fisheries and Oceans (DFO) extended its commitment to assist the Society in administrative operations at no charge to the Society.
- The Review Directorate of DFO was engaged to audit the Statement of Operations of the Society before its 2002 Annual General Meeting and will be approached to audit the Society's Financial records in 2003.
- The investment manager, McLean Budden, will continue with the agreed asset-mix balancing of the Canadian investment funds (60% equity/40% bond split).
- Time and place of next annual meeting will be 29-30 April 2004 in Washington, D.C. Representatives from the International Fisheries Commissions will commence their meetings 28 April 2004.

9. Headquarters Agreement of NAFO

The representative of the EU noted that Article II.3 of the NAFO Convention seems to require that there be a Headquarters Agreement between NAFO and the host country, Canada, and expressed concern that such an agreement does not exist.

Canada, in response, provided background on the Canadian Order-in-Council, which is intended to provide privileges and immunities to NAFO and its officers to the fullest extent possible. He explained that NAFO's predecessor organization, ICNAF, its officials and representatives to ICNAF also enjoyed the maximum privileges and immunities that could be granted under Canadian law. Upon the creation of NAFO, following a request from the NAFO President, these privileges and immunities were extended to the NAFO organization, the representatives to NAFO and NAFO officials via the Order-in-Council. He added that Article II.3 can also be read as not necessarily requiring a Headquarters Agreement per se, but that there could be other evidence of agreement, such as official correspondence.

The Canadian delegate noted that negotiating a Headquarters Agreement may be more than just a housekeeping matter as suggested by the EU delegate. He explained that it involves negotiating a treaty, and launching such negotiations would require appropriate authorization from within the Government of Canada. One could not anticipate the outcome of these negotiations. He advised that there was no practical need to change the current arrangement, which has been working well for more than twenty-five years.

The Executive Secretary advised that the Secretariat had no complaints regarding the current arrangement and urged caution against lengthy negotiations that may have unforeseen consequences.

The Canadian delegate undertook to check Government of Canada files and provide copies of any relevant official correspondence between NAFO and Canada as they relate to any agreement on privileges and immunities. He also undertook to clarify the rationale for headquarters agreements having been signed with some other international fisheries organizations based in Canada but not with older organizations such as NAFO.

STACFAD recommended that this item be deferred until the next Annual Meeting.

10. Administrative and Financial Statements for 2003 (end July)

The Chairman introduced NAFO/GC Doc. 03/1.

Concerning the Financial Statements:

- The Finance Officer reported that there would be delays in salary increases until 2004 as contract negotiations within the Public Service of Canada for position classifications followed by NAFO staff have just been initiated. It is assumed contracts would not be ratified during 2003 and therefore no increase will be reflected for 2004 at this time.
- Given the linkages with Salaries, as a result of changes to the Salary figure, the following expenditures were adjusted accordingly producing some savings and some additional expenses:
 - b) Superannuation and Annuities – additional expense of \$2,000
 - c) Group Medical and Insurance Plans – additional savings of \$1,000
 - d) Termination Benefits – additional savings of \$11,000
- Travel expenditures were under-estimated by \$3,000.
- Reduction in postage and fax costs due to increased use of electronic communications (email and website) have generated savings of \$19,000.
- Meetings forecasted costs were under estimated by \$6,000.
- Computer Services - Programming changes to Vessel Monitoring System (VMS) were under budget, resulting in a savings of \$9,000.
- Recruitment and relocation costs were budgeted for the 2002 fiscal year although costs incurred were in 2002 and 2003. (It was noted that this item on the 2002 Budget was \$73,000 and Actual expenditures for 2002 were \$22,863.)

STACFAD noted outstanding contributions from Bulgaria (\$21,479.52), Cuba (\$21,552.56) and the United States of America (\$89,787.64). Annex 7 outlines total outstanding contributions from Bulgaria.

11. Review of Accumulated Surplus Account

The Accumulated Surplus Account was reviewed and it was noted that the year-end balance is estimated to be \$272,463 should all outstanding contributions be received.

The Secretariat received indications from the United States that, at present, they are not in a position to fully meet their financial obligations to NAFO in 2003 and, possibly, also in 2004. In this context, STACFAD recommended that the minimum balance in this account be increased from \$75,000 to \$125,000 in order to fulfill NAFO's financial obligations in early 2004. STACFAD further recommended that if any of the outstanding contributions are received by the end of 2003, the minimum balance in the Accumulated Surplus Account shall be reduced by the amount of that contribution until it reaches \$75,000. The remaining estimated accumulated surplus balance at the end of 2003 would be used to reduce contributions due from Contracting Parties in 2004.

12. Legal opinion regarding staff assessment claim by previous Executive Secretary

Pursuant to the recommendation by STACFAD to the General Council during its 24th Annual Meeting, NAFO engaged the services of its own legal counsel to investigate the former Executive Secretary Chepel's claim that staff assessment under 6.2 of the Financial Regulations should not have been deducted from his salary. A legal opinion

from NAFO's legal counsel, Stewart McKelvey Stirling Scales, concerning this issue had been circulated to Heads of Delegations of the General Council and STACFAD Chairman on February 27, 2003 (GF/03-63).

The Finance Officer advised STACFAD that Mr. Chepel had recently contacted him to give notice that he had decided not to pursue his claim. He also asked if he could be provided with a copy of NAFO's legal opinion.

Canada noted a letter to NAFO from its Head of Delegation dated 18 March 2003 stating that it was unnecessary to disclose this legal opinion in order to communicate the legal position of NAFO with respect to the claim of Mr. Chepel. Since Mr. Chepel has now indicated that he will not pursue his claim, STACFAD determined that there was no reason to change the policy and agreed that this legal opinion should not be disclosed to Mr. Chepel.

**13. Progress report on transition from print to electronic (outgoing)
communication and access to information and review of new NAFO Website
(Presentation by Secretariat)**

The Executive Secretary presented a comprehensive report on the status of transition from print to electronic (outgoing) communications and accessibility of information and review of the new NAFO Website in her presentation (see Agenda Item 7a) above).

Of particular note were the savings derived from the initiatives undertaken by the Executive Secretary and the staff of the Secretariat. The value added was estimated to be at least \$100,000 for the initiation and completion of a new revamped NAFO web site, because the design, development and implementation of it were undertaken in-house rather than sourced outside. STACFAD enthusiastically applauded the forward vision and concerted effort of the Executive Secretary and staff of the Secretariat.

14. Salary of the Executive Secretary

i) Appraisal of eligibility of Executive Secretary for performance bonus

Pursuant to the decision of the General Council at the 24th Annual Meeting and under Article IV, paragraph 4 of the current contract between NAFO and the Executive Secretary, the Executive Secretary is eligible for an annual performance bonus in addition to her base salary. This performance bonus is to be determined annually by the Heads of Delegation of General Council and would provide for up to a 10% increase on the base salary if key commitments are achieved or surpassed.

Upon instructions from the President of General Council, STACFAD developed objective criteria for this purpose.

STACFAD recommended that, at each annual meeting of NAFO, STACFAD and the Executive Secretary should identify specific goals which, in conjunction with the general duties as described in her work description, shall form the basis for evaluating eligibility for this performance pay allowance for the coming year.

STACFAD further recommended that for 2004 the specific goals for evaluating the eligibility of the Executive Secretary for a performance pay allowance are the following:

1. Assess and define future human resources requirements for the Secretariat.
2. Continue implementing modernization and cost efficiency measures.
3. Enhance public relations activities in the Secretariat and draft media policy for NAFO meetings.
4. Develop the capacity to produce the information requested by STACTIC for a compliance report.

**ii) Possible changes in the job classification system
and salary scale of the Executive Secretary**

At the last Annual Meeting of STACFAD, it was agreed to defer the broad issue of possible changes in the job classification system and salary scale of the Executive Secretary to the 2003 Annual Meeting, including the possibility of enhanced duties and responsibilities.

Members requested further information be made available to them regarding the application of the "U.N. system". There was consensus on the importance to seek clarity in regards to the U.N.'s criteria in making a determination of position classification and level. Additional information was requested on how other regional fisheries organizations have determined the position classification and salary of their respective Executive Secretaries.

It was agreed the NAFO Secretariat would provide this information to STACFAD in advance of the 26th Annual Meeting, in order to prepare for informed discussions on this subject.

STACFAD recommends the issue of a possible change in the job classification system and salary scale of the Executive Secretary be deferred to the 2004 Annual Meeting.

15. Budget Estimate for 2004

GC WP 03/2 (Revision 4) was tabled. It was noted that all items were standard with the exception of those items listed below:

- The provision of an additional staff to be recruited in conjunction with the departure of an employee due to retirement on May 1, 2005. An overlap of 4 months is required in 2005. In addition, a part-time employee will assist in compilation, analysis and presentation of compliance data for review by STACTIC in 2004 at an estimated cost of \$30,000. (see agenda item 7a)
- First instalment of back-pay and interest payments to four employees, for the period 29 July 1998 to 31 December 2003, whose salary increases had been postponed whilst awaiting conclusion and resolution of discussions on "consideration and application of Canadian Pay Equity Settlement". (see agenda item 6)
- A performance bonus of 10% for the Executive Secretary as approved by the Heads of Delegation of General Council (see agenda item 14)
- Equipment Purchases as follows: Wireless LAN server \$15,000
- Funding of \$5,000 for travel costs/expenses associated with the Limit Reference Point Study Group (NAFO SC Working Paper 03/30) (see agenda item 18)
- Reclassification of 2 Secretariat staff (see agenda item 7a)
- \$40,000 to update the VMS used by NAFO to include Catch and Observer Reports (Pilot Project) (see agenda item 5)

STACFAD recommended that the budget of \$1,500,000 for the year 2004 be adopted (Annex 8).

A preliminary estimate of calculations of 2004 billings for Contracting Parties is provided in Annex 9. Concerns were expressed by all Contracting Parties about the increases in their respective 2004 billings. In particular, Russia, Latvia and the USA stressed that they had not anticipated these increases when they made their requests to their respective legislatures.

16. Budget Forecast for 2005

STACFAD reviewed the preliminary budget forecast for 2005 of \$1,448,000 (Annex 10) and approved the forecast in principle. It was noted that the budget for 2005 will be reviewed in detail at the next Annual Meeting.

STACFAD recommended that the Secretariat prepare preliminary budget forecasts for two subsequent financial years to assist Contracting Parties in their respective budgetary processes.

STACFAD recognized and took note that several initiatives proposed by the Executive Secretary for implementation in 2004 had been deferred for consideration to 2005.

17. Time and Place of 2004 and 2005 Annual Meetings

The 2004 and 2005 Annual Meeting will be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization.

The dates of the 2004 Annual Meeting are as follows:

Scientific Council	-	08-17 September
General Council	-	13-17 September
Fisheries Commission	-	13-17 September

The dates of the 2005 Annual Meeting are as follows:

Scientific Council	-	07-16 September
General Council	-	12-16 September
Fisheries Commission	-	12-16 September

STACFAD recommended that the dates for the 2006 Annual Meeting be as follows, with the location in Halifax, unless an invitation to host is extended by a Contracting Party and accepted by the Organization:

Scientific Council	-	06-15 September
General Council	-	11-15 September
Fisheries Commission	-	11-15 September

18. Other issues including any questions referred from the General Council during the current Annual Meeting

1. General Council asked STACFAD to review the policy and process for addressing requests from the media to attend the Annual Meeting. In this context the Executive Secretary informed STACFAD that she had been approached and asked permission to film limited parts of General Council opening proceedings at the 2003 NAFO Annual Meeting. The policy to date has been to observe a black out from the beginning of the opening to the closing of the meeting. For information purposes STACFAD WP 03/10 "Media Policies followed by other Regional Fisheries Management Bodies (RFMBs) contacted by the NAFO Secretariat" was tabled by the Executive Secretary.

The Executive Secretary informed STACFAD that she intends to develop a media plan, in consultation with Contracting Parties, which would be presented for approval by General Council at the next Annual Meeting.

STACFAD endorsed the Executive Secretary's initiative.

In the interim, STACFAD recommended the following:

- All requests for media access must be channeled through the Executive Secretary;
- The Executive Secretary will consult with the Chairmen of the three bodies of NAFO, the host country and the country in which the media organization is based, with as much advance notice as possible, and will then decide if the access requested is appropriate; and
- The Executive Secretary will then inform all Contracting Parties of the decision as soon as possible. If no objection is received from a Contracting Party within a specified time period, the decision will be understood to be accepted. The Executive Secretary will inform Contracting Parties of the status after the specified time period.

2. Requests for Information: The Executive Secretary advised that she had received a letter from the Department of Foreign Affairs and International Trade which sought advice on responding to a request under Canada's Access to Information Act for copies of citations issued by NAFO inspectors for infringements in the NAFO Regulatory Area. It was agreed that the Executive Secretary should not provide this information as it would be contrary to Part IV 6(i) of the NAFO Conservation and Enforcement Measures.

19. Election of Chair and Vice-Chair

STACFAD re-elected Fred Kingston of the European Union (EU) for the position of Chairman and Deirdre Warner-Kramer of the United States for the position of Vice-Chairman.

20. Adjournment

The final session of the STACFAD meeting adjourned on 19 September 2003.

Annex 1. List of Participants

Name	Contracting Party
Sofeia Horsey	Canada
Bob Steinbock	Canada
Louis Simard	Canada
Fred Kingston	European Union
Manfred Stein	European Union
Staffan Ekwall	European Union
Keiko Suzuki	Japan
Ricards Derkacs	Latvia
Heidi Johansen	Norway
Vladimir Babayan	Russian Federation
Leonid Kokovkin	Russian Federation
Vasyl Chernik	Ukraine
Anatoliy Chernikov	Ukraine
Deirdre Warner-Kramer	USA
Pat Moran	USA
Johanne Fischer	NAFO Secretariat
Tissa Amaratunga	NAFO Secretariat
Stan Goodick	NAFO Secretariat
Forbes Keating	NAFO Secretariat

Annex 2. Agenda

1. Opening by the Chairman, G.F. Kingston (EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditor's Report
5. Realized and expected costs related to changes to the Automated Hail/VMS System
6. Review and evaluation of work descriptions for NAFO employees in the CR category with respect to consideration of application of Canadian Pay Equity Settlement
7.
 - a) Function and Future Requirements of the Secretariat
 - b) Interim Staff Committee (proposal by Secretariat)
8. Meeting of the Pension Society
9. Headquarters Agreement of NAFO
10. Administrative and Financial Statements for 2003 (end July)
11. Review of Accumulated Surplus Account
12. Legal opinion regarding Staff Assessment claim by previous Executive Secretary
13. Progress report on transition from print to electronic (outgoing) communication and access to information and review of new NAFO Website (Presentation by Secretariat)
14. Salary of the Executive Secretary
 - i. Appraisal of eligibility of Executive Secretary for performance bonus
 - ii. Possible changes in the job classification system and salary scale of the Executive Secretary
15. Budget Estimate for 2004
16. Budget Forecast for 2005
17. Time and Place of 2005-2006 Annual Meetings
18. Other issues including any questions referred from the General Council during the current Annual Meeting
19. Election of Chair and Vice-Chair
20. Adjournment

Annex 3. Status of spending for the implementation of the Automated Hail/VMS System
(STACFAD W.P. 03/1-Revised)

	Budget <u>2003</u>	Forecast <u>2003</u>	Budget <u>2004</u>
<u>Annual Recurring Expenses:</u>			
Trackwell Software - Annual support and maintenance	\$18,300	\$18,300	\$18,300
Aliant Telecom - X.25 line	12,980	12,756	12,756
Trackwell Software – Additional billings (network connection problems, setting up Contracting Parties, proposals for changes to system)	2,000	3,944	3,944
Trackwell Software – X.400 line	720	-	-
	34,000	35,000	35,000
<u>Programming Changes:</u>			
Trackwell Software – VMS programming changes as proposed by STACTIC	55,000	38,610	40,000
	\$89,000	\$73,610	\$75,000

Annex 4. Classification of Secretariat Staff and Claim for Retroactive Pay Equity
(STACFAD W.P. 03/2 – Text only)

I wish to advise General Council that the staff of the NAFO Secretariat has reconsidered its position and decided to withdraw its claim for retroactive pay equity.

As a result of initiating a pay equity assessment for NAFO staff in the Clerical Category, salary increases for four employees of NAFO were postponed. Only economic increases ranging from 2 to 2.5% were applied over the period 1998-2002. As a result, the salary levels need to be adjusted to reflect current pay levels effective July 29, 1998.

I recommend that STACFAD consider this matter and General Council agree to adjust the salaries of these four employees to reflect the new posted salary increments, effective July 29, 1998 (as per Table 1 attached).

I further recommend developing detailed rules and procedures for the assessment, classification and ongoing review of NAFO Secretariat positions based, to the extent possible, on the classification system in the Public Service of Canada.

I also recommend these rules and procedures be developed with the active participation of the Secretariat and the contracted services of an expert on the Canadian Government Classification System. The objective of this endeavor would be a clear and acceptable process of reviewing and reclassifying NAFO positions.

Dr. Johanne Fischer

Executive Secretary

**Annex 5. Services of the Secretariat to NAFO Fisheries Commission
and STACTIC (STACFAD W.P. 03/9)**

Requirement: Additional Staff for a period of 14 months

Rationale:

1. Ensure standard and continuity of services already provided when the Secretariat's only expert on Conservation and Enforcement Measures, Gordon Moulton, retires early 2005
2. Develop (together with Mr. Moulton and under supervision of Executive Secretary during the period of overlap) and carry out new additional services requested by Fisheries Commission

The new staff member should be a young professional with an academic background and experience with database management and statistics. She/he should also be familiar with fishery issues.

Her/his tasks would be (under the General Supervision of the Executive Secretary):

- support the work of Fisheries Commission and its committees by attending the meetings, preparing reports, serving as Rapporteur if requested, and performing other duties as required
- supervise the functioning of the VMS at the Secretariat's end and communicate with the software/server provider (TRACKWELL) as necessary
- supervise the electronic compilation of fishery information from diverse data sources and perform quality checks
- prepare statistical summaries of fishery data
- compile, analyze and summarize relevant information to assist STACTIC in formulating their annual compliance report
- Prepare fishery-related material for the NAFO WebPages
- cooperate with FAO on data exchange
- assist with NAFO publications and preparation of NAFO meetings
- perform other duties as required by the Executive Secretary

Required skills:

- Science degree (masters or higher)
- Experience with electronic database management and statistical analysis
- Good general computer skills
- Proven familiarity with regional and global fishery issues
- Good English speaking and writing skills
- Etc.

Annex 6. Staff Committee
(STACFAD W.P. 03/6)

A proposal by NAFO Secretariat Staff and Executive Secretary

What is the Staff Committee?

1. The Staff Committee should be mandated to advise the Secretariat and mediate in the rare event that conflicts within the Secretariat cannot be solved internally
2. The Staff Committee should be composed of three (3) members nominated by Secretariat Staff and appointed by General Council. At least one of the members should be a resident of the Dartmouth/Halifax area. Staff Committee could serve one year and be re-elected at every Annual Meeting. We propose no restrictions for the re-election of members.

Why a Staff Committee?

Most conflicts within the Secretariat can be and should be solved internally. In the rare case that a conflict cannot be solved internally or that its resolution causes major concern (e.g. perceived unjust dismissal of a staff member) the Staff Committee can be asked to intervene. Solutions should be achieved through mediation between the parties involved in the conflict and, if the Staff Committee finds it necessary, by bringing the case before NAFO Contracting Parties.

Suggested Guidelines for Staff Committee:

1. It is the obligation of Secretariat staff and Executive Secretary to seek internal solutions to all disputes before bringing anything to the attention of the Staff Committee.
2. On a specific issue, the Staff Committee can be approached by (a) Staff Representative, and/or (b) the Executive Secretary and/or (c) 3 staff members¹.
3. The Staff Committee will treat all cases in the strictest confidence. Staff Committee Members will also not disclose any names without consent of the individual concerned throughout the mediations with Secretariat staff and/or Executive Secretary.
4. A reasonable period of time (1 month) after contacting the Staff Committee, a final decision in a case (if necessary) must be taken by the Executive Secretary considering all options presented.
5. If the resolution of a case does not satisfy the Staff Committee the matter should be presented to STACFAD and General Council at the next Annual Meeting. In severe cases, the Staff Committee may decide to contact NAFO Contracting Parties immediately and ask for guidance or action.

¹ This means that at least 3 staff members have to agree that a conflict cannot be solved internally and is important enough to be brought before the Staff Committee bypassing Staff Representative and Executive Secretary. This will prevent frequent and unjustified calling on the Committee Members.

Annex 7. Schedule of Outstanding Contributions from Bulgaria

The following is a summary of outstanding contributions from Bulgaria:

	<u>Bulgaria</u>
1 January – 31 December 1993	18,109.12
1 January – 31 December 1994	14,893.10
1 January – 31 December 1995	16,614.28
1 January – 31 December 1996	15,944.93
1 January – 31 December 1997	15,002.75
1 January – 31 December 1998	16,121.90
1 January – 31 December 1999	16,267.88
1 January – 31 December 2000	16,842.79
1 January – 31 December 2003	21,479.52
	\$151,276.27

Annex 8. Budget Estimate for 2004
(Canadian Dollars)

	Approved Budget for 2003	Projected Expenditures for 2003	Preliminary Budget Forecast for 2004	Budget Estimate for 2004
1. Personal Services				
a) Salaries	\$759,000	\$754,000	\$785,000	\$842,000
b) Superannuation and Annuities	73,000	75,000	75,000	78,000
c) Group Medical and Insurance Plans	76,000	75,000	78,000	88,000
d) Termination Benefits	22,000	11,000	21,000	50,000
e) Accrued Vacation Pay	1,000	1,000	1,000	1,000
f) Termination Benefits Liability	10,000	10,000	10,000	10,000
g) Clerical (CR) Retroactive Salary Liability	-	-	-	27,000
2. Travel	19,000	22,000	15,000	19,000
3. Transportation	1,000	1,000	1,000	1,000
4. Communications	59,000	40,000	45,000	30,000
5. Publications	30,000	30,000	30,000	20,000
6. Other Contractual Services	58,400	58,000	48,000	50,000
7. Additional Help	1,000	1,000	1,000	1,000
8. Materials and Supplies	30,000	30,000	30,000	30,000
9. Equipment	5,000	5,000	5,000	20,000
10. Meetings				
Annual General Meeting and Scientific Council Meetings	76,000	79,000	76,000	75,000
Inter-sessional Meetings	40,000	43,000	40,000	45,000
Symposium	5,000	5,000	-	5,000
11. Computer and Web Services	120,000	111,000	50,000	108,000
12. Recruitment and Relocation	-	39,000	-	-
	\$1,385,400	\$1,390,000	\$1,311,000	\$1,500,000

Notes on Budget Estimate 2004
(Canadian Dollars)

Re Item 1(a)	Salaries	\$842,000								
	<p>Salaries budget estimate for 2004 includes a 2.5% economic increase. NAFO follows the salary scale of the Public Service of Canada and contract negotiations are underway between the Treasury Board of Canada and the Public Service Alliance of Canada for categories which NAFO staff members are classified. Assumed that contracts will not be ratified until late 2003 or early 2004 and therefore salary increases for 11 staff members, budgeted for 2003, will not be paid until 2004. Salaries budget also includes the reinstatement of four clerical staff to the CR pay scales, reclassification of two staff members and employment of a part-time Conservation and Enforcement Measures Officer.</p>									
Re Item 1(b)	Superannuation and Annuities	\$ 78,000								
	<p>Employer's portion (includes employer normal cost, past service liability and early retirement provisions) and administration costs.</p>									
Re Item 1 (d)	Termination Benefits	\$50,000								
	<p>This figure is for 2004 credits and conforms with NAFO Staff Rule 10.4(a). Increase in termination benefits is a result of salary increases budgeted for 2003 not being paid until 2004.</p>									
re Item 2	Travel	\$19,000								
	<p>Travel costs for 2004 include:</p> <ul style="list-style-type: none"> i) two staff members to the Annual Meeting of the International Fisheries Commissions Pension Society, April 2004, Washington, USA ii) the Executive Secretary's home leave to Germany iii) the Executive Secretary to the Annual Meeting of North Atlantic Regional Fisheries Management Organizations (NARFMO) 									
Re Item 4	Communications	\$ 30,000								
	<table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">Postage</td> <td style="text-align: right;">\$ 11,000</td> </tr> <tr> <td>Telephone</td> <td style="text-align: right;">12,500</td> </tr> <tr> <td>Courier/Mail Service</td> <td style="text-align: right;">3,500</td> </tr> <tr> <td>Fax</td> <td style="text-align: right;">3,000</td> </tr> </table>	Postage	\$ 11,000	Telephone	12,500	Courier/Mail Service	3,500	Fax	3,000	
Postage	\$ 11,000									
Telephone	12,500									
Courier/Mail Service	3,500									
Fax	3,000									
Re Item 5	Publications	\$ 20,000								
	<p>Annual Report, Conservation and Enforcement Measures, Journal of Northwest Atlantic Fishery Science, NAFO Convention, Scientific Council Reports, Scientific Council Studies, Statistical Bulletin, etc.</p>									

Re Item 6 **Other Contractual Services** \$ 50,000

Leases:

Color laser printers	\$ 14,300	
Photocopier	8,000	
Postage meter	3,000	\$25,300

Maintenance Agreements:

Photocopier	\$ 5,000	
Printers and printing presses	3,800	
Postage meter	1,100	
Telephones	500	\$10,400

Other Contracts:

Audit & legal	\$ 6,500	
Consultants fees – human resources	5,000	
Fidelity Bond and Fire Insurance	2,500	
P.O. Box Rental	300	\$14,300

Re Item 10 **Meetings** \$ 75,000

i) Annual General Meeting and Scientific Council Meetings:

This figure includes the cost for the 26th Annual Meeting, September 2004, Dartmouth, Canada, the Scientific Council Meeting, June 2004, Dartmouth, Canada and the Scientific Council Shrimp Meeting, November 2004, venue to be determined.

ii) Inter-sessional Meetings:

General provision for 3 or 4 inter-sessional meetings (Quota Allocation, Precautionary Approach, STACTIC, STACFAC) and travel costs associated with invited expert(s) to a Scientific Council Study Group on Precautionary approach.

iii) Symposium:

Travel costs associated with invited expert(s) to a Symposium titled “Ecosystem of the Flemish Cap”.

Re Item 11 **Computer Services** \$108,000

Network server replacement	\$10,000	
Computer supplies and equipment (toner, cartridges, hardware)	8,000	
Training	7,000	
Software Updates	5,000	
Consulting & Maintenance	2,000	
Web Hosting	1,000	\$33,000

Automated Hail System \$75,000

Re Item 12 **Recruitment and Relocation** \$ -

Expenses associated with the relocation of the outgoing and incoming Executive Secretary in the amount of \$73,000 were budgeted for the 2002 fiscal year. Only \$22,863 was expended during the fiscal year 2002 and \$39,000 was incurred during the 2003 fiscal year.

Annex 9. Preliminary Calculation of Billing for 2004

Preliminary calculation of billing for Contracting Parties
against the proposed estimate of \$1,500,000 for the 2004
financial year (based on 17 Contracting Parties to NAFO).
(Canadian Dollars)

Budget Estimate \$1,500,000.00

Deduct: Amount from Accumulated Surplus Account 147,463.00

Funds required to meet 2004 Administrative Budget \$1,352,537.00

60% of funds required = \$811,522.20

30% of funds required = 405,761.10

10% of funds required = 135,253.70

Contracting Parties	Nominal Catches for 2001	% of Total Catch in the Convention Area	% of Total			Amount Billed
			10%	30%	60%	
Bulgaria	-	-	-	\$23,868.30	-	\$23,868.30
Canada	510,917	54.59%	\$84,082.04	\$23,868.30	\$443,009.97	550,960.31
Cuba (1)	-	-	-	\$23,868.30	-	23,868.30
Denmark (in respect of Faroe Islands and Greenland) (1,2)	116,499	12.45%	19,172.34	\$23,868.30	101,034.51	144,075.15
Estonia	11,228	1.20%	-	\$23,868.30	9,738.27	33,606.57
European Union	40,301	4.31%	-	\$23,868.30	34,976.60	58,844.90
France (in respect of St. Pierre et Miquelon)	2,969	0.32%	488.61	\$23,868.30	2,596.87	26,953.78
Iceland	5,077	0.54%	-	\$23,868.30	4,382.22	28,250.52
Japan	3,290	0.35%	-	\$23,868.30	2,840.33	26,708.63
Republic of Korea	-	-	-	\$23,868.30	-	23,868.30
Latvia	3,330	0.36%	-	\$23,868.30	2,921.48	26,789.78
Lithuania (1)	7,592	0.81%	-	\$23,868.30	6,573.33	30,441.63
Norway (1)	14,713	1.57%	-	\$23,868.30	12,740.90	36,609.20
Poland	758	0.08%	-	\$23,868.30	649.22	24,517.52
Russian Federation	27,332	2.92%	-	\$23,868.30	23,696.45	47,564.75
Ukraine (1)	405	0.04%	-	\$23,868.30	324.61	24,192.91
United States of America (1)	191,472	20.46%	31,510.71	\$23,868.30	166,037.44	221,416.45
	935,883	100.00%	\$135,253.70	\$405,761.10	\$811,522.20	<u>\$1,352,537.00</u>
Funds required to meet 1 January - 31 December 2004 Administrative Budget						<u>\$1,352,537.00</u>

(1) Provisional Statistics used when calculating 2001 nominal catches which have not been reported from some Contracting Parties.

(2) Faroe Islands = 13,142 metric tons
Greenland = 103,357 metric tons

Annex 10. Preliminary Budget Forecast for 2005
(Canadian Dollars)

1.	Personal Services	
	a) Salaries	\$ 856,000
	b) Superannuation and Annuities	83,000
	c) Group Medical and Insurance Plans	89,000
	d) Termination Benefits	25,000 ^a
	e) Accrued Vacation Pay	1,000
	f) Termination Benefits Liability	10,300
	g) Clerical (CR) retroactive salary liability	27,000
2.	Travel	38,700 ^b
3.	Transportation	1,000
4.	Communications	30,000
5.	Publications	20,000
6.	Other Contractual Services	43,000
7.	Additional Help	1,000
8.	Materials and Supplies	30,000
9.	Equipment	20,000
10.	Meetings	
	Annual General Meeting and Scientific Council Meetings	73,000 ^c
	Inter-sessional Meetings	40,000
11.	Computer and Web Services	60,000
		\$1,448,000

^a This figure is for 2005 credits and conforms with NAFO Staff Rule 10.4(a).

^b Travel costs for 2005 include:

i) the Deputy Executive Secretary and the Chair of STACREC to the Co-ordinating Working Party on Fish Statistics (CWP), 21st Session of the Food and Agriculture Organization of the United Nations (FAO), January/February 2005, Copenhagen, Denmark;

ii) the Executive Secretary and the Deputy Executive Secretary to the 25th Session of the FAO Committee on Fisheries (COFI) and the Fourth Meeting of Regional Fisheries Bodies (RFB), February/March 2005, at FAO Headquarters, Rome, Italy; and,

(iii) the Executive Secretary to the Annual Meeting of North Atlantic Regional Fisheries Management Organizations (NARFMO)

iv) two staff members to the Annual Meeting of the International Fisheries Commissions Pension Society (IFCPS), April 2005, Victoria, Canada.

v) two staff members to review operations of the North-East Atlantic Fisheries Commission Secretariat

^c This figure includes the cost for the 27th Annual Meeting, September 2005 and Scientific Council Meetings June and November 2005.

Annex 11. STACFAD Recommendations to the General Council

1. the 2002 Auditors' Report be adopted.
2. new Auditors be retained to audit the Financial Records of NAFO for the year 2003.
3. approval of \$35,000 for estimated costs to be incurred in 2004 related to the ongoing operations of changes to the Automated Hail/VMS System.
4. approval of \$40,000 for estimated costs to be incurred in 2004 to update the VMS.
5. the issue of applying of the Canadian Pay Equity Settlement to NAFO employees in the clerical category be withdrawn from any further consideration.
6. the salary scales of four Secretariat employees in the CR category be adjusted to reflect current pay levels as per the Canadian Federal Public Service, effective 1 January 2004.
7. approval of back payment plus interest to those four employees, as a result of the postponement of salary adjustments, for the period 29 July 1998 to 31 December 2003.
8. for budgeting purposes, back payment and interest to the four employees will be distributed equally, over a three year period, commencing in 2004.
9. the Secretariat develop clearer and more detailed rules and procedures for the assessment, classification and ongoing review of NAFO Secretariat staff. STACFAD further recommended that the Secretariat engage a Human Resources consultant to ensure that these rules and procedures are compatible with the system of the Public Service of Canada with an estimated cost to NAFO's budget of \$5,000.
10. recruitment take place to find a replacement for an employee anticipated to retire in May 2005 with an overlap period of four months in order to ensure the requirements of this position as mandated would be met. STACFAD also recommend that the Secretariat hire in 2004 a part-time employee to help in the compilation, analysis and presentation of compliance data.
11. without prejudice to results of the overall review of the NAFO Secretariat staff, reclassification of a NAFO employee's position from category CR-6 to IS-3, to take effect 1 January 2004.
12. without prejudice to results of the overall review of the NAFO Secretariat staff, reclassification of a NAFO employee's position CR-5 to CR-6, to take effect 1 January 2004.
13. establishment of a Staff Committee with a mandate to provide advice and mediation in the event that a conflict within the Secretariat cannot be solved internally.
14. issue regarding a Headquarters Agreement be deferred until the next Annual Meeting.
15. the minimum balance in the Accumulated Surplus Account be increased from \$75,000 to \$125,000 in order to fulfill NAFO's financial obligations in early 2004. STACFAD further recommended that if any of the outstanding contributions are received by the end of 2003, the minimum balance in the Accumulated Surplus Account shall be reduced by the amount of that contribution until it reaches \$75,000.
16. at each annual meeting of NAFO, STACFAD and the Executive Secretary should identify specific goals which, in conjunction with the general duties as described in her work description, shall form the basis for evaluating eligibility for this performance pay allowance for the coming year.
17. the issue of a possible change in the job classification system and salary scale of the Executive Secretary be deferred to the 2004 Annual Meeting.
18. the budget of \$1,500,000 for the year 2004 be adopted.
19. the Secretariat prepare preliminary budget forecasts for two subsequent financial years to assist Contracting Parties in their respective budgetary process.

20. the dates for the 2006 Annual Meeting be as follows, with the location in Halifax, unless an invitation to host is extended by a Contracting Party and accepted by the Organization:

Scientific Council	-	06-15 September
General Council	-	11-15 September
Fisheries Commission	-	11-15 September

21. regarding media requests to attend NAFO meetings, the Executive Secretary's initiative to develop a media plan in consultation with Contracting Parties to be presented at the next Annual Meeting. In the interim, the following measures should apply:

- i) All requests for media access must be channeled through the Executive Secretary;
- ii) The Executive Secretary will consult with the Chairmen of the three bodies of NAFO, the host country and the country in which the media organization is based, with as much advance notice as possible and will decide if the access requested is appropriate; and
- iii) The Executive Secretary will then inform all Contracting Parties of the decision as soon as possible. If no objection is received from a Contracting Party within a specified time period, the decision will be understood to be accepted. The Executive Secretary will inform Contracting Parties of the status after the specified time period.

PART III

Report of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC)

1. Opening by Chairman

As the Chairman, Mr. Daniel Silvestre (France – SPM) was unable to attend, the Vice-Chair, Ms. Nadia Bouffard (Canada) opened the meeting at 10AM on 15 September 2003. The meeting was attended by representatives from Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Union, Iceland, Japan, Norway, Russian Federation, Ukraine, and the United States (annex 1).

2. Appointment of Rapporteur

Ms. Allison Saunders (Canada) was appointed rapporteur.

3. Adoption of Agenda

The Chair noted that there were some linkages between agenda items 9 and 11 and that flexibility should be allowed in moving between these items. With this observation, the agenda was adopted (annex 2).

4. Review of 2003 information on activities of Non-Contracting Party vessels in the Regulatory Area

The Chair drew attention to STACFAC Working Paper 03/1 and its addendum, the compilation of correspondence with Non-Contracting Parties prepared by the Secretariat. The EU representative referred to letters from the EU to Non-Contracting Parties contained in this compilation and underscored the need for all Contracting Parties to pay special attention to sightings and communicate them to NAFO as a matter of the utmost urgency.

The correspondence indicates that eight Non-Contracting Party vessels were sighted fishing in the NAFO Regulatory Area in 2003: Oyra, Olchan, Ostroe, Ostrovets, Okhatino, Mikhail Boronin, Kadri and Seal. The first five of these vessels were sighted engaged in fishing activities in the NAFO Regulatory Area in 2002 flying the flag of Belize. In 2003, they were sighted engaged in fishing activities under the flag of the Dominican Republic. The Kadri was also sighted engaged in fishing activities in 2002 under the Belizean flag and has continued operations while flying that flag. The Mikhail Boronin also flies the Belizean flag. The Seal flies the flag of the Dominican Republic but was not sighted engaged in fishing activities in 2002.

Based on the area in which the vessels were sighted as well as the time of year they are fishing, it may be inferred that they are harvesting oceanic redfish. Iceland advised that the vessels were familiar to it as vessels that had fished in the Regulatory Area of the Northeast Atlantic Fisheries Commission (NEAFC) earlier in the season. Iceland had boarded and inspected some of these vessels and confirmed by that means that the targeted species was oceanic redfish. Iceland also noted that it had repeatedly observed transshipments by these vessels in the NEAFC Regulatory Area and had provided information on this subject to NEAFC. Iceland undertook to also provide this information to NAFO for circulation to all Contracting Parties.

Based on this information, STACFAC members decided that letters should be written to Belize and the Dominican Republic and gratefully accepted the offer of the European Union to deliver them by way of a diplomatic demarche. Japan expressed frustration at only sending letters, particularly where the flag state lacks tools to take action on the high seas and vessels flagged to that state do not generally return to its ports so that catch is not offloaded and verified there. Japan advocated more effective measures for dealing with vessels of Non-Contracting Parties which undermine NAFO measures. The Chair noted that proposals for modification to the Scheme would be the subject of discussion under a later agenda item and that NAFO was required to respond to the 2003 incidents using the provisions of the Scheme currently in place.

It was agreed to send a letter to Belize (annex 3) acknowledging the deregistration of the Oyra, Olchan, Ostroe, Ostrovets and Okhatino but emphasizing that deregistration was not necessarily the first act of a responsible flag

state; rather, other appropriate actions to sanction the vessel and deprive it of the benefits accruing from its IUU activities should be considered. The letter would also seek further information on the High Seas Fishing Act adopted by Belize in 2002 and encourage Belize to join the International MCS Network. Norway took the opportunity to note that those NAFO Contracting Parties which had not yet joined the International MCS Network should be urged to do so. It was agreed that the letter would not seek clarification of the ownership of some of the vessels, in part because giving the appearance that it was the owners and not the flag state ultimately responsible for the vessels' actions was undesirable. As well, some believed that a formal communication of this type would not be suitable for gathering such information. For the information of Parties, the Russian delegation advised that a Russian firm (in part using Ukrainian capital) wished to purchase the Mikhail Boronin and place it on the Russian registry.

The correspondence from the Kadri's owners to the Belizean vessel registry (INMARBE) was also reviewed (attachments 4 and 8 of WP 03/1). STACFAC considered this correspondence to have been forwarded to NAFO solely for information as it was Belize's responsibility to deal with the allegations made by the vessel owners. For information, Canada advised that the St. John's port call noted by the Kadri was made while the vessel was flying the Russian flag.

It was agreed that the letter to the Dominican Republic (annex 4) would contain many of the same elements.

5. Review of 2003 information on landings and transshipments of fish caught by Non-Contracting Party vessels in the Regulatory Area

No information on such transshipments and landings for 2003 was presented.

Russia advised that it had taken action against the Metelitsa, a Russian flagged cargo vessel that had received fish from a Non-Contracting Party vessel in 2002. Specifically, the captain of the vessel had been dismissed as had the deputy director of the company who had made the transshipment decision. The Russian delegate indicated that this information would subsequently be provided to NAFO in a letter.

6. Review of information on imports of species regulated by NAFO from Non-Contracting Parties whose vessels have fished in the Regulatory Area

Japan introduced STACFAC Working Paper 03/2 (annex 5), a presentation by Japan on global import statistics. The delegate from Japan drew attention to the large market share held by Japan for both redfish (69%) and Greenland halibut (39%). He noted that the Greenland halibut price in Japan had recently increased and that IUU vessel operators would not overlook this opportunity to make profits. He advocated that NAFO work intersessionally on an effective trade tracking system for adoption in 2004.

7. Reports by Contracting Parties on diplomatic contacts with Non-Contracting Party Governments concerning fishing in the Regulatory Area

In respect of letters sent following the 2002 NAFO meeting, Canada reported that it had delivered the letter to Cyprus (attachment 1 of STACFAC WP 03/1) but had not received any response from Cypriot authorities. NAFO had also not received any response from Cypriot authorities. Correspondence with Belize had ensued following the delivery of the letter by France and is found in WP 03/1. The EU advised that it had not yet received a response to letters sent in August 2003 to Belize and the Dominican Republic (attachment 11 of STACFAC WP 03/1 and addendum to STACFAC WP 03/1 respectively).

8. Reports by Contracting Parties on legal, administrative and practical actions that have been taken to implement the NAFO Scheme to Promote Compliance by Non-Contracting Party Vessels

The Chair noted that this agenda item dated from the introduction of the Scheme and was perhaps not as relevant now, although if changes were made to the Scheme it might be relevant next year.

Norway indicated that one way in which it implements the Scheme is to ensure that all information received from other Contracting Parties is provided to port authorities so that port access will be denied to the vessel in question. Other STACFAC members agreed that this was a laudable practice and encouraged its application.

Denmark (in respect of the Faroe Islands and Greenland) questioned why inspections were predicated on the vessel being sighted engaged in fishing activities in the NAFO Regulatory Area. He noted that between the NAFO and NEAFC Schemes for Non-Contracting Parties the entire North Atlantic Ocean was covered: if a fishing vessel was in the area, it was more than logical to conclude they were fishing. The EU representative noted that it is standard practice in states to require prior notification for port use and that this practice facilitated the inspection in port of all Non-Contracting Party vessels. She indicated that an obligation to inspect all vessels that had declared an intent to land species regulated by NAFO could be created. Norway concurred with the EU, indicating that such a prior notification requirement is part of the International Plan of Action on Illegal, Unreported and Unregulated Fishing (IPOA on IUU). Norway also noted that the notification should also apply to Contracting party vessels, something which may already be under discussion in STACTIC.

Norway also recounted the moral suasion successfully applied to halt the refueling of Non-Contracting Party vessels by a Norwegian refueling vessel. While there is a lack of legal authority to halt the activity, the Norwegian company proved amenable to refueling Contracting Party vessels only once advised its activities were supporting IUU fishing. The EU indicated that provisions regarding refusal of refueling and resupply were included in the measures adopted by Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) relating to the identification and listing of vessels presumed to be engaging in IUU fishing in the CCAMLR Area. The EU also noted that similar provisions were foreseen in proposals it has tabled in NEAFC and NAFO establishing procedures to identify and list IUU vessels. Canada recounted an incident where Canadian companies had been successfully encouraged to not purchase fish caught by a Non-Contracting Party vessel.

9. Assessment on implementation of the FAO IPOA on IUU within NAFO

The Chair observed that this was an outstanding matter and noted in this regard the working paper prepared by Norway and presented to the Special Meeting of General Council in January 2002 (GC WP 02/2). It was agreed that the Norwegian paper would be reviewed with the intention of indicating areas where NAFO should do more work to implement the IPOA on IUU. However, as the Norwegian paper deals only with the regional fisheries management organization portion of the IPOA, it should be noted that STACFAC has yet to review other portions of the IPOA and assess their implementation in NAFO. STACFAC underlines that the implementation of the IPOA is a task which very much involves STACTIC given the need to deal with Contracting Party matters. In this regard, it was felt that a joint session of STACFAC and STACTIC would be useful. Note also that there may be additional actions, not identified by STACFAC, that STACTIC may deem appropriate in order to implement the regional fisheries management organization portion of the IPOA. It was also agreed that STACFAD should be kept abreast of plans to implement the IPOA so that cost elements could be fully considered. The US also encouraged all Parties to develop and implement their own national plan of action.

STACFAC recommends additional work by NAFO as follows (IPOA paragraphs are reproduced in italics for convenience):

Paragraph 79

As the cooperation of all relevant States is important for the success of measures taken by the relevant regional fisheries management organization to prevent, deter and eliminate IUU fishing, States which are not members of a relevant regional fisheries management organization are not discharged from their obligation to cooperate, in accordance with their international obligations, with that regional fisheries management organization. To that end, States should give effect to their duty to cooperate by agreeing to apply the conservation and management measures established by that regional fisheries management organization, or by adopting measures consistent with those conservation and management measures, and should ensure that vessels entitled to fly their flag do not undermine such measures.

This was noted as a useful paragraph to refer to when writing Non-Contracting Parties about activities of their vessels that undermine NAFO measures.

Paragraph 80.5

80. States, acting through relevant regional fisheries management organizations, should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing. Consideration should be given to including the following measures:

...

80.5 development and maintenance of records of vessels fishing in the area of competence of a relevant fisheries management organization, including both those authorized to fish and those engaged in or supporting IUU fishing;

It was recognized that this paragraph refers to the development of a list of IUU vessels and agreed that NAFO should develop such a negative list. It was generally felt that a positive list would not be useful as there is no provision for cooperating Non-Contracting Parties in NAFO.

Paragraph 80.6

(same chapeau)

80.6 development of methods of compiling and using trade information to monitor IUU fishing

It was noted that trade information is not generally used to monitor IUU fishing. With the presentation by Japan on import statistics at this meeting, it was noted that NAFO is now likely embarking on the use of trade information.

Paragraph 80.7

(same chapeau)

80.7 development of MCS, including promoting for implementation by its members in their respective jurisdictions, unless otherwise provided for in an international agreement, real time catch and monitoring systems, other new technologies, monitoring of landings, port control, and inspections and regulations of transshipment, as appropriate;

Norway questioned whether real time reporting currently exists in NAFO. The Chair indicated that some elements of this paragraph were under discussion by STACTIC (for example in the pilot project) and that any work by STACTIC on MCS issues is supported by the IPOA and should be encouraged.

Paragraph 80.10

(same chapeau)

80.10 where appropriate, market-related measures in accordance with the IPOA;

Norway noted that NAFO has not developed trade or market-related measures. Japan stated that equally severe penalties must be established for Contracting Parties. Unjustifiable discrimination in penalties levied on Contracting Parties and those imposed on Non-Contracting Parties would render the use of trade measures untenable. The EU delegate noted that the need for even-handedness in penalties for Contracting Parties and Non-Contracting Parties should be drawn to STACTIC's attention.

Paragraph 80.11

(same chapeau)

80.11 definition of circumstances in which vessels will be presumed to have engaged in or to have supported IUU fishing;

The EU noted that a determination of what constitutes IUU fishing in the case of Contracting Parties needs to be made and observed that STACTIC determines what constitutes a serious infringement: is today's serious infringement tomorrow's IUU fishing? Norway concurred that the concept of IUU fishing by Contracting Parties should be explored. The Chair indicated that the definition of the circumstances constituting IUU fishing for Contracting Parties was a STACTIC matter.

Paragraph 80.12

(same chapeau)

80.12 development of education and public awareness programmes;

NAFO has not developed these. It was agreed that use of the NAFO website as a public awareness and education tool should be explored.

Paragraph 80.13

(same chapeau)

80.13 development of action plans; and

NAFO has not developed an action plan. The EU noted that an action plan could be a NAFO-adopted version of the IPOA and that this was of limited utility. Rather NAFO should simply implement the IPOA. There was general agreement on the Chair's comment that assessing what had not been implemented and recommending areas for further work within specified timeframes would in essence be an action plan.

Paragraph 80.14

(same chapeau)

80.14 where agreed by their members, examination of chartering arrangements, if there is concern that these may result in IUU fishing.

Norway noted that NAFO has some measures on chartering but has not dealt with the issue of vessels flag-hopping between NAFO Contracting Parties to utilize fishery resources. This would be an issue for STACTIC.

Paragraph 81

States, acting through relevant fisheries management organizations, should compile and make available on a timely basis, and at least on an annual basis, to other regional fisheries management organizations and to FAO, information relevant to the prevention, deterrence and elimination of IUU fishing, including;

81.1 estimates of the extent, magnitude and character of IUU activities in the area of competence of the regional fisheries management organization;

81.2 details of measures taken to deter, prevent and eliminate IUU fishing;

81.3 records of vessels authorized to fish, as appropriate; and

81.4 records of vessels engaged in IUU fishing.

Norway indicated that information is not provided to regional fisheries management organizations or to FAO and that this is an area for improvement. It could entail the involvement of STACTIC. The US indicated that measures were made available on the web site, though whether they were publicized was another question. Canada believed that much of the information relating to IUU fishing, such as correspondence with Non-Contracting Parties, was available only on the members' section of the web site. The Chair indicated that the cost implications of transmission would need to be borne in mind. The US stated its belief that the matter was sufficiently important not to be minimized through cost-savings. The EU noted that there are concerns there may be liability issues connected with the publication of a list of IUU vessels and that consequently one should be careful with the treatment of this list, particularly if there are confidentiality requirements in the organization vis à vis information on the compliance of an individual vessel. Norway advocated publication of any IUU lists adopted by NAFO and the US pointed to practice of the International Commission for the Conservation of Atlantic Tunas as a possible precedent. In that Commission, once the IUU list has been finalized it is appended to the meeting report. It was agreed that STACFAD's assistance should be sought in determining both what information was available to the public on the NAFO website and what confidentiality requirements might apply to information regarding IUU vessels.

10. Development of guidance on implementation of paragraph 11 of the NAFO Scheme including report of STACTIC on incorporation of the entire Scheme in NCEM

As STACFAC is now considering significant amendments to the Scheme, it was noted that events had overtaken this agenda item.

11. Proposals for modifications of the Non-Contracting Party Scheme

The European Union introduced its proposal (STACFAC WP 03/3) to revise the Scheme to, inter alia, create a process for establishing a list of IUU vessels and consequences that would flow from the placement of vessels on that list. The EU stressed that the intention was to build upon the existing Scheme.

STACFAC members welcomed the initiative and expressed support for the concepts in the paper. STACFAC members also noted the need for close cooperation with NEAFC. Denmark (in respect of the Faroe Islands and Greenland) indicated that given the geographical proximity of the NAFO and NEAFC Convention Areas, similarity between their operational procedures was highly desirable (for example, ensuring that officials conducting port inspections were aware of moratoria in place in both organizations). He thus suggested that the NAFO Scheme be developed with the idea it could be revisited in light of any NEAFC proposal that is adopted. The EU delegate noted that a similar proposal is currently before PECCOE in NEAFC.

Japan noted that a number of the measures suggested in the proposal, such as denying licences to fish, chartering arrangements and registration to Non-Contracting Party vessels engaged in IUU fishing were ones that should be pursued immediately. However, with regard to trade measures, Japan noted that in order to meet WTO requirements that trade measures not unjustifiably discriminate between Parties and Non-Contracting Parties, it would be necessary to ensure that NAFO have in place sanctions of equal severity for Contracting Parties. Canada concurred with this observation. Towards that end the delegate of Japan suggested that NAFO should develop a similar scheme for Contracting Parties. This idea was supported by STACFAC members as something to be discussed jointly with STACTIC. The EU delegate also expressed support for equivalent measures for NAFO members but cautioned that it should not be assumed that a simple transfer of provisions from the Non-Contracting Party Scheme to a Contracting Party Scheme would be possible for the reasons, inter alia, expressed above in relation to paragraph 80.11 of the IPOA.

Japan also indicated that the species present in the NAFO Regulatory Area can be caught elsewhere in the world. He also noted that many of the species involved arrive in Japan in processed form via a third country. In order to make a system of trade restrictive measures function properly, a trade tracking scheme is required, particularly for Greenland halibut. The US noted that a variety of difficulties were entailed in a trade tracking system for species managed by NAFO.

For the reasons he had expressed, the Japanese delegate requested that articles of the EU proposal relating to the imposition of trade restrictive measures be placed in square brackets. Also with respect to these paragraphs, the Canadian delegate indicated that further consideration of due process issues might be required. For example, states which NAFO had determined had not rectified their fishing behaviour would need to be advised and provided with an opportunity to respond. The United States noted that any provisions of a revised scheme that contemplate trade restrictive measures should offer guidance on the scope of those measures, notably the species involved.

The United States requested that article 6(2) and a related phrase in article 3(1) be placed in square brackets in order to allow time for further thought on the implications of expanding the Scheme's existing presumption of undermining NAFO Conservation and Enforcement Measures to all Non-Contracting Party vessels within the scope of the EU proposal, not just those sighted engaged in fishing activities. The delegate from Denmark (in respect of the Faroe Islands and Greenland) requested that the phrase "referred to in article 3" in article 6(1) be placed in square brackets as he believed the provision would be more effective if it dealt with all transshipment from Non-Contracting Party vessels. The square brackets around article 9(4) reflect the need for further discussion on the extent of information that should be publicized beyond NAFO Contracting Parties and Non-Contracting Parties whose vessels are included on the list.

Since parts of the text in the EU proposal remain in square brackets, it was acknowledged that STACFAC is not in a position to recommend to the General Council the adopted of such a revised scheme. This notwithstanding, the EU delegation reserved the right to present the proposal directly to the General Council. All STACFAC members then agreed that depending on the realization of that intent, and on the outcome of any discussions on this matter in the General Council, work (in particular with regard to articles in square brackets and perfection of the drafting) on the revision of the Scheme on the basis of the revised EU proposal (annex 6) should continue within STACFAC during the intersessional period.

It was noted that given the linkages in the subject matter to be discussed and for reasons of cost, it would be useful if STACFAC's intersessional work on the Non-Contracting Party Scheme could be held either coincident with or back to back with a STACTIC intersessional meeting as well as any joint session of STACFAC and STACTIC.

12. Report and Recommendations to the General Council

STACFAC recommends to the General Council that:

1. the letter to Belize in annex 3 be signed by the President of NAFO and delivered to the Government of Belize by the European Union;
2. the letter to the Dominican Republic in annex 4 be signed by the President of NAFO and delivered to the Government of the Dominican Republic by the European Union;
3. STACFAC, at its 2004 regular meeting, begin to develop proposals to implement those provisions of the IPOA on IUU relating to regional fisheries management organizations it has identified for further work;
4. STACFAC, at its 2004 regular meeting, begin to assess whether additional provisions of the IPOA on IUU should be established in NAFO;
5. the General Council recommend to the Fisheries Commission that STACTIC play a role in the implementation of the IPOA on IUU in NAFO and specifically draw its attention to work that may be required pursuant to paragraphs 80.7, 80.10, 80.11, 80.14 and 81;
6. the General Council recommend to the Fisheries Commission that STACTIC and STACFAC meet intersessionally in joint session to consider implementation of the IPOA on IUU, the development of a trade-tracking system and the elaboration of a Scheme for Contracting Parties with content similar to that of the Scheme for Non-Contracting Parties; and
7. STACFAC meet intersessionally to conclude its work on the revised EU proposal, bearing in mind the reserved position of the EU to potentially raise the issue directly with General Council.

13. Other Matters

No other matters were discussed.

14. Adjournment

The Committee adjourned at 8:15 PM on Wednesday, 17 September 2003.

Annex 1. List of Participants

Canada	Ms. Kym Purchase Ms. Allison Saunders
Denmark (in respect of the Faroe Islands and Greenland)	Mr. Andras Kristiansen Mr. Einar Lemche Mr. Bent Roll
European Union	Ms. Fuensanta Candela-Castillo Mr. Staffan Ekwall Mr. Ignacio Escobar
Iceland	Mr. Kolbeinn Arnason
Japan	Mr. Masanori Miyahara Ms. Keiko Suzuki Ms. Miwako Takase Ms. Keiko Tsuyama
Norway	Ms. Heidi Johansen Mr. Terje Lobach
Russian Federation	Mr. Leonid Kokovkin
Ukraine	Mr. Leonard Chepel
United States	Mr. Gene Martin Mr. Pat Moran Ms. Deirdre Warner-Kramer
Observer	
Food and Agriculture Organization	Mr. David Doulman

Annex 2. Agenda

1. Opening by Chairman
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of 2003 information on activities of Non-Contracting Party vessels in the Regulatory Area
5. Review of 2003 information on landings and transshipments of fish caught by Non-Contracting Party vessels in the Regulatory Area
6. Review of information on imports of species regulated by NAFO from Non-Contracting Parties whose vessels have fished in the Regulatory Area
7. Reports by Contracting Parties on diplomatic contacts with Non-Contracting Party Governments concerning fishing in the Regulatory Area
8. Reports by Contracting Parties on legal, administrative and practical actions that have been taken to implement the NAFO Scheme to Promote Compliance by Non-Contracting Party Vessels
9. Assessment on implementation of the Food and Agriculture International Plan of Action on Illegal, Unreported and Unregulated Fishing (IPOA on IUU Fishing) within NAFO
10. Development on guidance on implementation of paragraph 11 of the NAFO Scheme including report of STACTIC on incorporation of the entire Scheme in the NAFO Conservation and Enforcement Measures
11. Proposals for modifications of the Non-Contracting Party Scheme
12. Report and Recommendations to the General Council
13. Other Matters
14. Adjournment

Annex 3. Letter to Belize

Address (appropriate interlocutor, Belize Foreign Ministry and INMARBE)

Dear:

I am writing to you at the request of the Contracting Parties to the Northwest Atlantic Fisheries Organization (NAFO) following their annual meeting (15-19 September 2003). During the meeting, Contracting Parties examined information on activities of Belizean flagged vessels in the NAFO Regulatory Area as well as correspondence regarding these vessels received from INMARBE. You will recall from my letter last year that NAFO members were gravely concerned about the activities of six vessels flagged to Belize that had engaged in fishing activities which undermine the effectiveness of NAFO Conservation and Enforcement Measures: the Olchan, Oyra, Okhotino, Ostroe, Ostrovets and Kadri. NAFO members understand that Belize deregistered the first five vessels effective 4 February 2003. As well, NAFO members understand that the Belizean Cabinet approved a High Seas Fishing Act in October 2002 which, according to correspondence from INMARBE, "reinforces Belize's commitment to conservation in that it embodies the requirements of the FAO's Compliance Agreement 1993, the Fish Stocks Agreement 1995 as well as the IPOA" (International Plan of Action on Illegal, Unreported and Unregulated Fishing). NAFO members would appreciate receiving more information on this Act.

NAFO members are encouraged by Belize's adoption of a High Seas Fishing Act that incorporates the international instruments through which states have recognized that global cooperation is needed to prevent, deter and eliminate IUU fishing and have committed that states not party to regional fisheries management organizations are not discharged from their obligation to cooperate with those organizations. To discharge this obligation to cooperate, states have agreed to apply the conservation and management measures adopted by the organization or adopt measures consistent with those conservation and management measures and should in any case ensure that vessels entitled to fly their flag do not undermine such measures.

Integral to these undertakings is the need for flag states to be responsible towards their vessels and to ensure that appropriate enforcement action is taken against vessels that do undermine conservation and management measures adopted by regional fisheries management organizations. While this may mean deregistration of vessels, it is vital that other appropriate measures on the vessels' activity be considered. These include prosecution, withdrawal of licences to fish and sanctions that are adequate in severity to be effective in securing compliance, discouraging violations and depriving offenders of the benefits accruing from those activities.

There are tools available to assist flag states in pursuing the global approach needed to be a responsible flag state. For example, in doing the checks necessary to ensure that a flag state is not registering a vessel previously registered elsewhere and found to be engaged in IUU fishing, the International Network for the Cooperation and Coordination of Fisheries-Related Monitoring, Control and Surveillance Activities (International MCS Network) can be helpful. NAFO members would encourage Belize to become a member of the International MCS Network and designate a contact for it. You can find information on the International MCS Network in the FAO Technical Guidelines on the Implementation of the IPOA on IUU (pages 17-20 and Appendix II) and online at <http://www.imcsnet.org>.

It is essential that all flag states take steps such as those noted above to avoid registration of IUU vessels and to act responsibly in enforcement matters if flag-hopping, the repeated and rapid changes of a vessel's flag for the purposes of circumventing conservation and management measures, is to be successfully combatted.

With that in mind, NAFO members acknowledge the deregistration of the Olchan, Oyra, Okhotino, Ostroe and Ostrovets from the Belizean registry. Very regrettably, these vessels have now been registered in the Dominican Republic and have been sighted engaged in fishing activities in the NAFO Regulatory Area in August 2003. NAFO will now be pursuing this issue with the new flag state, the Dominican Republic.

However, further to correspondence dated 25 August 2003 from the NAFO Executive Secretary (GF/03-400), NAFO parties observed with great concern that the Kadri continues to operate under the Belizean flag in a manner undermining NAFO's conservation and management measures and has been joined by the Mikhail Boronin. NAFO's Conservation and Enforcement Measures and other information on NAFO may be found on the Organization's web site: <http://www.nafo.int>. NAFO members would ask that you take all appropriate measures to

ensure the compliance of these vessels with NAFO measures. With regard to the correspondence forwarded to NAFO for information from the owners of the Kadri, NAFO members trust that you will deal with these allegations appropriately pursuant to your High Seas Fishing Act and the instruments it embodies.

You should also be advised that given the recent increase in fishing activities that undermine NAFO conservation and management measures, NAFO is considering the adoption of more stringent measures to deal with IUU fishing.

I thank you in advance for your earliest possible attention to these matters and look forward to your prompt reply regarding any information on and actions taken vis à vis the Mikhail Boronin and the Kadri. NAFO members are also looking forward to further information on your High Seas Fishing Act and your intentions regarding involvement in the International MCS Network.

Sincerely,
President of NAFO

Annex 4. Letter to the Dominican Republic

Address (appropriate interlocutor, Dominican Republic Foreign Ministry and registry office)

Dear:

I am writing to you at the request of the Contracting Parties to the Northwest Atlantic Fisheries Organization (NAFO) following their annual meeting (15-19 September 2003). During the meeting, Contracting Parties examined information on activities of vessels flagged to the Dominican Republic in the NAFO Regulatory Area. Information on these vessels was provided to you by a letter from the NAFO Executive Secretary dated 27 August 2003 (GF/03-404).

The vessels sighted engaged in fishing activity are the Seal, Oyra, Okhatino, Ostrovets, Olchan and Ostroe. Of these vessels, all but the Seal were sighted engaged in fishing activities in the NAFO Regulatory Area under the flag of Belize in 2002. At its 2002 annual meeting, NAFO members had expressed concern that the activities of these vessels were undermining the conservation and management measures of the Organization and requested Belize to take appropriate action. Belizean authorities investigated and subsequently deregistered the vessels. NAFO members are now greatly concerned that the vessels are continuing their fishing activities in the NAFO Regulatory Area under the flag of the Dominican Republic. This is an incidence of "flag-hopping", the repeated and rapid change of a vessel's flag for the purposes of circumventing conservation and management measures. The international community has noted the serious detrimental impact that flag-hopping has on fisheries conservation and has committed, inter alia in the FAO International Plan of Action on Illegal, Unreported and Unregulated (IUU) Fishing, to take all practicable steps to prevent it.

In addition, the international community has recognized that global cooperation is needed to prevent, deter and eliminate IUU fishing and has committed that states not party to regional fisheries management organizations are not discharged from their obligation to cooperate with those organizations. To discharge this obligation to cooperate, states have agreed to apply the conservation and management measures adopted by the organization or adopt measures consistent with those conservation and management measures and should in any case ensure that vessels entitled to fly their flag do not undermine such measures.

Integral to these undertakings is the need for flag states to be responsible towards their vessels and to ensure that appropriate enforcement action is taken against vessels that do undermine conservation and management measures adopted by regional fisheries management organizations. While this may mean deregistration of vessels, it is vital that other appropriate measures on the vessels' activity be considered. These include prosecution, withdrawal of licences to fish and sanctions that are adequate in severity to be effective in securing compliance, discouraging violations and depriving offenders of the benefits accruing from those activities.

There are tools available to assist flag states in pursuing the global approach needed to be a responsible flag state. For example, in doing the checks necessary to ensure that a flag state is not registering a vessel previously registered elsewhere and found to be engaged in IUU fishing, the International Network for the Cooperation and Coordination of Fisheries-Related Monitoring, Control and Surveillance Activities (International MCS Network) can be helpful. NAFO members would encourage the Dominican Republic to become a member of the International MCS Network and designate a contact for it. You can find information on the International MCS Network in the FAO Technical Guidelines on the Implementation of the IPOA on IUU (pages 17-20 and Appendix II) and online at <http://www.imesnet.org>.

With the foregoing in mind, NAFO members would urge the Dominican Republic to take all appropriate steps to halt the undermining of NAFO conservation and management measures by these vessels. All of NAFO's Conservation and Enforcement Measures as well as additional information about the Organization may be found on the NAFO's web site at: <http://www.nafo.int>.

NAFO's Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO was sent to you by the Executive Secretary under cover of her letter of 27 August. You should be aware that given the recent increase in fishing activities that undermine NAFO conservation and management measures, NAFO is considering the adoption of more stringent measures to deal with IUU fishing.

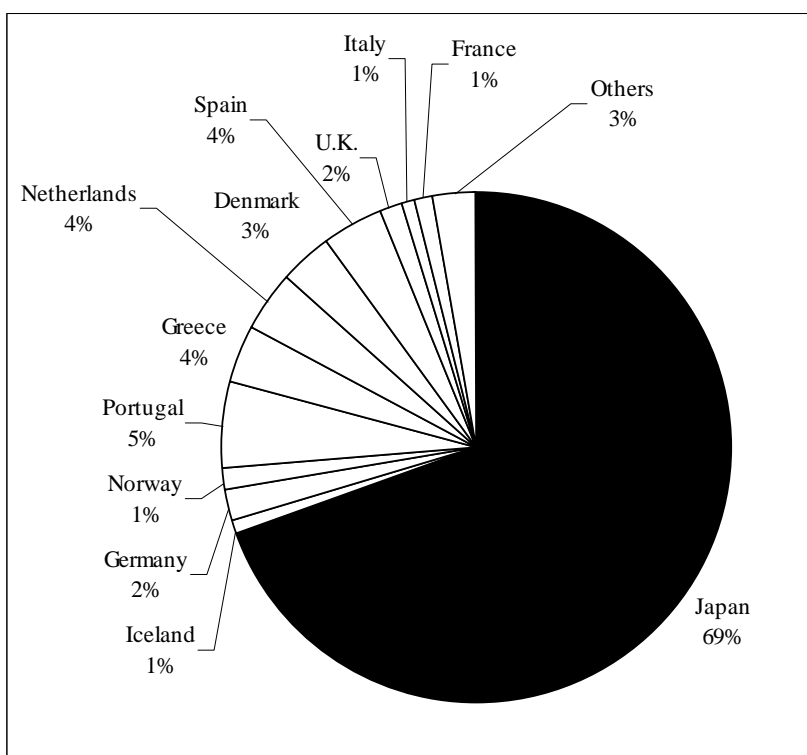
I thank you in advance for your earliest possible attention to these matters and look forward to your prompt reply on any information you have with regard to the activities of the vessels mentioned above as well as any appropriate actions taken vis à vis these vessels. NAFO members also look forward to learning of your intentions with regard to the International MCS Network.

Sincerely,

President of NAFO

Annex 5. Presentation by Japan on Import Statistics

Imports of Redfish (Frozen products)	t (Quantity of Products)		
	1998	1999	2000
Japan	45,791	45,955	47,837
Iceland	1,374	809	501
Germany	1,916	1,843	1,320
Norway	792	910	909
Portugal	4,654	4,110	3,832
Greece	2,979	2,667	2,475
Netherlands	2,232	3,828	2,774
Denmark	1,309	2,487	2,156
Spain	573	1,268	2,665
U.K.	899	968	1,090
Italy	678	728	583
France	614	601	790
Others	1,337	1,340	1,816
Total	65,148	67,514	68,748

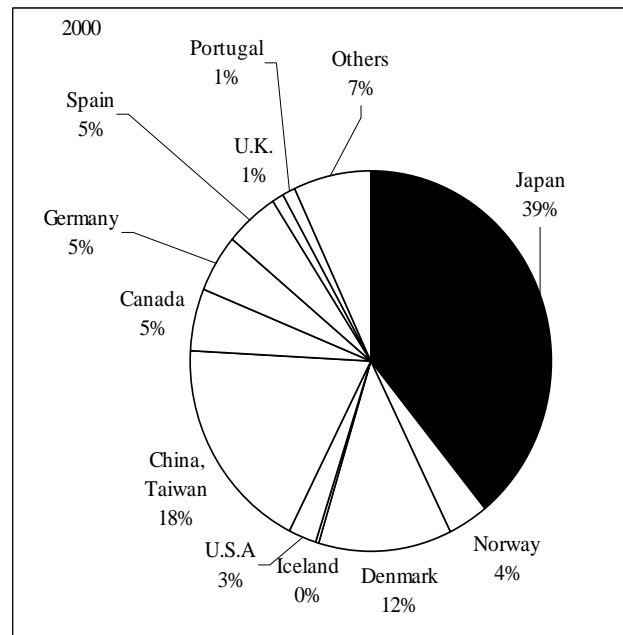


Source: FAO Fishery Statistics 2000

Imports of Greenland halibut(Frozen products) t (Quantity of Products)

	1998	1999	2000
Japan	17,512	27,395	32,125
Norway	1,571	2,743	2,969
Denmark	9,147	9,785	9,934
Iceland	1,127	843	211
U.S.A	2,787	3,555	2,120
China, Taiwan	13,418	15,616	14,922
Canada	3,884	4,001	4,396
Germany	5,074	3,620	4,154
Spain	2,318	5,825	3,779
U.K.	1,635	1,217	935
Portugal	1,003	548	867
Others	3,175	5,411	5,800
Total	62,651	80,559	82,212

Source: FAO Fishery Statistics 2000



Japanese imports of Halibut

	(Unit:t)	
	2001	2002
Russia	11,968	9,435
Iceland	4,986	7,820
Canada	1,605	3,601
Norway	2,863	2,631
Spain	826	2,333
China	426	1,461
U.S.	2,833	1,427
Greenland	1,395	1,396
Portugal	190	828
Denmark	331	667
Germany	511	623
Canary Islands	-	355
R.Korea	20	115
Estonia	32	105
Lithuania	165	98
Folk land	9	34
Georgia	-	23
Latvia	152	22
P.R.Korea	-	10
Vietnam	-	1
Iceland	134	-
Greece	75	-
Thailand	37	-
Netherlands	20	-
Belgium	2	-
Total	28,580	32,985

Source: Trade Statistics by Ministry of Finance of Japan

Annex 6. Revised EU Proposal

SCHEME TO PROMOTE COMPLIANCE BY NON-CONTRACTING PARTY VESSELS WITH RECOMMENDATIONS ESTABLISHED BY NAFO

(These amendments are intended to replace Chapter VI of the CEM Overhaul, pending the final adoption of that document. Numbering of articles in this section would thus need to be corrected.)

Article 1

Scope and Objectives

1. The measures contained in this Scheme are applicable to non-Contracting Party vessels engaged in fishing activities in the Regulatory Area of NAFO.
2. The purpose of the Scheme is to ensure the effectiveness of the Conservation and Enforcement measures established by the Organisation.

Article 2

Definitions

(These definitions would be inserted in Article 2 of the CEM Overhaul, where those of 'Fishing activities' and 'Inspectors' are already included, pending final adoption of the Overhaul.)

1. "non-Contracting Party vessel" means any vessel not flagged in a Contracting Party of NAFO, including vessels for which there are reasonable grounds for suspecting them to be without nationality.
2. "Fishing activities" means fishing, fish processing operations, the transshipment of fish or fish products and any other activity in preparation for or related to fishing in the Regulatory Area.
3. "Inspector" means an inspector of the fishery control services of the Contracting Parties assigned to the Scheme of Joint International Inspection and Surveillance.
4. "IUU" means activities as defined in paragraph 3 of the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Article 3

Sightings of non Contracting Party vessels

1. A non-Contracting Party vessel which has been sighted engaging in fishing activities in the Regulatory Area [or which has been denied port access, landing or transshipment pursuant to Article 6] is presumed to be undermining the effectiveness of Conservation and Enforcement Measures. In the case of any transshipment activities involving a sighted non-Contracting Party vessel, inside or outside the Regulatory Area, the presumption of undermining Conservation and Enforcement Measures applies to any other non-Contracting Party vessel which has engaged in such activities with that vessel.
2. Information regarding such sightings or denials of port access, landings or transshipments shall be immediately transmitted to the Secretariat. For sightings, the Surveillance Report provided in Annex XII shall be used. The Secretariat shall then transmit this information to all Contracting Parties and other relevant Regional Fisheries Management Organisations within one business day of receiving this information, and to the Flag State as soon as possible.
3. The Contracting Party shall attempt to inform the vessel that it has been sighted engaging in fishing activities, or that it is being denied port access, landing or transshipment, and is accordingly presumed to be undermining the Conservation and Enforcement Measures, and that this information will be distributed to all Contracting Parties, other Regional Fisheries Organisations and to the Flag State of the vessel.

Article 4

Inspections at sea

1. NAFO inspectors shall if appropriate request permission to board non-Contracting Party vessels sighted as being engaged in fishing activities in the Regulatory Area. If the vessel consents to be boarded the inspectors' findings shall be transmitted to the Secretariat without delay. The Secretariat shall transmit this information to all Contracting Parties and other relevant Regional Fisheries Management Organisations within one business

day of receiving this information, and to the Flag State as soon as possible. The non-Contracting Party vessel which is boarded shall be provided with a copy of the findings of the NAFO inspectors.

2. Where evidence so warrants, a Contracting Party may take such action as may be appropriate in accordance with international law. Contracting Parties are encouraged to examine the appropriateness of domestic measures to exercise jurisdiction over such vessels.

Article 5

Inspections in port

1. When a non-Contracting Party vessel referred to in Article 3(1) enters a port of any Contracting Party, it shall be inspected by authorised Contracting Party officials knowledgeable of the Conservation and Enforcement Measures (and this Scheme), and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, log books, fishing gear, catch onboard and any other matter relating to the vessel's activities in the Regulatory Area.
2. Information on the results of all inspections of non-Contracting Party vessels conducted in the ports of Contracting Parties, and any subsequent action, shall immediately be transmitted to all Contracting Parties and other relevant Regional Fisheries Management Organisations through the NAFO Secretariat, and as soon as possible to the relevant Flag State(s).
3. Nothing in this Scheme shall affect the exercise by Contracting Parties of their sovereignty over the ports in their territory in accordance with international law.

Article 6

Landings, transhipments and joint fishing operations

1. Contracting Parties shall ensure that their vessels do not receive transhipments of fish from a non-Contracting Party vessel [referred to in Article 3] or engage in joint fishing operations with such vessels.
- [2. Landings and transhipments of all fish from a non-Contracting Party vessel to which this Scheme applies shall be prohibited in all Contracting Party ports if the vessel has on board any species listed in Annex XIX, unless:
 - (i) The vessel establishes that the fish were caught outside the Regulatory Area; or
 - (ii) The vessel establishes that it has applied all relevant Conservation and Enforcement Measures, in particular Part IV.]

Article 7

Notification of presumed IUU activities

1. When transmitting the information received in accordance with Articles 3 to 5 to the Flag State concerned, the Secretariat shall, in consultation with the chairman of the General Council, request that it take measures in accordance with its applicable legislation to ensure that the vessel or vessels in question desist from any activities that undermine the effectiveness of Conservation and Enforcement Measures, including if necessary, the withdrawal of the registration or of the fishing licences of these vessels.
2. The Secretariat shall request the Flag State(s) to report back to NAFO on the results of enquiries and/or on the measures it has taken in respect of the vessel or vessels concerned. The Secretariat shall also provide the Flag State with a copy of this Scheme, advise of the dates when STACFAC will be considering the composition of the IUU List and encourage the Flag State to communicate any relevant information to the Secretariat in an expeditious manner. The Secretariat shall promptly distribute any information received to all Contracting Parties.

Article 8
Reports on IUU activities

1. Each Contracting Party shall report to the Executive Secretary by 1 March each year for the previous calendar year:
 - a) the number of inspections of non-Contracting Party vessels it conducted under this Scheme at sea or in its ports, the names of the vessels inspected and their respective Flag State, the dates and as appropriate, the ports where the inspection was conducted, and the results of such inspections; and
 - b) where fish are landed or transhipped following an inspection pursuant to this Scheme, the report shall also include the evidence presented pursuant to Article 6(2).
2. In addition to sighting reports and information on sea or port inspections, Contracting Parties may at any time submit to the Secretariat any further information, which might be relevant for the identification of non-Contracting Party vessels that might be carrying out IUU fishing activities in the Regulatory Area.
3. The Executive Secretary shall prepare a report by 1 April each year, for the period corresponding to the previous calendar year, based on the reports and information received from the Contracting Parties as called for in this Scheme.

Article 9
IUU vessel lists

1. The Secretariat shall place on a provisional list of IUU vessels (hereinafter referred to as ‘the Provisional List’) the non-Contracting Party vessel or vessels identified as being engaged in fishing activities in the Regulatory Area, according to information received pursuant to Articles 3 to 5 and the reports mentioned in Article 8.
2. The Secretariat shall advise relevant non-Contracting Parties of the vessels flying their flag that have been included in the Provisional list. The Secretariat shall also place the Provisional List on a secure section of the NAFO website.
3. On the basis of the reports drawn up pursuant to Article 8(3), the information received from Flag States pursuant to Article 7(2), as well as any other relevant information submitted by Contracting Parties or Flag States which might be relevant for the identification of non-Contracting Party vessels that might be carrying out IUU fishing activities in the Regulatory Area, the Standing Committee on Fishing Activities of non-Contracting Parties in the NAFO Regulatory Area (STACFAC) shall consider the Provisional List and as appropriate recommend to the General Council that the vessels be removed thereof, or otherwise transferred to a confirmed IUU list (hereinafter referred to as ‘the IUU List’).
4. At the same time STACFAC shall undertake a review of the current IUU List and as appropriate recommend to the General Council that vessels are maintained therein or removed. STACFAC shall only recommend that the General Council remove a vessel from either the Provisional or IUU list if the Flag State of the vessel concerned satisfies the General Council that:
 - a) it has taken effective action in response to the IUU fishing activities in question, including prosecution and imposition of sanctions of adequate severity, or
 - b) it has taken measures to ensure the granting of the right to the vessel to fly its flag will not result in IUU fishing, or
 - c) the vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it and that the new owner has not participated in IUU fishing, or
 - d) the vessel did not take part in IUU fishing activities.
5. The Secretariat shall [place the IUU list on a secure section of the NAFO website. This list shall include the following information]

Article 10
Follow-up action

1. Contracting Parties shall take all the necessary measures, under their applicable legislation, in order that:
 - a) vessels appearing on the IUU list are not authorised to land or tranship in their ports or waters under their jurisdiction, but are inspected in accordance with the provisions of Article 5;
 - b) fishing vessels, including support vessels, refuel vessels, the mother-ships and cargo vessels flying their flag do not in any way assist, or participate in any transshipment or joint fishing activities with, vessels appearing on the IUU list.
 - c) the issuing of licences to vessels appearing on the IUU list to fish in waters under their fisheries jurisdiction is prohibited;
 - d) the chartering of vessels appearing on the IUU list is prohibited;
 - e) the granting of their flag to vessels appearing on the IUU list is refused;
 - f) importers, transporters and other sectors concerned are encouraged to refrain from negotiating with and from transshipping fish caught by vessels appearing on the IUU list;
 - g) appropriate information regarding vessels appearing on the IUU list is collected and exchanged with other Contracting Parties or non-Contracting Parties with the aim of detecting, controlling and preventing false import/export certificates regarding fish from such vessels.
- [2. Notwithstanding the provisions of Article 6, paragraph 2, the General Council will recommend appropriate measures and, if necessary, trade restrictive measures to prevent vessels of non-Contracting Parties appearing on the IUU list from continuing the fishing activities in the Convention Area. Any trade measures under this paragraph will be import restrictions on the catch from these vessels and consistent with each Party's international obligations. The trade measures will be of such duration and under such conditions as the General Council may determine.]

Article 11
Action vis-à-vis Flag States

1. Contracting Parties shall jointly and/or individually request non-Contracting Parties whose vessels appear on the IUU list to co-operate fully with the Organisation in order to avoid undermining the effectiveness of the Conservation and Enforcement Measures adopted pursuant to the Convention.
2. The General Council shall review, at subsequent annual meetings as appropriate, actions taken by such non-Contracting Parties and identify those which have not rectified their fishing activities.
- [3. The General Council shall decide appropriate measures to be taken in respect of non-Contracting Parties identified under paragraph 2. In this respect, Contracting Parties may co-operate to adopt appropriate multilaterally agreed trade related measures, consistent with the World Trade Organisation (WTO) that may be necessary to prevent, deter, and eliminate the IUU fishing activities identified by the General Council. Multilateral trade measures may be used to support co-operative efforts to ensure that trade of fishing products from the Regulatory Area does not in any way encourage IUU fishing or otherwise undermine the effectiveness of NAFO Conservation and Enforcement Measures which are consistent with the United Nations convention on the Law of the Sea 1982.]

SECTION II
(pages 81 to 139)

**Report of the Fisheries Commission and its Subsidiary Body
(STACTIC), 25th Annual Meeting
15-19 September 2003
Dartmouth, Nova Scotia, Canada**

PART I.	Report of the Fisheries Commission.....	83
	I. Opening Procedures.....	83
	II. Administrative.....	83
	III. Conservation and Enforcement Measures.....	84
	IV. Conservation of Fish Stocks in the Regulatory Area.....	88
	V. Closing Procedures.....	92
	Annex 1. List of Participants.....	93
	Annex 2. Agenda.....	105
	Annex 3. Decisions and Actions by the Fisheries Commission.....	107
	Annex 4. Pilot Project on Observers, Satellite Tracking and Electronic Reporting.....	109
	Annex 5. Amendment of the Rules of Procedure for the Fisheries Commission to allow for a STACTIC Vice-Chair.....	115
	Annex 6. Amendment of the Rules of Procedure for the Fisheries Commission regarding proposals/amendments to the NAFO CEM.....	116
	Annex 7. Amendment to CEM regarding VMS reporting.....	117
	Annex 8. Chartering Arrangements.....	118
	Annex 9. Agreed Record of Consultations Among Estonia, Latvia, Lithuania and Russia on Allocation of Joint ("Block") Quotas in the NAFO Regulatory Area.....	120
	Annex 10. Statement by Ukraine on Traditional Fishing in the NAFO Regulatory Area.....	122
	Annex 11. Amendment to CEM re 3L shrimp vessels.....	123
	Annex 12. Comments adopted by Fisheries Commission regarding Precautionary Approach Framework.....	124
	Annex 13. Quota Table for 2004.....	125
	Annex 14. Statement by Denmark (in respect of Faroe Islands and Greenland) regarding 3L Shrimp.....	127
	Annex 15. Rebuilding Plan for Greenland halibut in SA 2 and Divisions 3KLMNO.....	128
	Annex 16. Fisheries Commission Decision on Oceanic Redfish fisheries in NAFO SA2 and Divisions 1F and 3K.....	130
	Annex 17. Fisheries Commission's Request for Scientific Advice on Management in 2005 of Certain Stocks in Subareas 2,3 and 4.....	131
Part II.	Report of the Standing Committee on International Control (STACTIC).....	135
	1. Opening of the Meeting.....	135
	2. Appointment of Rapporteur.....	135
	3. Adoption of Agenda.....	135
	4. Review of Annual Returns of Infringement.....	135
	5. Review of Surveillance and Inspection Reports.....	135
	6. Review of Operation of the Automated Hail/VMS System.....	135
	7. Review of Compliance.....	135
	8. Port Inspection Protocol.....	136
	9. Program for Observers and Satellite Tracking.....	136
	10. Review of by-catch limits (task from the Fisheries Commission).....	136
	11. Discussion of possible amendments to the CEM – Definition of infringement.....	137
	12. Proposals for amendments of the Rules of Procedure of the FC.....	137
	13. Election of Chair and Vice-Chair.....	137

14. Time and Place of Next Meeting	137
15. Other Matters	137
16. Adoption of Report	138
17. Adjournment	138
Annex 1. Agenda	139

PART I

Report of the Fisheries Commission Meeting

(FC Doc. 03/19)

25th Annual Meeting, September 15-19, 2003

Dartmouth, Nova Scotia, Canada

I. OPENING PROCEDURES (Items 1-5 of the Agenda)

1. Opening Remarks by the Chairman, D. Swanson (USA)

The meeting was called to order by the Chairman, Dean Swanson (USA), at 0900 hrs on September 16, 2003. Representatives from the following Contracting Parties (CP) were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russian Federation, Ukraine, and United States of America (**Annex 1**).

2. Appointment of Rapporteur

It was noted at last year's annual meeting that the Northwest Atlantic Fisheries Organization (NAFO) Secretariat would provide the Rapporteur at future meetings of the Fisheries Commission (FC). To facilitate transition of this function, Kym Purchase (Canada) was appointed Rapporteur and Barbara Marshall (NAFO Secretariat) was appointed co-Rapporteur.

3. Adoption of Agenda

The provisional agenda was adopted without change (**Annex 2**).

4. Admission of Observers

According to Rule 10 of the Rules of Procedure, the Executive Secretary invited the following international organizations: FAO, ICCAT, ICES, NAMMCO, NASCO, NEAFC, NPAFC, as well as an NCP observer from Belize. As a result of these invitations, FAO was represented by Mr. David Doulman, IBSFC by Ms. Nina Kim from Russia, NAMMCO by Mr. Kolbeinn Arnason of Iceland and NEAFC by the delegate of Denmark (DFG).

5. Publicity

As in past meetings, it was agreed that there would be no public statements until the conclusion of the meeting, at which time a press statement would be released.

II. ADMINISTRATIVE (Items 6-8)

6. Review of Commission Membership

The Executive Secretary was directed by General Council to review the status of Bulgaria's membership in the Fisheries Commission and advise the Chair of General Council. Voting rights for GC and SC have been reinstated but restored membership to the FC requires a formal request to GC. No action was taken as Bulgaria did not send a representative to this Annual Meeting.

7. Election of Chair and Vice-Chair

It was decided, by consensus, that the incumbent Chair, Dean Swanson (USA) and Vice-Chair, Boris Prischepa (Russia) would serve a further two-year term (2004-2005).

8. Record of Agreed Fisheries Commission Decisions at the 25th Annual Meeting

At the request of Canada, it was agreed that a draft record of decision be prepared and available at the close of the Fisheries Commission meetings. It was decided that this record would include substantive but not procedural decisions. The draft record (FC WP 03/25) was compiled and the Chair asked that any comments be provided via the Secretariat by October 3, 2003. The list of actions and decisions by the FC incorporating comments received from CPs is at **Annex 3**.

III. CONSERVATION AND ENFORCEMENT MEASURES (Items 9-16)

9. Report of STACTIC, June 2003 (Copenhagen)

With respect to agenda item 9, the Chair of STACTIC Mr. David Bevan (Canada) provided an overview of the June 2003 STACTIC meeting (FC Doc. 03/5). He noted that Mr. Gene Martin (USA) had served as Chair of the Intersessional STACTIC Meeting, who then reported on that meeting.

a) Proposals for amendments to the Conservation and Enforcement Measures, in particular the observer scheme

There was significant crossover between discussion of agenda items 9 and 14. Resolution of items discussed under both is not duplicated in the text.

- Mr. Bevan noted that during the November 2002 STACTIC meeting a pilot project for observers, VMS and electronic reporting (FC Doc. 02/23, November 2002) was elaborated but consensus was not achieved on the scope of the pilot project. While the scope was not re-discussed at the June 2003 STACTIC meeting, it was noted that FC Doc. 02/23 continues to reflect consensus on the other elements of this document.
- During the STACTIC Intersessional in June, Canada, in the framework of the review of the programme for observers and satellite tracking, presented an assessment of the programme, noting that inconsistent implementation and reporting of the observer programme have prevented a comprehensive analysis and identified 23 recommendations for its improvement (STACTIC WP 03/3). The EU presented an extensive proposal for amendments of the control scheme of NAFO, including a proposal for a new observer programme from 2004. This proposal was subject to extensive discussions but did not achieve consensus. A modified version of this proposal was re-tabled at the Annual Meeting which was subsequently deferred to STACTIC. There were also different views whether the observer programme was indefinite or not.
- The EU and Iceland expressed disappointment with the slow response of NAFO regarding changes to the observer scheme. The USA and Latvia supported the Canadian position that prior to making changes to the current observer program, alternatives must be tested and shown to maintain or improve compliance. As a result of further consultation during the Annual Meeting of NAFO, it was decided to adopt FC WP 03/20 (**Annex 4**) and proceed with the pilot project as elaborated during the November 2002 STACTIC meeting. Iceland supported the adoption of this document and the commencement of the pilot project but maintained its objection to 100% observer coverage. The scope of the pilot was defined as 20 vessels. Additional resources of \$45,000 - \$50,000 will be required to implement the pilot project and STACFAD indicated that it currently has \$40,000.

b) Proposals for amendments of the Rules of Procedure of the Fisheries Commission

- FC accepted the STACTIC recommendation to amend Rule 5.3 to allow election of a Vice-Chair of STACTIC and adopted FC WP 03/10 (**Annex 5**).
- Also adopted was FC Doc. 03/16. This creates a new rule 4.5 outlining a new procedure for amending the Conservation and Enforcement Measures (CEM), including the use of an explanatory memorandum which would explain the rationale for the proposal. These memoranda will not be included in the CEM but will be maintained separately for historical purposes.

c) CEM Overhaul

The overhaul of the CEM was an extensive, multi-year process led by Mr. Staffan Ekwall (EU.) The new format also incorporates the Scheme to promote compliance by Non-contracting Party vessels with recommendations established by NAFO (NCP) scheme. The representative of Denmark (in respect of the Faroe Islands and Greenland) queried a reference to a possible deletion of Article 36 in the overhaul (STACTIC WP 03/6 final).

There was consensus in STACTIC that the overhauled version of the CEM (STACTIC WP 03/6 Final) was an excellent document. FC accepted the recommendation of STACTIC and adopted the overhauled version of the CEM with updates as per the 25th Annual Meeting. Notwithstanding the Convention provisions for the notification of binding measures, the Chair requested that all Contracting Parties begin to use the new format immediately to ensure common understanding and consistency of application. Article 36 was not deleted however the matter will be reviewed again after a review of the possibility of enhanced inspection presence in the NRA.

d) Other Issues

- The Fisheries Commission noted the recommendation of STACTIC (June STACTIC report, Section 6), that the Scientific Council (SC) be requested to review SCS Doc. 00/23 to see whether the SC had any further views on the document. The EU supported this recommendation since this document *inter alia* had proven to be difficult to implement. Representatives of Canada and the USA stated that this document had been adopted in 2000 but had not been implemented and that sending it back to the SC would simply delay further its implementation. After discussion, representatives of Canada, Denmark (in respect of Greenland and the Faroe Islands), and the USA expressed willingness to consider terms of reference for adoption by the current meeting to guide any review of SCS Doc. 00/23 by the SC. Further consideration of this possibility was deferred. Later, as requested by the Chairman of FC, Mr. Bevan reported that he had consulted the Chair of the SC and that the SC was not interested in reviewing this document again in accordance with the recommendation of STACTIC. This agenda item was closed after further opportunity for discussion.
- FC adopted FC WP 03/24 (**Annex 7**). All vessels fishing in the NRA are, therefore, subject to VMS position reporting every two hours.

10. Presentations on Compliance

a) Review of 2002 Compliance

With respect to agenda item 10, Canada and the EU made presentations on compliance.

- The Canadian presentation was based on the review of observer and other inspection information from 2001-2002. Canada expressed its concern with the increasing trend of non-compliance in six areas and provided specific examples of each. Areas of concern were identified as: directed fishing and excessive by-catch of moratoria species; exceeding allocations and misreporting; increased frequency of mesh size violations; non-submission or late submission of observer reports.

Canada also noted a new practice of using tarps to cover nets on the decks of vessels. Compliance in the 3L shrimp fishery has significantly improved from 2002. The lack of follow-up to violations by certain parties remains problematic. Canada highlighted that measures need to be taken to deal with misreporting and to enhance the observer program. Relevant proposals made to STACTIC in this regard are dealt with under Agenda item 14.

The EU disagreed with Canada's assessment of compliance in the Regulatory Area. The EU also indicated that the current disposition of infringements had not been provided and that allegations were based heavily on observer reports, which the EU considered as a weakness in the Canadian assessment.

Russia indicated its appreciation for the Canadian presentation and compliance evaluation. They view the information as useful for improving observer data and are prepared to cooperate on strengthening the CEM.

- The EU presented an analysis of inspection activities for 2002 and 2003 (FC WPs 03/26 and 03/27). Also included were cost breakdowns of EU patrol vessels and 100% observer coverage. The EU insisted that any compliance review must be based on the results of inspections at sea and in port as well as VMS data and that observer data does not have a sufficient level of reliability in this regard. Based on this information, the EU concluded that the level of compliance was satisfactory in the Regulatory Area. The EU believes that 100% compliance is unattainable but that compliance has improved significantly since 1995.

Canada also agreed that CPs should rely on all available tools to ensure compliance including VMS, port inspection as well as observers. Canada is not satisfied that the current level of compliance in the NRA is acceptable.

b) Compliance Review Committee

- In 2002 FC tasked the Executive Secretary with compiling data necessary for STACTIC to undertake an annual review of compliance. This was not possible for the 2003 Annual Meeting but is expected to occur in 2004. The Executive Secretary indicated that additional resources would be required and was directed by the Chair of FC to examine the resources required, in consultation with STACFAD and STACTIC and report back. The representative of Canada asked that a clear summary of how resources would be used accompany a request for additional funds. STACFAD WP 03/9 (GC Doc. 03/3, Part II, Annex 5, p.55) provides the response to FC. It was noted that STACTIC had been assigned these duties so an additional committee was not required.

Canada shared the EU's disappointment with the lack of a Secretariat assessment of compliance and looks forward to the Executive Secretary's data compilation in 2004.

11. Review of the provisions on chartering operations in the NAFO Regulatory Area

With respect to item 11, the Secretariat provided two working papers (FC WP 03/4 and FC WP 03/5 Revised). The EU also submitted FC WP 03/12 regarding chartering arrangements in order to: make the provisions for chartering permanent; simplify the process and; reinforce the technical requirements for chartering arrangements. After a discussion, the proposal was sent to STACTIC for consideration. The US concurred. Latvia, Korea, Estonia, Lithuania and Ukraine also supported the EU pointing out that chartering is vital for those CPs that have small quotas.

There were opposing views expressed towards continued use of charters in NAFO. Norway, Iceland and Denmark (in respect of Faroe Islands and Greenland) did not support the use of charters, particularly in the Div. 3M shrimp fishery. Canada indicated that chartering has become accepted practice however STACTIC should examine it with a view to ensuring that the obligations of flag States will be required of the charter State. France noted that the chartering pilot had been their initiative and it was time for it to be made permanent.

Extensive discussion occurred in STACTIC throughout the week. FC adopted WP 03/12 (Revision 5) (**Annex 8**).

12. Increase of inspection presence in the NAFO Regulatory Area

With respect to item 12, Canada and the EU reiterated their position of past years. While it was noted that Denmark (in respect of Faroe Islands and Greenland) had sent a vessel to Div. 3L in 2003, the costs of inspection in the NRA continue to be borne mainly by Canada and the EU. The EU reminded CPs that, under international law, flag States are expected to control the conduct of their fleet. The EU also suggested that CPs not sending a patrol vessel to the NRA should be prepared to help defray the costs of the inspection presence. It was decided that STACTIC be tasked to review the current coverage, who provides it and the associated costs and options for more broadly sharing these costs. The item will be explored in an intersessional meeting and

STACTIC will report back to FC at the 2004 Annual Meeting and recommend options towards more equitable sharing of coverage and/or costs.

13. Reports of the Working Group on Allocation of Fishing Rights, 26-27 March 2003, Miami, USA and the meeting on allocation of “block quota” between Estonia, Latvia, Lithuania and Russia on 10 June 2003, Moscow, Russian Federation.

a) Report of the Working Group on Allocation of Fishing Rights, 26-27 March 2003, Miami, USA (FC Doc. 03/2)

Mr. Staffan Ekwall (EU), on behalf of Mr. Harry Koster (EU) provided a summary of the meeting. He indicated that the discussion was based mainly on agenda item 4: Development of Options Whose Terms are Explicit and Predictable for Allocation to Contracting Parties. There had been papers submitted by the USA and Norway. A decision was made to deal only with criteria for allocating stocks not previously allocated (FC Doc 03/2, annex 11). The main issue of contention was whether these guidelines should also apply to currently allocated stocks. No recommendations were made to FC under item 5 of the WG report.

The USA acknowledged that the report stands as a document but that they were disappointed that progress had not been made to achieve guidelines more broadly applicable to stocks in the NRA. Estonia pointed out that while there had not been specific recommendations made, the discussions did direct resolution of the block quota issue. FC adopted FC Doc 03/2.

b) Report of the Meeting on allocation of “block quota” between Estonia, Latvia, Lithuania and Russia on 10 June 2003, Moscow, Russian Federation

FC WP 03/7 detailed the division of the block quota which previously had been allocated to four parties. Ukraine stated that they could not agree with the decision taken in Moscow and cited FC WPs 03/8 and 03/11. Russia, supported by Latvia, Lithuania and Estonia, indicated that the four parties who have shared the block quota since its inception had resolved the matter. They each agreed that after undertaking significant work to achieve consensus, they had fulfilled the requirements of the FC and considered the matter closed.

FC WP 03/7 (**Annex 9**) was adopted by consensus with the reservation of Ukraine noted (**Annex 10**).

14. Report of STACTIC at the Annual Meeting

STACTIC Chair, Mr. David Bevan (Canada) provided an overview of the STACTIC Report 2003 (for complete report see Part II). Note that significant discussions of key STACTIC items are cross-referenced to item 9 of this report.

- Mr. Martin Newman (EU) and Mr. Mads Trolle Nedergaard (Denmark in respect of Faroe Islands and Greenland) were elected as Chair and Vice-Chair, respectively, for 2004 and 2005.
- STACTIC WP 03/15 (Revised) (**Annex 11**) was also adopted to add the words “Flag State” at the beginning sentence of Article 11.2 of the revised CEM
- Proposals for amending the monitoring provisions of the CEM were introduced by Canada (STACTIC WP 03/12 Revised; STACTIC WP 03/18) and the EU (STACTIC WP 03/17) under STACTIC agenda items 8 and 9. Significant discussion occurred both within STACTIC and within FC as to the status of the current observer program as well as next steps for its improvement and change. The intent of these proposals was to reinforce the Control scheme of NAFO. With much commonality between the proposals, Canada suggested that they should be combined and developed as a holistic package. It was agreed that Canada would coordinate informal discussions that are to result in options for discussion at the June 2004 STACTIC Intersessional meeting. Consensus was not achieved for adoption of these proposals at this meeting.

15. Canadian Management Measures for 2J3KL Cod in 2003

Canada reported that all directed fisheries, including recreational fisheries, for Div. 2J3KL and other domestically important cod stocks have been closed indefinitely. It was decided that this agenda item would not need to be included in the draft provisional agenda for future Annual Meetings.

16. Next Steps in Implementation of the Precautionary Approach

With respect to agenda item 16, FC WP 03/9 and FC WP 03/18 were distributed at the Annual Meeting. In the revised PA framework, fisheries managers would establish reference points with suggestions from SC. To ensure a clear understanding of the PA framework, the USA recommended that a joint fisheries managers/scientists meeting be called intersessionally. Canada agreed that a joint meeting would be useful in helping to operationalize the framework and asked that SC present an overview of the framework.

The EU and Japan did not agree that intersessional work on the proposed PA framework would be appropriate, particularly if FC WP 03/18 was not adopted by FC at the 2003 meeting. Comments accumulated by FC, particularly in Heads of Delegation meetings, were adopted in FC WP 03/21 (**Annex 12**).

IV. CONSERVATION OF FISH STOCKS IN THE REGULATORY AREA

(Items 17-21)

17. Summary of Scientific Advice by the Scientific Council

a) Stock assessments and recommendations (Scientific Council Chairman)

Mr. Ralph Mayo (USA), Chair of Scientific Council, presented a summary of the advice for 2004 and 2005, where applicable. He indicated that SC meetings had been held in November 2002, June 2003 and were ongoing. Five stocks that receive advice every two years received advice last year.

Annual advice was provided for 3 stocks:

Species	Recommendation for 2004
Shrimp 3M	45,000t total catches
Shrimp 3LNO	13,000t, SSB stabilized; recommend gradual development of this fishery
Greenland halibut 2 + 3KLMNO	16,000t total catches, halts further decline of this stock

Substantive discussion occurred regarding the advice for Greenland halibut. In response to queries on the change in advice from 36,000 tons (2002) to 16,000 tons, Mr. Mayo presented several slides to explain the basis of the advice. He explained the employment of a new formulation of the virtual population model ("XSA"), and stated that all indicators for the Greenland halibut stock were negative. Mr. Mayo also indicated that catches at 16,000 tons would maintain the stock biomass at its current level and that catches at 20,000 tons -25, 000 tons would only occur if fishing effort also increased.

The representative of Japan asked whether a gradual approach to reduction of catches by TAC would harm the stock further and whether there are other measures that would protect the spawning stock biomass (SSB.) Mr. Mayo indicated that a gradual approach to reduction would require a longer period for recovery and stated that fishing in deeper water would likely reduce the catch of immature fish.

The EU noted that there is currently insufficient information on large, mature Greenland halibut due to the fact that they are not available to the bottom trawl, which is the gear used both in the research surveys and in most part of the commercial fleets.

Seven stocks that were evaluated on a multi-year schedule received advice for 2004-2005:

Species	Recommendation for 2004-2005
Cod Div. 3NO	No directed fishery; lowest possible bycatch; current level of bycatch should be decreased.
American plaice Div. 3LNO	No directed fishery; lowest possible bycatch; current level of bycatch should be decreased.
Cod Div. 2J + 3KL	No directed fishery; lowest possible bycatch.
Witch Flounder Div. 2J + 3KL	No directed fishery; lowest possible bycatch.
Redfish Div. 3M	Unable to advise on specific TAC; recommend that catch be in range of 3000-5000 tons annually.
Redfish Div. 3LN	No directed fishery; lowest possible bycatch.
Capelin Div. 3NO	No directed fishery.

SC also provided advice, on special request, for the following stocks:

Species	Recommendation
Redfish Div. 3O – request for advice on scientific basis for its management including the most appropriate TAC for 2004-2005.	Unable to provide advice on a specific TAC; average catches of 13,000 tons since 1960 appear not to be harmful to this stock.
Pelagic redfish SA 1-3	The fishing pattern for this stock in 2002 was similar to the past 5 years; a separate group of experts to study this in coming years
Northern shrimp Div. 3LNO	FC WP 03/13; TAC 2003-2004 should not exceed 13,000 tons and the fishery should be restricted to Div. 3L .
Thorny skates Div. 3LNO	No advice; exploitation occurring mainly in Div. 3N in recent years with main by-catch of American plaice. Concern expressed over hyper-aggregation of this stock and resultant vulnerability to fishing mortality.

Advice was provided last year for 2003-2004 for Cod Div. 3M, American Plaice Div. 3M, Witch flounder Div. 3NO, Yellowtail flounder Div. 3LNO and Squid *Illex* SA 3 + 4.

b) Other issues (as determined by SC)

No other issues were raised.

18. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2004

A draft quota table, indicating decisions taken in agenda items 18 and 19, was prepared by the Secretariat and circulated at the annual meeting. The finalized Quota Table for 2004 is at **Annex 13**.

18.1 Cod in Division 3M

By consensus it was decided that, as per last year's advice (for 2003-2004), no directed fishery would continue in 2004 and that the bycatch provisions of the CEM would apply.

18.2 Redfish in Division 3M

The next assessment for 3M redfish will not be until 2005. It was decided that a TAC of 5000t would be rolled over for 2004 and 2005. This stock will be subject to catch reporting requirements as per FC WP 03/15 (Revision 5) which are also to be reflected in the quota table in Annex 13.

18.3 American plaice in Division 3M

By consensus it was decided that, as per last year's advice (for 2003-2004), no directed fishery would continue in 2004 and that the by-catch requirements in the CEM would apply.

18.4 Shrimp in Division 3M

CPs including Latvia, Estonia, Lithuania, Denmark, Ukraine, Russia and Norway indicated their support for a rollover of last year's provisions, i.e. the effort management scheme (fishing days). Iceland indicated that the effort system is not effective and that if it continues in 2004, they would be forced to object. Iceland indicated that their information showed that catches of Div. 3M shrimp in 2002 were over 50,000 tons.

It was decided that the 2003 provisions would be rolled over for 2004 noting the reservation of Iceland.

19. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2004

Canada stated that Cod Div. 3NO, Redfish Div. 3LN and American plaice Div. 3LNO are not doing well. It was agreed that increasing effort be undertaken to examine the increasing mortality of these stocks.

19.1 Cod in Divisions 3NO

It was agreed that no directed fishery will occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.2 Redfish in Divisions 3LN

It was agreed that no directed fishery will occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.3 American plaice in Divisions 3LNO

It was agreed that no directed fishery will occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.4 Yellowtail flounder in Divisions 3LNO

A TAC of 14,500 tons was established last year for 2003-2004. The USA, pursuant to FC WP 02/31 and FC WP 03/14 consulted bilaterally with Canada regarding this stock. It was decided that a TAC of 14,500 tons would be maintained for 2004.

19.5 Witch flounder in Divisions 3NO

Canada noted that, in the absence of new advice, no directed fishing for witch flounder in Div. 3NO should remain in force in 2004 as per last year's advice (2003-2004). It was agreed that the closure would remain in force for 2004 and that the by-catch requirements in the CEM would apply.

19.6 Capelin in Divisions 3NO

It was decided that no directed fishery would occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.7 Squid (*Illex*) in Subareas 3 and 4

It was decided that measures established for 2003 would apply in 2004.

19.8 Shrimp in Divisions 3LNO

The ban on fishing 3NO shrimp remains in force. Denmark (with respect to Faroe Islands and Greenland) indicated that Div. 3L shrimp is a stock of significant interest to them and they continue to be dissatisfied with the FC decision on allocation (FC WP 03/17). Russia, supported by Ukraine and Lithuania, requested

that catches from 1993 not be included as catch history for Div. 3L shrimp given that the stock was not regulated at that time. Canada pointed out that the SC, in response to a Canadian request (FC WP 03/13), had provided TAC advice.

It was decided that the Div. 3L shrimp TAC would be set at 13,000 tons for 2004 with no change in other management measures. Denmark (in respect of Faroe Islands and Greenland) expressed concern over the lack of consistency in FC decision making and noted that an objection to their Div. 3L shrimp allocation could result. Denmark's (in respect of Faroe Islands and Greenland) statement in response to this decision has been annexed at their request. (**Annex 14**)

19.9 Greenland halibut in Divisions 3LMNO

This item stimulated significant discussion both in plenary and in the Heads of Delegation meetings. Given the implications of the advised marked decrease in maximum catches to the EU, Japan, Canada and Russia, numerous bilateral and quadrilateral discussions took place to reach resolution on this item. Japan underlined that counter measures would also be required to combat illegal, unreported and unregulated (IUU) fishing as well as for stock rebuilding. Canada agreed with Japan that stock rebuilding must be ensured. The EU noted that they had tabled a proposal regarding IUU fishing in STACFAC. The EU further stated that they needed to find ways to alleviate the impacts of the reduction and fix management targets for this stock.

A fifteen year Greenland halibut recovery plan (FC WP 03/23) (**Annex 15**) was adopted by the FC. Canada supported the adoption of this plan but noted that its support is predicated on the understanding that if the SC assessments indicate a decline in the 5+ biomass significantly below that predicted by the model, then further reductions in the TAC would be required.

The quota table will reflect TACs for Greenland halibut for 2004-2007. Also, given that the EU will be expanded with current CPs in the near future, issues regarding historical catches will arise in the coming years. It was also decided that FC WP 03/23 should be incorporated into the CEM as a new Article.

The EU commented that NAFO's adoption of the Greenland halibut recovery plan demonstrates that the organization is capable of reacting quickly, notwithstanding the sacrifices made by fishers. Canada, EU, Japan and Russia had worked cooperatively and constructively in the best interest of the stocks. Japan concurred and noted that NAFO will need to control fishing capacity.

19.10 If available in the Regulatory Area:

- i) Cod in Divisions 2J3KL**
- ii) Witch Flounder in Divisions 2J3KL**

Both of these stocks are currently subject to no directed fishery. Canada indicated that the moratorium on each should continue, consistent with the measures taken by the Coastal State. It was decided that the closures would continue in 2004 and that the by-catch requirements in the CEM would apply.

19.11 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area

A rollover of the measures established for 2003 received wide support from CPs including Denmark (in respect of Faroe Islands and Greenland), EU, Ukraine, Japan, Norway and Russia. Canada and Latvia also supported a rollover but noted that this was without prejudice to any future sharing arrangements, given the westward migration of this stock.

Canada also pointed out that NEAFC and NAFO should develop compatible measures and cooperate on NCP issues. Latvia also stipulated a further condition for support, namely that if the NEAFC increases its TAC that there would be a proportional increase in the NAFO quota.

Also of concern was that catch rates in this fishery can be quite high and fishing effort seems to be concentrated. Debate on suitable reporting requirements ensued and text was drafted and adopted by the group. FC WP 03/15 (Revised) (**Annex 16**) was adopted and the relevant text should be reflected in footnote 2 of the quota table referring to this measure. .

19.12 Management of Currently Unregulated Stocks

i) Div. 3O Redfish (FC WP 03/16)

Russia supported the Canadian objective of establishing a precautionary TAC for this stock but noted that it was unlikely that a TAC or an allocation key could be established during the meeting. Latvia also added that time would be required for CPs to consider the criteria for allocation asserted by Canada. The EU pointed to the lack of clear advice from science on setting a TAC for this stock.

It was decided that an intersessional meeting to discuss the possible regulation of 3O redfish would be organized by Canada, in consultation with other CPs, and held in the spring of 2004. A report from the intersessional will be provided for consideration at the September 2004 Annual Meeting.

ii) Thorny skates in Divisions 3LNO (FC WP 03/19)

The representative of the USA reiterated the concern his delegation expressed last year for skates and other Elasmobranchs worldwide. Advice provided in the SC Report (2002/2003, p.174 – 179) underscored a significant decline in the thorny skate biomass. Thorny skates are believed to comprise 90% of all skates caught in the NRA. Though no TAC could be set at the annual meeting, the USA urged CPs to limit their catches while working towards a longer-term conservation and rebuilding program. Canada concurred and noted that this would be an opportunity not to repeat past mistakes. The EU noted that this stock was important for their fleet and noted the absence of any recommendations for catch limitations by the SC.

20. Formulation of Request to the Scientific Council for:

a) Scientific advice on the management of fish stocks in 2005

FC WP 03/22 (Revised) (**Annex 17**) was adopted following an amendment to paragraph 4, relating to Greenland halibut advice, by the EU and Canada.

21. Transfer of Quotas Between Contracting Parties

FC WP 03/3 summarizes quota transfers from 1982- 2001. No CP indicated any transfer since 2001.

V. CLOSING PROCEDURE (Items 22-24)

22. Time and Place of the Next Meeting

The 2004 Annual Meeting will be held in Dartmouth, Nova Scotia, Canada September 13-17, 2004.

23. Other Business

No other business was raised.

24. Adjournment

The Chair thanked the NAFO Secretariat, Gordon Moulton, Kym Purchase and Barb Marshall for their assistance. The meeting was adjourned at 1:00 pm on September 19, 2003.

Annex 1. List of Participants

CANADA

Head of Delegation

Pat Chamut, Assistant Deputy Minister, Dept. of Fisheries and Oceans, Fisheries Management, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 990 9864 – Fax: +613 990 9557 – chamutp@dfo-mpo.gc.ca

Representatives

Pat Chamut (see address above)
John Angel, President, Canadian Association of Prawn Producers, 19 Spray Avenue, Head of St. Margarets Bay, N.S. B3Z 1Z3
Phone: +902 826 7765 – Fax: +902 826 7065 – E-mail: jangel@hfx.eastlink.ca
Earle McCurdy, President, Fishermen, Food and Allied Workers Union/CAW, P. O. Box 10, St. John's, Newfoundland & Labrador A1C 5H5
Phone: +709 576 7276 - Fax: +709 576 1962

Advisers

Chris Allen, Senior Advisor, Fisheries, Environment & Biodiversity Science Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, 12th Floor, Ottawa, Ontario K1A 0E6
Phone: +613 990 0105 - Fax: +613 954 0807 – E-mail: allenc@dfo-mpo.gc.ca
Ray Andrews, Director, Government and Industry Relations, Fishery Products International, 70 O’Leary Ave., P. O. Box 550, St. John’s, Newfoundland & Labrador A1C 5L1
Phone: +709 570 0115 – Fax: +709 570 0436 – E-mail: randrews@fpil.com
Bruce Atkinson, Regional Director, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P.O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
Phone: +709 772 2027 - Fax: +709 772 6100 - E-mail: atkinsonb@dfo-mpo.gc.ca
Jim Baird, Regional Director, Fisheries Management, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
Phone: +709 772 4543 - Fax: +709 772 2046 – E-mail: bairdj@dfo-mpo.gc.ca
Guy Beaupré, Director General, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, 13th Floor, Stn 13-159, Ottawa, Ontario K1A 0E6
Phone: +613 993 1873 – Fax: +613 993 5995 – E-mail: beaupreg@dfo-mpo.gc.ca
David Bevan, Director-General, Resource Management, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 990 6794 – Fax +613 954 1407 – E-mail: bevand@dfo-mpo.gc.ca
Jean-Claude Bouchard, Associate Deputy Minister, Dept. of Fisheries and Oceans, 200 Kent Street, 15th Floor, Ottawa, Ontario K1A 0E6
Phone: +613 990 2665 – Fax: +613 998 0499 – E-mail: bouchardjc@dfo-mpo.gc.ca
Nadia Bouffard, Director, Atlantic Affairs, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
Phone: +613 993 1860 - Fax: +613 993 5995 - E-mail: bouffardn@dfo-mpo.gc.ca
Ray Bowering, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
Phone: +709 772 2054 - Fax: +709 772 4105 - E-mail: boweringr@dfo-mpo.gc.ca
Bill Brodie, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
Phone: +709 772 3288 - Fax: +709 772 4105 - E-mail: brodieb@dfo-mpo.gc.ca
Bruce Chapman, Executive Director, Groundfish Enterprise Allocation Council, 1388 River Road, Manotick, Ontario K4M 1B4
Phone: +613 692 8249 - Fax: +613 692 8250 - E-mail: bchapman@sympatico.ca

Ches Cribb, Chairman, FFAW/CAW, P. O. Box 1276, Marystown, Newfoundland & Labrador A0E 2M0
 Phone: +709 279 5060 – Fax: +709 279 5063 – E-mail: chescribb@nf.aibn.com

Tom Dooley, Director, Resource Policy, Dept. of Fisheries and Aquaculture, P. O. Box 8700, St. John's, Newfoundland & Labrador A1B 4J6
 Phone: +709 729 0335 – Fax: +709 729 6082 – E-mail – tdooley@mail.gov.nf.ca

Judy Dwyer, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 8831 – Fax: +709 772 2046 – E-mail: dwyerji@dfo-mpo.gc.ca

Wayne Follett, Regional Director General, Newfoundland Region, Dept. of Fisheries, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 4417 – Fax: +709 772 6306 – E-mail: follettw@dfo-mpo.gc.ca

Douglas Forsythe, Counsellor (Fisheries and Environment), Mission of Canada to the European Communities, Avenue de Tervuren, 2, Brussels 1040, Belgium
 Phone: +32 2 741 0688 - Fax: +32 2 741 0629 - E-mail: douglas.forsythe@dfait-maeci.gc.ca

Nancy Fowler, Communications Advisor, Dept. of Fisheries and Oceans, 200 Kent St., 13th Floor, Ottawa, Ontario K1A 0E6
 Phone: +613 993 1512 – Fax: +613 990 1866 – E-mail: fowlern@dfo-mpo.gc.ca

Neil Greig, Makivik Corporation, Box 179, Kuujuaq, Quebec JOM 1CO
 Phone: +819 964 2925 – Fax: +819 964 2613 – E-mail: n.greig@makivik.org

Jorgen Hansen, Senior Advisor, Resource Management, Scotia-Fundy Sector, 176 Portland St., 5th Floor, Marine House, P. O. Box 1035, Dartmouth, N.S. B2Y 4T3
 Phone: +902 426 9046 – Fax: +902 426 9683 – E-mail: hansenj@mar.dfo-mpo.gc.ca

Rhonda Hash, Administrative Assistant, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 998 2644 – Fax: +613 993 5995 – E-mail: hashr@dfo-mpo.gc.ca

Sofeia Horsey, Manager, Financial and Administrative Services, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, Stn. 13159, Ottawa, Ontario K1A 0E6
 Phone: +613 993 1898 - Fax: +613 993 5995 - E-mail: horseys@dfo-mpo.gc.ca

Dave Kulka, Head, Resource Sampling - Aquatic Resources, Science, Oceans and Environment, Newfoundland and Labrador Region, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 2064 – Fax: +709 772 5469 – E-mail: kulkad@dfo-mpo.gc.ca

Brian Lester, Resource Management Officer-Groundfish, Resource Management – Atlantic, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 990 0090 – Fax +613 990 7051 – E-mail: lesterb@dfo-mpo.gc.ca

Patrick McGuinness, President, Fisehreis Council of Canada, 38 Antares Drive, Suite 110, Ottawa, Ontario K2E 7V2
 Phone: +613 727 7450 – Fax: +613 727 7453 – E-mail: pmcguinness@fisheriescouncil.org

Brian McNamara, President, Newfound Resources Ltd., 90 O'Leary Avenue, St. John's, Newfoundland & Labrador A1B 4G1
 Phone: +709 579 7676 - Fax: +709 579 7668 - E-mail: nrl@nfld.com

Blair Matthews, Senior Analyst, Resource & Economic Policy, Executive Council, Intergovernmental Affairs, Government of Newfoundland & Labrador, P. O. Box 8700, St. John's, Newfoundland & Labrador A1B 4J6
 Phone: +709 729 6829 – Fax: +709 729 5038 – E-mail: bmatthews@mail.gov.nf.ca

Joanne Morgan, Science, Ocean and Environment Branch, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 2261 – Fax: +709 772 4105 – E-mail: morganj@dfo-mpo.gc.ca

Michael O'Connor, Manager, Fleet Operations and Government Relations, National Sea Products, 100 Battery Point, P. O. Box 910, Lunenburg, Nova Scotia B0J 2C0
 Phone: +902 634 5200 – Fax: +902 634 4926 – E-mail: michael.oconnor@highlinerfoods.com

Dave Orr, Science, Ocean and Environment Branch, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 7343 – Fax: +709 772 4105 – E-mail: orrd@dfo-mpo.gc.ca

Christine Penney, Director of Corporate Affairs, Clearwater Seafoods Ltd. Partnership, 757 Bedford Highway, Bedford, Nova Scotia B4A 3Z7
 Phone: +902 457 2348 – Fax: +902 443-8443 – E-mail: cpenney@clearwater.ca

Rosalind Perry, Executive Director, Northern Coalition, P. O. Box 6421, 189 Water Street, Suite 301, St. John's, Newfoundland & Labrador A1C 1B4

Phone: +709 722 4404 – Fax: +902 722 4454 – E-mail: rwalsh@nfld.net

Senator Gerard Phalen, 3 Glenwood St., Glace Bay, Nova Scotia B1A 4V4

Phone: +902 849 3670

Kym Purchase, International Fisheries Advisor, Atlantic Affairs Div., International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent St., 13th Floor, Stn. 13159, Ottawa, Ontario K1A 0E6

Phone: +613 993 1853 – Fax: +613 993 5995 – E-mail: purchasek@dfo-mpo.gc.ca

Clary Reardon, Marine Advisor, Groundfish, Nova Scotia Dept. of Agriculture and Fisheries, Marine Fisheries, 5151 George St., 7th Floor, P. O. Box 2223, Halifax, Nova Scotia B3J 3C4

Phone: +902 424 0349 – Fax: +902 424 1766 – E-mail: reardonc@gov.ns.ca

Mike Samson, Deputy Minister, Department of Fisheries and Aquaculture, Government of Newfoundland and Labrador, P. O. Box 8700, St. John's, Newfoundland & Labrador A1B 4J6

Phone: +709 729 3707 – Fax: +709 729 4219 – E-mail: msamson@mail.gov.nf.ca

Allison Saunders, Deputy Director, Oceans and Environment Law Division (JLO), Dept. of Foreign Affairs and International Trade, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: +613 996 2643 - Fax: +613 992 6483 - E-mail: allison.saunders@dfait-maeci.gc.ca

Max Short, Special Advisor, NAFO, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland and Labrador A1C 5X1

Phone: +709 772 6369, Cell +709 682 3110 – Fax: +709 772 2046 – E-mail: shortm@dfo-mpo.gc.ca

Louis Simard, Director, Oceans and Environment Law Division, (JLO), Dept. of Foreign Affairs and International Trade, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: +613 992 2104 - Fax: +613 992 6483 - E-mail: louis.simard@dfait-maeci.gc.ca

Don Stansbury, Science, Ocean and Environment Branch, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709-772-0559 - Fax: +709-772-4105 – E-mail: stansburyd@dfo-mpo.gc.ca

Paul Steele, Director, Enforcement Br., Conservation and Protection, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6

Phone: +613 990 0109 – Fax: +613 941 2718 – E-mail: steelep@dfo-mpo.gc.ca

Bob Steinbock, Senior International Fisheries Advisor, Atlantic Affairs Div., International Affairs Directorate, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 993 1836 – Fax: +613 993 5995 – E-mail: steinbob@dfo-mpo.gc.ca

Roger Stirling, President, Seafood Producers Association of Nova Scotia, P. O. Box 991, Dartmouth, N. S. B2Y 3Z6

Phone: +902 463 7790 – Fax: +902 469 8294 – E-mail: spans@ns.sympatico.ca

Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 8021 – Fax: +709 772 2046 – E-mail: strowbridgel@dfo-mpo.gc.ca

Karl Sullivan, V.P. Corporate Planning, Barry Group, 139 Water St., 8th Floor, St. John's, Newfoundland & Labrador

Phone: +709 576 7292 – Fax: +709 576 8843 – E-mail: ksull@seafreez.com

Ben Whelan, Chief, NAFO Unit, International Programs and Corporate Services, Fisheries Management, Newfoundland Region, Department of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1

Phone: +709 772 0928 – Fax: +709 772 2046 – E-mail: whelanb@dfo-mpo.gc.ca

Jan Woodford, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 7622 – Fax: +709 772 4880 – E-mail: woodfordj@dfo-mpo.gc.ca

F. Woodman, P. O. Box 40, New Harbour, Newfoundland & Labrador A0B 2P0

Phone: +709 582 2421 – Fax: +709 582 3263 – E-mail: wfaw1930@yahoo.ca

CUBA

Head of Delegation

Enrique Oltuski, Vice-Minister, Ministerio de la Industria Pesquera, 5^{ta} Avenue y 246, Sta Fe, Barlovento

Phone: +537 297008 – Fax: +537 246297 – E-mail: oltuski@fishnavy.inf.cu

Alternate

Victor Sardá Espinosa, Ministerio de la Industria Pesquera, 5^a Avenue y 246, Sta Fe, Miramar
 Phone: +537 209 7034 - Fax: +537 204 9168 - E-mail: dri@telemar.cu

DENMARK (IN RESPECT OF FAROES AND GREENLAND)**Head of Delegation**

Einar Lemche, Head of Representation, Gronlands Hjemmestyre, Pilestraede 52, Box 2151, DK-1016 Copenhagen K, Denmark
 Phone: +45 33 69 34 35 - Fax: +45 33 69 34 01 - E-mail: el@ghsdk.dk

Alternate

Andras Kristiansen, Head of Department, Ministry of Fisheries and Maritime Affairs, Yviri við Strond 17, P. O. Box 347, FO-110 Torshavn, Faroe Islands
 Phone: + 298 35 30 30 - Fax: +298 35 30 37 - E-mail: andrask@fisk.fo

Advisers

Johan Joensen, Føroya Reidarafelag, Gongin 10, FO-110 Torshavn, Faroe Islands
 Phone: +298 421448 – Fax: +298 421584 – E-mail: lidin@post.olivant.fo

Martin Kruse, Adviser, FMC-Manager, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: +298 311065 – Fax: +298 313981 – E-mail: mk@vb.fo

Dorthe Lillelund, Head of Section, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345376 – Fax: +299 323235 – E-mail: doli@gh.gl

Mads Trolle Nedergaard, Fiskerilicensinspektør, Head of Unit, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345377 - Fax: +299 323235 - E-mail: mads@gh.gl

Arni Nicolajsen, Fiskirannsóknarstovan, Noatun 1, P. O. Box 3051, FR-110 Torshavn, Faroe Islands

Phone: +298 35 3900 - Fax: +298 35 3901 - E-mail: arninic@frs.fo

Jan Ole Pedersen, Greenland Home Rule, Postbox 269, DK-3900, Nuuk, Greenland

Phone: + 299 - Fax: +299 – E-mail: jan@gh.gl

Peder Munk Pedersen, Director, Greenland Seafishery and Export Association, P. O. Box 310, 3900 Nuuk, Greenland

Phone: +299 322404 – Fax: +299 325689 – E-mail: peder@apk.gl

Bent Roll, Minister Counsellor, Royal Danish Ministry, 2, Asiatisk Plads, DK-1448 Copenhagen, Denmark

Phone: +45 33 92 00 00 – Fax: +45 32 54 05 33 – E-mail: benrol@um.dk

Jens Helgi Toftum, Ministry of Fisheries, P. O. Box 64, FO-100 Torshavn, Faroe Islands

Phone: +298 353030 - Fax: +298 353035 - E-mail: jenst@fisk.fo

ESTONIA**Head of Delegation**

Ain Soome, Director General, Fishery Resources Dept., Ministry of the Environment, Ravala 8, 10143 Tallinn
 Phone: +372 6604 543 - Fax: +372 6604 599 - E-mail: ain.soome@ekm.envir.ee

Representative

Ain Soome (see address above)

Advisers

Tarvo Roose, Deputy Director General, Estonian Environmental Inspectorate, Kopli 76, 10416 Tallinn

Phone: +3726962233 – Fax: +3726962237, E-mail: tarvo.roose@kki.ee

Väino Ruul, High Seas Fisheries Director, AS Hiu Kalur, Vaike-Poste 11, 80011 Pärnu

Phone: +372 44 71317 – Fax: +372 44 71316 – E-mail: vainoruul@hotmail.ee

Toomas Saat, Director, Estonian Marine Institute, 10A Maealuse Str. EE 12618, Tallinn

Phone: +372 6281 570 - Fax: +372 6281 563 - E-mail: tsaat@sea.ee

Tarmo Sild, HETA Law Offices, Ruutli 4, 10130 Tallinn

Phone: +372 699 6611 – Fax: +372 699 6640 – E-mail: tarmo.sild@heta.ce

Arne Sõna, Manager, Reyktal Ltd., Veerenni 39, 10138 Tallinn

Phone: +372 6276 552 - Fax: +372 6276 555 - E-mail: reyktal@trenet.ee

Toomas Tamme, c/o Alvini Adroraadibourou, Roosikrantsi 2, 10119 Tallinn

Phone: +372 6110810 - Fax: +372 6110811 - E-mail: toomas@alvinab.ee

Aare Tuvi, Senior Officer, Fishery Resources Dept., Ministry of the Environment, Ravala 8, 10143 Tallinn

Phone: +372 6604 544 - Fax: +372 6604 599 - E-mail: aare.tuvi@ekm.envir.ee

Lauri Vaarja, Counsellor, Ministry of Environment, Ravala 8, 10143 Tallinn

Phone: +372 5043 002 - Fax: +372 6604 599 – E-mail: laurivaarja@hotmail.ee

Ottar Yngvason, Director, Reyktal AS, Veerenni 39, 10138 Tallinn

Phone: +354 588 7600 – Fax: +354 888 7610 – E-mail: ottar@iec.is

EUROPEAN UNION**Head of Delegation**

J. Spencer, Head of Unit, International and Regional Arrangements, European Commission, Fisheries Directorate General, 200 Rue de la Loi/Wetstraat, B-1049 Brussels, Belgium

Phone: +32 2 295 6858 - Fax: +32 2 295 5700 – E-mail: edward-john.spencer@cec.eu.int

Advisers

Staffan Ekwall, Principal Administrator, European Commission, DG FISH, External Policy and Markets, International and Regional Arrangements, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 299 6907 – Fax: +32 2 295 5700 – E-mail: staffan.ekwall@cec.eu.int

Martin Newman, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7449 – Fax: +32 2 296 2338 – E-mail: martin.newman@cec.eu.int

Fuensanta Candela Castillo, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7753 – Fax: +32 2 295 5700 – E-mail: maria.candela-castillo@cec.eu.int

Jose Mesquita, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 – Fax: +32 2 296 2338– E-mail: jose.mesquita@cec.eu.int

Susana Junquera, European Commission, Joseph II 99, B-1040 Brussels, Belgium

Phone: +32 2 298 4727 – Fax: +32 2 295 5700 – E-mail: susana.junquera@cec.eu.int

Fred Kingston, Senior Adviser, Economic and Commercial Affairs, Delegation of the European Commission in Canada, 45 O'Connor Street, Suite 1900, Ottawa, Ontario, Canada K1P 1A4

Phone: +613 238 6464 – Fax: +613 238 5191 – E-mail: fred.kingston@delcan.cec.eu.int

Luis Teixeira da Costa, Council of the European Union, DG-BIII-Fisheries, Rue de la Loi 175, B-1048 Brussels, Belgium

Phone: +32 2 285 9808 – Fax: 32 2 – E-mail: luis.teixeiradacosta@consilium.eu.int

Colm Hayes, Third Secretary, Fisheries, Permanent Representation of Ireland to the European Union, Rue Froissart 89-93, 1040 Brussels, Belgium

Phone: +32 2 282 3374 – Fax: +32 2 282 3344 – E-mail: colm.hayes@iveagh.irigov.ie

Sonja Feldthaus, Head of Section, Ministry of Food, Agriculture and Fisheries, Holbergsgade 2, 1057 Copenhagen, Denmark

Phone: +45 33 92 35 60 – Fax: +45 33 11 82 71 – E-mail: sfe@fvm.dk

Yann Becouarn, Direction des pêches maritimes et d l'aquaculture, Bureau de la ressource, de la réglementation et des affaires Internationales, Ministère de l'agriculture et de la pêche, 3, place de Fontenoy 75007 Paris
 Phone: +33 1 49 55 82 38 – Fax: +33 01 49 55 82 00 – E-mail: yann.becouarn@agriculture.gouv.fr

Mahé, Jean-Claude., IFREMER, Station de Lorient, 8, Rue François Toullec, 56100 Lorient, France
 Phone: +33 2 9787 3818 – Fax: +33 2 9787 3801 – E-mail: jcmahe@ifremer.fr

Hermann Pott, Bundesministerium fur Ernährung, Landwirtschaft and Forsten (Federal Ministry of Food, Agriculture and Forestry), Rochusstr. 1, 53123 Bonn, Germany
 Phone: +49 228 529 4124 - Fax: +49 228 529 4410 – Email: Hermann.Pott@bmvel.bund.de

Manfred Stein, Institut fur Seefischerei, Palmaille 9, D-22767, Hamburg, Germany
 Phone: +49 40 389 05174 – Fax: +49 40 38905 263 E-mail: stein.ish@bfa-fisch.de

Eurico Monteiro, Director-General, Direccao-Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon
 Phone: +351 21 303 5887 - Fax: +351 21 303 5965 - E-mail: euricom@dg-pescas.pt

Emilia Batista, Direccao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon
 Phone: +351 21 303 5850 Fax: +351 21 303 5922 E-mail: ebatista@dg-pescas.pt

Antonio Avila de Melo, Instituto Nacional de Investigacao Agrária e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon, Portugal
 Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: amelo@ipimar.pt

Ricardo Alpoim, Instituto Nacional de Investigacao Agrária e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon, Portugal
 Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: ralpoim@ipimar.pt

Margarite Mancebo, Subdireccion General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain
 Phone: +34 91 3476176 - Fax: +34 91 3476049 – E-mail: cmancebo@mapya.es

Carlos Domínguez Diaz, Director General de Recursos Pesqueros, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57-3°, 28006 Madrid, Spain
 Phone: +34 91 347 6030 - Fax: +34 91 347 6032 - E-mail: cdominguez@mapya.es

Samuel J. Juarez, Counselor for Agricultura, Fisheries and Food, Embassy of Spain, 2375 Pennsylvania Ave., N.W., Washington, D.C. 20037
 Phone: +202 728 2339 – Fax: +202 728 2320 – E-mail: mapausa@speakeasy.net

A. Hermida Trastoy, Director General de Estructuras y Mercados de la Pesca, Conselleria de Pesca y Asuntos Maritimos Xunta de Galicia, Calle del Sar, 75, Santiago de Compostela 15702, A Coruna, Spain
 Phone: + 34981546347 - Fax: +34981546288 – E-mail: andres.hermida.trastoy@xunta.es

Ignacio Escobar Guerrero, Subdirector Gral de Organismos Multilaterales de Pesca, Direccion General de Recursos Pesqueros, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain
 Phone: +34 91 347 6047 - Fax: +34 91 347 6049 - E-mail: iescobar@mapya.es

Enrique De Cardenas, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain
 Phone: +34 91 347 6110 – Fax: +34 91 347 6037 – E-mail: edecarde@mapya.es

Tomas Santos, Subdelegacion Gobierno-Dependencie Agr. y Pesca, e/Loueiro Crespo, 7 – Ertlo, 36201 Pontevedra, Spain
 Phone: +34 986 866330 – Fax: +34 986 418815 – E-mail: santos@agricultura.pontevedre.mep.es

Fernando Gonzalez-Costas, Instituto Español de Oceanografía, Apto 1552, E-36280 Vigo (Pontevedra), Spain
 Phone: +34 9 86 49 2111 – Fax: +34 9 86 49 2351 – E-mail: fernando.gonzalez@vi.ieo.es

Hilario Murua, Fish, Resour. – AZTI Foundation, Herrera Kaia, Portualde z/g, 20110 Pasaia, Basque Country, Spain
 Phone: + 34 9 43 00 48 00 – Fax: + 34 9 43 00 48 01 – E-mail: hmurua@pas.azti.es

Antonio Vazquez, Instituto de Investigaciones Marinas, Eduardo Cabello 6, 36208 Vigo, Spain
 Phone: +34 9 86 23 1930 – Fax: +34 9 86 29 2762 – E-mail: avazquez@iim.csic.es

Mike Rimmer, Sea Fisheries Conservation Div., Department for Environment, Food and Rural Affairs, Room 124, Whitehall Place (East Block), London SW1A 2HH
 Phone: +44 (0)20 7270 8308 - Fax: +44 (0)20 7270 8302 - E-mail: mike.rimmer@defra.gsi.gov.uk

Pedro Franca, Presidente, A.D.A.P.I. – Associacao Armadores das Pescas Industriais, Docapesca, Edificio Dos Armadores 13-A, Pedroucos, 1400-038 Lisbon, Portugal
 Phone: +213015020 - Fax: +213019438 - E-mail: adapi.pescas@mail.telepac.pt

Anibal Paiao, Director, A.D.A.P.I.-Associacao dos Armadores das Pescas Industriais, Docapesca, Edificio dos Armadores, 13-A, Pedroucos, 1400-038 Lisbon, Portugal
 Phone: +351 213015020 – Fax: +351 213019438 – E-mail: adapi.pescas@mail.telepac.pt

J. Tavera DaMota, Portugal

Phone: +351 234 397530 – Fax: +351 234 364090

Juan Manuel Liria Franch, Presidente, Federacion Espanola de Organizaciones Pesqueras (FEOPE), C/Comandante Zorita, 12, Escalera 4ª - 1ºD, 28020 Madrid, Spain

Phone: +34 915 33 3884 – Fax: +34 915 34 3718 – E-mail: feope@feope.com

Jose Fuertes Gamundi, Director Gerente, ANAMER-ANAVAR-AGARBA, Puerto Pesquero, Apartado 1.078, 36200 Vigo, Spain

Phone: +34 986 433844 - Fax: +34 986 439218 – E-mail: soccoopa@aranzadi.es

Miguel Iriondo, Director Gerente, Pesquera Laurak Bat S.A., Armadores de Buques de Pesca, Edificio Consignatarios, 3ª Planta. Puerto Apdo. de correos, 88 20110 Pasajes, Spain

Phone: +34 943 354177 – Fax: +34 943 353993 – E-mail: langa99@teleline.es

Juan Manuel Oya, Grupo Oya Perez, Calle San Francisco 57-2º, 36202 Vigo, Galicia, Spain

Phone: +34 986 447 484 – Fax: +986 439 229 – E-mail: ecarramal@oyapeez.es

Eloy Carramal, Director Financiero, Grupo Oya Perez, Calle San Francisco 57-2º, 36202 Vigo, Galicia, Spain

Phone: +34 986 447 484 – Fax: +986 439 229 – E-mail: ecarramal@oyapeez.es

Concepcion Andion, Grupo Oya Perez, Calle San Francisco 57-2º, 36202 Vigo, Galicia, Spain

Phone: +34 986 447 484 – Fax: +986 439 229 – E-mail: oyagroup@apdo.com

José Luis Meseguer, Secretario General, ARBAC – Asociacion de empresas de pesca de bacalao, especies afines y asociadas, Enrique Larreta, 10-3º, 28036 Madrid, Spain

Phone: +34 913 151965 – Fax: +34 913 152673

FRANCE (in respect of St. Pierre et Miquelon)

Head of Delegation

Marc Plantegenest, Président du Conseil Général, Place Monseigneur Maurer, BP 187, 97500 Saint-Pierre et Miquelon

Phone: +508 41 45 16 – Fax: +508 41 44 79 – E-mail: cgsmp.president@wanadoo.fr

Advisers

Valerie Sinquin, Chargée de mission, Relations Internationales, Ministère de l'outre Mer, 27 rue Oudino, 75007 Paris

Phone: +33 153692746 – Fax: +33 153692197 - E-mail: valerie.sinquin@outre-mer.gouv.fr

Marc Chapalain, Chef du Service des Affaires maritimes, BP 4206, 97500 Saint-Pierre et Miquelon

Phone: +508 41 15 30 – Fax: +508 41 48 34 – E-mail: marc.chapalain@equipement.gouv.fr

Paul Jaccachury, 1^{er} Vice-Président du Conseil General, Place Monseigneur Maurer, BP 4208, 97500 Saint-Pierre et Miquelon

Phone: +508 41 01 02 – Fax: +508 41 22 97 – E-mail: cgsmp@wanadoo.fr – pjacca@cheznoo.net

Thierry Baslé, Directeur Adjoint, Agence de Développement, SODEPAR, Rue Borda, Palais Royal, BP 4365, 97500 Saint-Pierre et Miquelon

Phone: +508 41 15 15 – Fax: +508 41 15 16 – E-mail: Thierry.basle@cheznoo.net

Bruno Detcheverry, Directeur General, Interpeche S.A., Société des Pêches de Archipel, Quai du Môle Frigorifique, B.P.4249, 97500 Saint-Pierre et Miquelon

Phone: +508 41 39 91 – Fax: +508 41 38 38 / 41 99 47 – E-mail: interpeche@wanadoo.fr

Charles Theault, General Manager, Les Nouvelles Pecheries, Seafood Processor, Boulevard Constant Colmay, P. O. Box 4380, 97500 Saint-Pierre et Miquelon

Phone: +508 41 15 20 – Fax: +508 41 97 60 – E-mail: ctheault@cheznoo.net

ICELAND

Head of Delegation

Thorir Skarphedinsson, Deputy Director of International Affairs, Ministry of Fisheries, Skulagata 4, 150 Reykjavik

Phone: +354 545 8300 – Fax: +354 562 1853 – E-mail: thorir@hafro.is

Advisers

Kolbeinn Arnason, Ministry of Fisheries, Skulagata 4, 150 Reyjavik

Phone: +354 545 8300 – Fax +354 562 1854 – E-mail: kolbeinn.arnason@sjv.stjr.is

Gudmundur Dadason, The Icelandic Directorate of Fisheries, Ingólfsstraeti, 150 Reykjavik

Phone: +354 569 7968 - Fax: +354 569 7991 - E-mail: nafo@fiskistofa.is

Gylfi Geirsson, Commander, Icelandic Coast Guard, P. O. Box 7120, 127 Reykjavik

Phone: +354 545 2000 ext. 2071 – Fax: +354 545 2040 – E-mail: gylfi@lhg.is

Kristjan Ragnarsson, Chairman, Federation of Icelandic Fishing Vessel Owners, Borgartun 35, 105 Reykjavik

Phone: +354 591 0300 - Fax: +354 591 0301 – E-mail: kristjan@liu.is

Thorsteinn Sigurdsson, Marine Research Institute, Skulagata 4, 101 Reykjavik

Phone: +354 5520240 - Fax: +354 5623790 - E-mail: steini@hafro.is

Unnur Skúladóttir, Marine Research Institute, Skulagata 4, Pósthólf Box 1390, 121 Reykjavik

Phone: +354 552 0240 – Fax: +354 562 3790 – E-mail: unnur@hafro.is

JAPAN

Head of Delegation

Masanori Miyahara, Counselor, Resource Management Dept., Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3591 1086 – Fax: +81 3 3502 0571 – E-mail: masanori_miyahara@nm.maff.go.jp

Advisers

Taro Ichii, Head of Section, National Research Institute of Far Seas Fisheries, 5-7-1 Orido, Shimizu Shizuoka-city 424-8633

Phone: +81543 36 6056 – Fax: +81543 35 9642 – E-mail: ichii@affrc.go.jp

Yoshiharu Kashio, Representative, Japan Fisheries Association, Suite 1209 Duke Tower, 5251 Duke St. Tower, Halifax, N.S., Canada B3J 1P3

Phone: +902 423 7975 - Fax: +902 425 0537 - E-mail: jfa-hfx@ns.sympatico.ca

Keiko Suzuki, Deputy Director, Fishery Div., Economic Affairs Bureau, Ministry of Foreign Affairs, 2-11-1 Shibakoen, Minato-ku, Tokyo 105-8519

Phone: +81 3 6402 2234 – Fax: +81 3 6402 2233 – E-mail: keiko.suzuki@mofa.go.jp

Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F Kanda Ogawa -cho, Chiyoda-ku, Tokyo 101-0052

Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: jdsta-takagi@msg.biglobe.ne.jp

Miwako Takase, Deputy Director, International Affairs Div., Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3591 1086 – E-mail: miwako_takase@nm.maff.go.jp

Keiko Tsuyama, Far Seas Fisheries Div., Resources Management Dept., Fishery Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3502 2443; Fax: +81 3 3591 5824 – E-mail: keiko_tsuyama@nm.maff.go.jp

REPUBLIC OF KOREA

Head of Delegation

Jae Hak Son, First Secretary for Maritime Affairs and Fisheries, Embassy of the Republic of Korea, 2450 Massachusetts Ave. NW, Washington, DC 20008

Phone: + 202 939 5676 – Fax: +202 387 0402 – E-mail: gowithson@hotmail.com

Advisers

Sung Dae Cho, Distant Water Fishery Officer, Ministry of Maritime Affairs and Fisheries (MOMAF), 139 Chungjeong-No 3, Seodaemun-Gu, Seoul 120-715

Phone: +82 2 3148 6982 – Fax: +82 2 3148 6985 – E-mail: sd777@momaf.go.kr

Jeong Do Kim, Fisher Dept./Section Manager, Insung Corp., Insung Bldg., 113-2 Hannam-Dong, Yongsan-Gu, Seoul 140-210

Phone: +82 2 749 0291 – Fax: +82 2 749 4949 – E-mail: hana@insungnet.co.kr

Hyun-Jong Kim, Deputy Director, Marine Development Div., Ministry of Maritime Affairs & Fisheries (MOMAF),
139 Chungjeong-No 3, Seodaemun-Gu, Seoul 120-715
Phone: +82 2 3148 6533 – Fax: +82 2 3148 6536 – E-mail: harryhkim@momaf.go.kr

LATVIA

Head of Delegation

Normunds Riekstins, Director, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV-1010
Riga
Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: fish@latnet.lv

Alternate

Ricards Derkacs, Head of International Agreements and Legal Division, National Board of Fisheries, Ministry of
Agriculture, 2, Republikas laukums, LV-1010 Riga
Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: ricards.vzp@latnet.lv

Adviser

Dmitrijs Kalinovs, Burinieki Ltd., Brivibas Gatve 215A-46, LV-1039 Riga
Phone: +371 754 2471 – Fax: +371 754 2471 – E-mail: skaga@latnet.lv

LITHUANIA

Head of Delegation

Vytautas Vaitiekunas, Director, Fisheries Dept. under the Ministry of Agriculture, 19 Gedimino av., Vilnius 2025
Phone: +370 52 391174 – Fax: 370 52 391176 – E-mail: vytautasv@zum.lt

Alternate

Algirdas Rusakevicius, Chief Specialist, International Relations, Fisheries Department under the Ministry of
Agriculture, 19 Gedimino av., 2025 Vilnius
Phone: +370 52 391183 – Fax: +370 52 391176 – E-mail: algirdasr@zum.lt

Advisers

B. Kristanavicius, General Director UAB "Atlantic Fishery Company", Jono 12, LT-5800 Klaipeda
Phone: +370 6 493105 – Fax: +370 6 311552 – E-mail: afp@takas.lt
S. Staskus, Director, JSC "Zukme", M. Gimbutienes Str. 35, 3014 Kaunas
Phone: +370 7 370656 – Fax: +370 7 370664 – E-mail: zukme@ijo.net
Arnor Haldorsson, Logmenn sf., Skipholt 50c, 104 Reykjavik, Iceland
Phone: +354 561 8200 – Fax: +354 561 8201 – E-mail: arnorhal@simnet.is

NORWAY

Head of Delegation

Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 185, N-5804 Bergen
Phone: +47 55 23 80 00 Fax: +47 55 23 80 90 E-mail: terje.lobach@fiskeridir.no

Alternate

Stein-Age Johnsen, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 185, N-5804 Bergen
Phone: +47 55 23 80 00 – Fax: +47 55 23 80 90 – E-mail: postmottak@fiskeridir.no

Advisers

Webjørn Barstad, Head of Department, Norwegian Fishing Vessel Owners Association, P.O. Box 67 Sentrum, 6001 Aalesund

Phone: +47 70 10 14 60 - Fax: +47 70 10 14 80 - E-mail: webjorn@fiskebatreder.no

Otto Gregussen, Fisheries Counselor, Royal Norwegian Embassy, 2720 34th Street, N.W., Washington, D.C. 20008

Phone: +202 333 6000 – Fax +202 337 0870 – E-mail: og@mfa.no

Heidi Johansen, Project Coordinator, Norwegian Ministry of Fisheries, P. O. Box 8118 Dep., 0032 Oslo

Phone: +47 22 24 64 44 – Fax: +47 22 24 2667 – E-mail: heidi.johansen@fid.dep.no

POLAND

Head of Delegation

Mirosław Kucharski, Counsellor, Embassy of the Republic of Poland, 443 Daly Avenue, Ottawa, Ontario, Canada K1N 6H3

Phone: +613 789 0468 (#31) – Fax: +613 789 1218 – E-mail: ottawa@polishembassy.ca

Adviser

Bogusław Szemieth, Parkowa 13/17/125, Warsaw

Phone: +48 22 840 8920 – Fax: +48 22 840 8922 – E-mail: fish4szemieth@wp.pl

RUSSIA

Head of Delegation

Anatoly Makoedov, Deputy Chairman, State Committee for Fisheries of the Russian Federation, 12 Rozhdestvensky Boul., Moscow 103031

Phone: +7 095 928 5527 - Fax: +7095 928 5527 – E-mail: kim@fishcom.ru

Representative

Anatoly Makoedov (see address above)

Advisers

Vadim Agalakov, Chief Inspector of “MURMANRYBVOD”, Kominterna 7 str., 183672 Murmansk

Phone: +7 8152 455066 – Fax: +7 815 245 6028 – E-mail: mrv@an.ru

Vladimir Babayan, Head of Laboratory for System Analysis of Fishery Resources, VNIRO, 17, V. Krasnoselskaya, Moscow 107140

Phone: +70 95 264 6983 – Fax: +70 95 264 6983 – E-mail: vbabayan@vniro.ru

Konstantin Gorchinsky, Senior Scientist, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk

Phone: + 7 8152 450568 – Fax: + 7 8152 473331 – E-mail: gorch@pinro.ru

Nina Kim, Dept. of International Cooperation, State Committee for Fisheries of the Russian Federation, 12 Rozhdestvensky Boul., Moscow 103031

Phone: +7095 928 2873 – Fax: +7095 921 3463 – E-mail: kim@fishcom.ru

Leonid Kokovkin, Representative of the Russian Federation in Canada on Fisheries, 47 Oceanview Drive, Bedford, Nova Scotia Canada B4A 4C4

Phone: +902 832 9225 – Fax: +902 832 9608 – E-mail: rusfish@ns.sympatico.ca

Boris Prischeva, Head of Department, “MURMANRYBVOD”, Kominterna 5 str., 183672 Murmansk

Phone: +7 815 2 45 86 78 – Fax: +7 815 2 45 86 78 – E-mail: mrv@an.ru

Vladimir Shibanov, Research Director, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk 183763

Phone: +7 8152 472614 – Fax: +7 8152 473331 – E-mail: shibanov@pinro.ru

Igor Segae, Doctor of Oceanography, Senior Scientist, Atlantic Scientific Research Institute of Marine Fisheries and Oceanography (AtlantNIRO), 5, Dmitry Donskoy Str., Kaliningrad 236000

Phone: +7 0112 225 547 – Fax: +7 0112 219 997 – E-mail: west@atlant.baltnet.ru

Ekaterina Volkovinskaia, Translator, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk

Phone: + 7 8152 45 0568 – Fax: + 7 8152 473331 – E-mail: inter@pinro.ru

UKRAINE

Head of Delegation

Vasyl Chernik, Deputy Chairman, State Department for Fisheries of Ukraine, 82A Turgenivska str., Kiev, 04050

Phone: +38044 226 2405 - Fax: +380 44 226 2405 – E-mail: nauka@i.kiev.ua

Advisers

Leonard Chepel, 11 Amin St., Apt. 309, Bedford, Nova Scotia, Canada B4A 4E3

Phone: +902 835 0224 – Fax: +902 835 0224 – E-mail: entropy@accesswave.ca

Anatoliy Chernikov, Head of Department External Economic Relations & Contracts, Capitan Ltd., 24, Primorskaya St., Odessa 65026

Phone: +38 0482 22 00 57 – Fax: +38 0482 22 63 14 – E-mail: kitconsult@ukr.net

Valetin Litvinov, Senior Expert, Div. for International Fishing Policy, State Department for Fisheries of Ukraine, 82A Turgenivska str., Kiev 252053

Phone: +38044 246 8984 – Fax: +38044 246 8984 – E-mail: nauka@i.kiev.ua

Sergey Rebik, Senior Scientist, South Research Institute of Marine Fisheries and Oceanography (YugNIRO), 2, Sverdlov str., Kerch 98300

Phone: +38 06561 2 10 12 – Fax: +38 06561 2 10 12

Ihor Zhlada, Head of the Trade and Economic Mission, Embassy of Ukraine, 310 Somerset Street West, Ottawa, Ontario K2P 0J9, Canada

Phone: +613 230 2961 – Fax: +613 236 7260 – E-mail: ukremb@cyberus.ca

UNITED STATES OF AMERICA

Head of Delegation

Jack Dunnigan, Director, Office of Sustainable Fisheries, U.S. Dept. of Commerce, NOAA, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, MD 20910

Phone: +301 713 2334 – Fax: +301 713 0596 – E-mail: jack.dunnigan@noaa.gov

Representatives

Jack Dunnigan (see above)

Jeff Pike, Director, Government Relations, Scher and Blackwell, Suite 900, 1850 M Street NW, Washington, DC 20036

Phone: +202 463 2511 - Fax: +202 463 4950 - E-mail: jpik@sherblackwell.com

Barbara Stevenson, Seller's Representative, 2 Portland Fish Pier, Suite 109, Portland, ME 04101

Phone: +202 775 5450 – Fax: +207 773 9096 – E-mail: bds02@sprynet.com

Advisers

Sonja Fordham, Fish Conservation, Project Manager, The Ocean Conservancy, Suite 600, 1725 DeSales St., NW, Washington, D.C. 20036

Phone: +202 429 5609 – Fax: +202 872 0619 – E-mail: sonja@oceanconservancy.org

Lisa Hendrickson, Northeast Fisheries Science Center, NMFS, 166 Water St., Woods Hole, MA 02543

Phone: +508 495 2285 - Fax: +508 495 2393 - E-mail: lisa.hendrickson@noaa.gov

Thomas King, Lieutenant Commander, Coast Guard Liaison Officer, Office of Marine Conservation (Rm 5806), U.S. Department of State, 2201 C Street NW, Washington, D.C. 20520

Phone: +202 647 3177 - Fax: +202 736 7350 - E-mail: thking@comdt.uscg.mil

Sarah McLaughlin, Fishery Policy Analyst, Sustainable Fisheries Div., Northeast Region, National Marine Fisheries Service, U.S. Dept. of Commerce, NOAA, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +978 281 9279 – Fax: +978 281 9135 – E-mail: sarah.mclaughlin@noaa.gov

Gene Martin, Attorney, Office of the General Counsel, Northeast Region, National Oceanic and Atmospheric Administration, U.S. Dept. of Commerce, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +1 978 281 9242 Fax: +1 978 281 9389 E-mail: gene.s.martin@noaa.gov

Ralph Mayo, Northeast Fisheries Science Center, NMFS, 166 Water St., Woods Hole, MA 02543

Phone: +508 495 2310 - Fax: +508 495 2393 - E-mail: ralph.mayo@noaa.gov

Pat Moran, International Fisheries Div., F/SF4, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East -West Hwy., Silver Spring, MD 20910

Phone: +301 713 2276 - Fax: +301 713 2313 - E-mail: pat.moran@noaa.gov

Bill Quinby, Director, Mayflower Shipping Ltd., 655 Summer Street, Boston, MA 02210

Phone: +843 577 0560 – Fax: +843 577 6644 – E-mail: mayflower@mindspring.com

Fred Serchuk, Chief, Resource Evaluation and Assessment Division, Northeast Fisheries Science Center, NMFS, 166 Water St., Woods Hole, MA 02543-1097

Phone: +508 495 2245 - Fax: +508 495 2258 - E-mail: fred.serchuk@noaa.gov

Dean Swanson, Chief, International Fisheries Div., F/SF4, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Highway, Silver Spring, MD 20910

Phone: +301 713 2276 – Fax: +301 713 2313 – E-mail: dean.swanson@noaa.gov

Deirdre Warner-Kramer, Senior Atlantic Fisheries Officer, Office of Marine Conservation, United States Department of State (Rm 5806), 2201 C Street NW, Washington, D.C.

Phone +1 202 647 2883 – Fax: +1 202 736 7350 – E-mail: warner-kramerdm@state.gov

OBSERVER

David J. Doulman, Senior Fishery Liaison Officer, Food and Agriculture Organization of the United Nations (FAO), International Institutions and Liaison Service, Fishery Policy and Planning Division, Fisheries Dept. Viale delle Terme di Caracalla, Room F-409, 00100 Rome, Italy

Phone: +39 0657 056752 – Fax: +39 0657 056500 – E-mail: david.doulman@fao.org

SECRETARIAT

Johanne Fischer, Executive Secretary

Tissa Amaratunga Deputy Executive Secretary

Forbes Keating, Administration Officer & Meeting Coordinator

Stan Goodick, Finance Officer

Bev Cruikshank, Personal Assistant to the Executive Secretary

Gordon Moulton, Conservation and Enforcement Measures Officer

Cindy Kerr, Fisheries Statistics/Conservation & Enforcement Measures Assistant

Barb Marshall, Information and Web Manager

Ferne Perry, Publications and Archives Officer

Ron Myers, Graphic Arts/Printing Technician

Barry Crawford, Graphic Arts/Printing Technician

Dorothy Auby, Office Secretary

SECRETARIAT ASSISTANT

Peter Rioux, Technical Support Analyst, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland

Annex 2. Agenda

I. Opening Procedure

1. Opening by the Chairman, D. Swanson (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

II. Administrative

6. Review of Commission Membership
7. Election of Chair and Vice-Chair
8. Record of Agreed Fisheries Commission Decisions at 2003 NAFO Annual Meeting

III. Conservation and Enforcement Measures

9. Report of STACTIC, June 2003 (Copenhagen)
 - i) Proposals for amendments of Conservation and Enforcement Measures, in particular the observer scheme
 - ii) CEM Overhaul
 - iii) Other issues
10. Presentations on Compliance
 - i) Review of 2002 Compliance
 - ii) Compliance Review Committee
11. Review of the provisions on chartering operations in the NAFO Regulatory Area
12. Increase of inspection presence in the NAFO Regulatory Area
13. Report of the Working Group on Allocation of Fishing Rights, 26-27 March 2003, Miami, USA and the meeting on allocation of "block quota" between Estonia, Latvia, Lithuania and Russia on 10 June 2003, Moscow, Russian Federation
14. Report of STACTIC at the Annual Meeting
15. Canadian Management Measures for 2J3KL Cod in 2003
16. Next Steps in Implementation of the Precautionary Approach

IV. Conservation of Fish Stocks in the Regulatory Area

17. Summary of Scientific Advice by the Scientific Council
 - a) Stock assessments and recommendations (Scientific Council Chairman)
 - b) Other issues (to be determined by SC)
18. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2004
 - 18.1 Cod in Div. 3M
 - 18.2 Redfish in Div. 3M
 - 18.3 American plaice in Div. 3M
 - 18.4 Shrimp in Div. 3M
19. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2004
 - 19.1 Cod in Div. 3NO
 - 19.2 Redfish in Div. 3LN
 - 19.3 American plaice in Div. 3LNO
 - 19.4 Yellowtail flounder in Div. 3LNO
 - 19.5 Witch flounder in Div. 3NO
 - 19.6 Capelin in Div. 3NO
 - 19.7 Squid (Illex) in Subareas 3 and 4
 - 19.8 Shrimp in Div. 3LNO
 - 19.9 Greenland halibut in Div. 3LMNO

- 19.10 If available in the Regulatory Area:
 - i. Cod in Div. 2J3KL
 - ii. Witch flounder in Div. 2J3KL
- 19.11 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
- 19.12 Management of Currently Unregulated Stocks:
 - i. 3O redfish
 - ii. Others (?)
- 20. Formulation of Request to the Scientific Council for:
 - a) Scientific advice on the management of fish stocks in 2005
- 21. Transfer of Quotas Between Contracting Parties

V. Closing Procedure

- 22. Time and Place of the Next Meeting
- 23. Other Business
- 24. Adjournment

Annex 3. Decisions and Actions by the Fisheries Commission

<i>Substantive Issue (Agenda item)</i>	<i>Decision/Action</i> <i>(and appropriate FC Documents.)</i>
<u>II. Administrative Issues:</u>	
6. Review of Fisheries Commission Membership	Relates only to review of Membership. Matter decided by General Council.
7. Election of Chair and Vice Chair of Fisheries Commission	Incumbent Chair and Vice-Chair have been re-elected for 2004-2005.
<u>III. Conservation and Enforcement Measures</u>	
9. Report of STACTIC, June 2003:	
STACTIC WP 03/6 – Draft overhaul of the NAFO Conservation and Enforcement Measures (Final)	Accept the recommendation of STACTIC and adopt this overhaul of the NCEM as per STACTIC WP 03/6 final with updates as per this Annual Meeting. Article 36 to remain in CEM overhaul. Recommend that Contracting Parties immediately begin using the new format.
	STACTIC W.P. 03/15 revised was adopted regarding wording ... "per each <u>flag state</u> ".
	FC Working Paper 03/24 adopted re Part VI B(1) – will be amended to the CEM to reflect VMS position reporting requirements (Reporting requirements every 2 hours.)
Proposals for amendments of Rules of Procedure of the Fisheries Commission	Adopted FC Doc. 03/16. New rule 4.5 of Fisheries Commission regarding future amendments to the NAFO Conservation and Enforcement Measures.
	FC WP 03/10 adopted . Provides for election of a Vice-Chair for STACTIC. (Referred to under item 14- report of STACTIC)
Observers and Satellite Tracking	Discussed under agenda items 9 and 14. FC WP 03/20 (Pilot Project) adopted .
	STACTIC WPs 03/12(Revised), 03/17 and 03/18 will be dealt with informally and options brought forward for discussion at the June 2004 STACTIC Intersessional Meeting. Canada will coordinate.
SCS 00/23 referral to STACTIC for review	Was considered by STACTIC. The STACTIC Chairman reported that Scientific Council did not wish to review this document.
Review of Compliance	As per STACFAD WP 03/9 Executive Secretary consulted with STACFAD and STACTIC regarding resources required for compilation of data for STACTIC's annual review of compliance. STACTIC agreed that the work must be done but financing is a matter for STACFAD and the Secretariat to resolve.
10. Presentations on Compliance	Presentations by Canada and EU.

11. Review of the Provisions on Chartering Arrangement in the NRA	FC WP 03/12 (Revision 5) on Chartering Arrangements was adopted .
12. Increase of Inspection Presence in the NRA.	STACTIC is tasked to review current coverage, who provides it and costs then recommend options towards more equitable sharing of coverage and/or costs. This item will be explored in an intersessional meeting such that a report will be made to Fisheries Commission at 2004 Annual NAFO Meeting.
13. Report of the Working Group on Allocations of Fishing Rights, 26-27 March 2003	FC Doc 03/2 Accepted - Most of the discussion dealt with agenda item 4 of that meeting. No recommendations to the FC under item 5 of that document.
Allocation of “Block” Quota Between Estonia, Latvia, Lithuania and Russian Federation	FC WP 03/7 was adopted by consensus with Reservation by Ukraine, text of which is annexed to FC Report as requested.
14. Report of STACTIC at the Annual Meeting	Appropriate recommendations to Fisheries Commission included under items. Cross reference Agenda item 9. New Chair (Martin Newman, EU) and Vice-Chair (Mads Nedergaard, DFG) of STACTIC elected for 2004-2005.
15. Canadian Management Measures for 2J3KL Cod	Fisheries for cod in 2J3KL closed indefinitely to directed fishing. Thus, this item to be removed from Agenda for next year.
16. Next Steps on Implementation of the Precautionary Approach	FC WP 03/21 adopted
IV. Conservation of Fish Stocks in the Regulatory Area	
17. Summary of TAC advice	TACs adopted as per scientific advice are reflected in annexed Quota Table for 2004. Iceland’s reservation to 3M shrimp management measures, the observer program and the chartering provisions noted. Denmark’s (in respect of Faroe Islands and Greenland) reservation to 3L shrimp management measures noted.
18. Management and Technical Measures for Fish Stocks in the Regulatory Area	Pelagic Sebastes Mentella (oceanic redfish) in the NRA; FC WP 03/15 (Revised) adopted .
19. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits	Greenland Halibut 3LMNO; FC WP 03/23 adopted .
Currently Unregulated Stocks	3O Redfish – Intersessional meeting to discuss the management and possible regulation of this stock to be held in Canada, Spring 2004. Consultation on date to follow. A report of the intersessional meeting will be provided for consideration at the September 2004 meeting.
20. Formulation of Request for advice to the Scientific Council for 2005	FC WP 03/22 (revised) was adopted .
21. Transfer of Quotas Between Contracting Parties	FC WP 03/3 tabled presenting summary of transfers.

Annex 4. Pilot Project on Observers, Satellite Tracking and Electronic Reporting
(FC Working Paper 03/20 – now FC Doc. 03/12-Rev.)

The Conservation and Enforcement Measures shall be amended as follows:

1. The text of Article 23.8 shall be replaced by the following:

"The elements of the Observer Program are subject to review and revision, as appropriate, for application in 2005 and subsequent years."

2. The following Chapter VII shall be inserted:

CHAPTER VII – PILOT PROJECT ON OBSERVERS, SATELLITE TRACKING AND ELECTRONIC REPORTING

Article 45 - Scope

Only vessels of Contracting Parties with functional VMS systems that have the necessary technical facilities in place to send electronic "observer reports" and "catch reports" are eligible for this pilot project.

The total number of vessels in the Regulatory Area at any one time, which are participating in the Pilot Project shall be limited to 20, with the total number of vessels without observers not to exceed 10 at any time. Any Contracting Party shall have no more than 8 vessels participating in the Pilot Project at any one time in the Regulatory Area.

Contracting Parties shall notify the Executive Secretary of their intention to participate in the Pilot Project within 30 days following the adoption of the pilot project by the Fisheries Commission. The Pilot Project shall enter into force 60 days following adoption and, should provisionally continue for a period of two years. They shall also notify the Executive Secretary of the maximum number of vessels concerned that would be in the Regulatory Area at any one time. If the number of vessels notified by Contracting Parties exceeds 20 vessels the Executive Secretary, with the agreement of the Chairman of the Fisheries Commission, shall reduce the number without excluding any Contracting Party and advise the relevant Contracting Parties prior to the commencement of the pilot project.

Each Contracting Party is entitled to at least one vessel to participate in the Pilot Project at any time.

If a Contracting Party does not utilize its right for a vessel to participate or withdraws from the Pilot Project, the right becomes available for another Contracting Party. In such a case, the Contracting Parties with the fewest vessels participating in the Pilot Project at that time shall have priority to choose to utilize the right for a new vessel to participate.

Article 46 - Implementation

Participating Contracting Parties should notify the names of the vessels participating in the pilot project to the NAFO Secretariat. Such vessels shall have observers on board in accordance with Article 23 of the NAFO Conservation and Enforcement Measures.

However, by way of derogation from these measures a Contracting Party may withdraw observers from vessels participating in the Pilot Project on the condition that the technical facilities on board the vessel necessary to send electronic "observer reports" and "catch reports" have been tested with the NAFO Secretariat and Contracting Parties with an inspection presence in the Regulatory Area.

The testing of this exchange shall be deemed successful once data exchanges have been completed with all recipients at a 100% reliability rate.

A Contracting Party with one vessel participating in the Pilot Project shall withdraw the observer for no more than 50% of the time that the vessel spends in the Regulatory Area during the year. Other Contracting Parties shall

withdraw the observers from no more than 50% of the vessels participating in the Pilot Project that are present in the Regulatory Area.

When withdrawing observers Contracting Parties shall ensure that there is a balance between vessels participating in the Pilot Project with observers and without observers, in terms of the type of fishery in which the vessels are engaged.

Contracting Parties shall not withdraw observers from vessels with catch onboard when entering the Regulatory Area unless such vessels are subject to an inspection.

Participating Contracting Parties shall provide at all times to the NAFO Secretariat the names of vessels participating in the pilot project as well as the period during which they have no observer onboard. The Executive Secretary shall forward this information to all Contracting Parties.

In the case where a vessel without an observer is found by an inspector to be engaged in any infringement, the Contracting Party shall apply the provisions of Article 32, paragraphs 2 to 9 of the Scheme, as appropriate, and, when the vessel is not re-routed, it shall embark an observer without delay.

In addition to their duties under the Conservation and Enforcement Measures observers on board vessels participating in the Pilot Project shall report daily by electronic channels via the FMC to the NAFO Secretariat ("OBR report") of his duties described in Article 23.4. a) i) to iv) of the Conservation and Enforcement Measures.

Article 47 - Daily Reports

- a) Masters of vessels and observers taking part in the Pilot Project shall transmit daily reports by division.
- b) The daily reports are to be received by the NAFO Secretariat by 1200 UTC daily. The report period will run from 0001 hours to 2400 hours of the previous day.
- c) The catch reported in the daily report of the master will correspond with those recorded in the log.
- d) The daily reports shall include as appropriate the amounts, by Division, of the following categories:
 - i) The daily catch by species retained on board
 - ii) Discarding
 - iii) Undersize fish
- e) If the electronic means of transmitting daily reports (to and from FMC) is not functioning, the master and the observer will continue to report daily by other means keeping a written log of these transmissions on board and available to inspectors.

The templates for Daily Catch (CAX) and Observer Reports (OBR) are contained in Annex XXI(a).

Article 48 - Data Collection/Compilation/Analysis

The Executive Secretary shall collect and compile, on a weekly basis, the data provided by the daily catch reports to compare, among other items, catch rates of species caught by Division, by-catch percentage rate, discard rates for similar fisheries. The details of this data compilation are outlined in Annex XXI (b).

The Executive Secretary shall forward this information to Contracting Parties with an inspection presence.

The NAFO Secretariat shall monitor the receipt of daily reports from each vessel participating in the pilot. When a report has not been received for 2 consecutive days, the NAFO Secretariat will notify the relevant Contracting Party as well as Contracting Parties with an Inspection Presence.

The Executive Secretary shall make available as soon as possible the information received under paragraphs 2 and 3 to other Contracting Parties with an active inspection presence in the Regulatory Area. All reports and messages shall be treated in a confidential manner.

Article 49 - Confidentiality

All data submitted under the Pilot Project shall be maintained by the Executive Secretary for the duration of the Pilot Project as well as the assessment period. When assessing this data at the end of the project, the Executive Secretary and STACTIC will ensure confidentiality by replacing vessel names with a neutral identifier. All other confidentiality rules, as outlined in the Conservation and Enforcement Measures, will apply.

Article 50 - Costs

Subject to any other arrangements between Contracting Parties, each Contracting Party shall pay all its costs associated with this system.

Article 51 – Follow-up

Each Contracting Party (including those with an inspection presence) shall submit an interim report at the first annual meeting of the Fisheries Commission following adoption of the pilot project and a detailed report on the execution of the pilot project containing all necessary information at the annual meeting of the Fisheries Commission following completion of the pilot project. STACTIC supported by the Executive Secretary should evaluate the results of the pilot project at its next meeting on the basis of the criteria set out below as well as the objectives identified, together with any recommendations or proposals:

- a) Compliance overall and notably comparison between vessels with and without observers.
- b) Assessment by the Executive Secretary on issues related to data compatibility, data collection/compilation, and data transmission.
- c) Cost/savings; for the industry; for the authorities of the Contracting Party (including those with an inspection presence); for the NAFO Secretariat.
- d) Interaction with traditional means of control.
- e) Technical functioning of the Scheme and reliability.

3. The following Annex XXI shall be added:

ANNEX XXI (a)

1. Daily Catch Report for Pilot Project (CAX)

Data Element:	Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XNW" for NAFO
Sequence Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type, "CAX" as Catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag state code followed by number
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel
Relevant Area	RA	M	Activity detail: NAFO Division
Latitude	LA	M ¹	Activity detail; position at time of transmission
Longitude	LO	M ¹	Activity detail; position at time of transmission
Daily Catches species live weight	CA	M	Activity detail; cumulative catch by species retained on board (exclusive of discards), either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding species live weight	RJ	M	Activity detail; discarded catch by species, either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize species live weight	US	M	Activity detail; undersize catch by species, either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

1 Optional if a vessel is subject to satellite tracking

2 Meaning the first "Catch Report" in current fishing trip in the R.A.

2. Observer Report (OBR)

Data Element:	Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XNW" for NAFO
Sequence Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type, "OBR" as Observer report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Fishing Gear	GE	M	Activity detail; FAO code for fishing gear
Directed Species ⁷	DS	M	Activity detail; FAO species code
Mesh Size	ME	M	Activity detail; average mesh size in millimeters
Relevant Area	RA	M	Activity detail; NAFO Division
Daily Catches	CA	M	Activity detail; cumulative catch by species retained on board, (exclusive of discards), either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed.
species		M	FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding	RJ	M ¹	Activity detail; discarded catch by species, either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed.
species			FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize	US	M ¹	Activity detail; undersize catch by species, either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed.
species			FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Log Book	LB	M	Activity detail; "Yes" or "No" ³
Production	PR	M	Activity detail; code for the production
Hails	HA	M	Activity detail; observers verification if the reports made by the captain are correct, "Yes" or "No" ⁴
Apparent Infringements	AF	M	Activity detail; "Yes" or "No" ⁵
Observer Name	ON	M	Message detail; name of the observer signing the report
Date	DA	M	Message detail; date of transmission
Free Text	MS	O ⁶	Activity detail; for further comments by the observer
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

1 Only to be transmitted if relevant

2 Meaning the first "Catch Report" in current fishing trip in the R.A.

3 "Yes" if the observer approves the Log Book entries by the captain

4 "Yes" if the observer approves the Hails transmitted by the captain

5 "Yes" if an infringement is observed

6 Mandatory if "LB" = "No", or "HA" = "No", or "AF" = "Yes".

7 Directed species is the species which represents the greatest catch for that day

ANNEX XXI (b)

Data to be compiled by Executive Secretary and Forwarded to Inspection Parties

Catch and Catch Rate Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Effort	Catch Rate
With observer – Masters					
With observer – observer					
Without observer					

By-catch Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Overall Catch	By-catch %
With observer – Masters					
With observer – observer					
Without observer					

Discards Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Discards	Discard %
With observer – Masters					
With observer – observer					
Without observer					

**Annex 5. Amendment of the Rules of Procedure for the Fisheries Commission
to allow for a STACTIC Vice-Chair**

(FC Working Paper 03/10 – now FC Doc. 03/17)

Rule 5.3 be amended as follows: (amendment underlined)

- 5.3 The Committee shall consist of representatives, one from each Commission member, who may be assisted by experts and advisers and shall elect, from among those representatives, to serve for two years, its own Chairman and Vice-Chairman; who shall be allowed a vote. The Executive Secretary shall be an ex officio member, without vote.

**Annex 6. Amendment of the Rules of Procedure for the Fisheries Commission
regarding proposals/amendments to the NAFO CEM
(FC Working Paper 03/13 Revised – now FC Doc. 03/16)**

New Rule 4.5 to be added reading:

Any proposal amending the Conservation and Enforcement Measures of NAFO which is intended to be submitted for adoption by the Fisheries Commission must include at least a clear explanation of its rationale in an explanatory memorandum as well as a clear indication of the provision to be amended and the exact wording of the amendment. The Executive Secretary shall, when incorporating amendments of these measures adopted by the Fisheries Commission, indicate by reference to the working paper or document when the amendment was adopted.

Annex 7. Amendment to CEM regarding VMS reporting
(FC Working Paper 03/24 – now FC Doc. 03/14)

Article 20, paragraph 1 (now Article 21) of the Conservation and Enforcement Measures shall be amended as follows: (amendment underlined)

1. In order to improve and maintain compliance with the Conservation and Enforcement Measures for their vessels fishing in the Regulatory Area, fishing vessels operating in the Regulatory Area shall be equipped with a satellite monitoring device allowing the continuous reporting of their position by the Contracting Party. The satellite monitoring device shall ensure the automatic communication at least once every two hours to a land-based fisheries monitoring centre of the flag state (hereafter referred to as FMC) of data relating to:
 - a) the vessel identification;
 - b) the most recent geographical position of the vessel (longitude, latitude) with a position error which shall be less than 500 metres, with a confidence interval of 99%; and
 - c) the date and time of the fixing of the said position of the vessel.

The first transmitted position report in the Regulatory Area detected by the FMC of the Contracting Party shall be identified as “ENT”. All subsequent position reports shall be identified as “POS” except the first position report detected outside the Regulatory Area which shall be identified as “EXI”.

If a Contracting Party so requests, the Secretariat shall confirm receipt of all electronic reports using a return message identified as “RET”.

Annex 8. Chartering Arrangements
(FC Working Paper 03/12 Revision 5 – now FC Doc. 03/10)

This Article 13 (now Article 14) shall read as follows:

1. A Contracting Party may utilise partly or wholly quota and fishing days allocated to that Party under Annex I by way of a chartering arrangement with a fishing vessel flying the flag of another Contracting Party and notified in accordance with Article 14. Such chartering arrangement must be subject to the consent of the flag State Contracting Party.
2. The chartering Contracting Party shall limit such chartering arrangements to one fishing vessel per flag state of the chartering Contracting Party per year and for a limited duration not exceeding 6 months.
3. For the purpose of this Article the chartering Contracting Party means the Contracting Party to which the quota and fishing days have been allocated pursuant to Annex 1. The flag state Contracting Party means the Contracting Party in which the chartered vessel is registered.
4. Chartering arrangements involving vessels identified as having been involved in IUU fishing activities pursuant to Chapter VI shall not be permitted.
5. The relevant flag State Contracting Party is responsible for ensuring that the vessel complies with the requirements of these Conservation and Enforcement Measures. This does not nullify the obligations under Chapter I of the chartering Contracting Party to which the quota and fishing days have been allocated originally.
6. When operating under chartering arrangements, the chartered vessels shall not be authorised at the same time to utilize the quota or fishing days of the flag State Contracting Party. The vessel shall not be authorised to fish under more than one chartering arrangement at the same time. Any transshipment at sea shall be previously authorised by the chartering flag state Contracting Party and shall be carried out under the supervision of an observer on board.
7. Chartering Contracting Parties intending to have recourse to such chartering arrangements shall notify prior to commencement of the chartering arrangement the following information to the Executive Secretary:
 - a) the name and registration of the chartered vessel and the relevant flag Contracting Party;
 - b) previous name(s) and flag state(s) of the vessel, if any;
 - c) the name and address of the owner(s) and operators of the vessel;
 - d) a copy of the chartering and the fishing licence issued by the chartering Contracting Party;
 - e) the fishing possibilities concerned;
 - f) the date as from which the vessel is authorised to commence fishing on these fishing possibilities; and
 - g) the duration of the chartering arrangement.
8. The relevant flag State Contracting Party shall notify in writing its consent to the Executive Secretary.
9. The Executive Secretary shall verify upon receipt of all required documentation that the chartering arrangements fulfill the conditions referred to in paragraphs 2 and 4. The Executive Secretary shall then circulate this documentation without delay to Contracting Parties, indicating the date at which the chartering arrangement becomes effective.
10. Both the chartering Contracting Party and the flag State Contracting Party shall inform the Executive Secretary of the termination of the chartering arrangement and the beginning and ending of fishing operations under it.
11. All catches and by-catches from notified chartering arrangements shall be recorded by the relevant chartering and flag State Contracting Party separate from other national catch data recorded pursuant to Article 18. They shall be reported to the Contracting Party to which the fishing possibilities have been allocated and to the Executive Secretary, separately from other national catch data pursuant to Article 19. The Executive Secretary shall add these catches to the catch statistics of the Contracting Party to which the fishing possibilities were originally allocated.

12. The chartering Contracting Party shall report to the Executive Secretary by 1 July each year, and for the previous calendar year, all relevant information concerning the implementation of chartering arrangements notified under this Article, including information on catches taken and fishing effort deployed by the chartered vessel.
13. The Executive Secretary shall by 15 August each year submit a report to the Fisheries Commission providing an overview of chartering arrangements and their compliance with the provisions of this Article. The Fisheries Commission shall, on the basis of this report, review compliance with the provisions of this Article at each Annual Meeting.

**Annex 9. Agreed Record of Consultations Among Estonia, Latvia, Lithuania and
Russia on Allocation of Joint ("Block") Quotas in the NAFO Regulatory Area
(FC Working Paper 03/7)**

In accordance with the decision of the NAFO Fisheries Commission Working Group on Allocation of Fishing Rights, 26-28 March 2003 (Miami, USA), consultations on allocation of joint ("block") quotas were held in Moscow, Russia, on 10 June 2003.

The Russian delegation was headed by Dr. Anatoly N. Makoedov, Deputy Chairman of the State Committee for Fisheries of the Russian Federation.

The Latvian delegation was headed by Mr. Normunds Riekstins, Director of the National Board of Fisheries, Ministry of Agriculture of the Republic of Latvia.

The Lithuanian delegation was headed by Mr. Vytautas Vaitiekunas, Director of the Fisheries Department under the Ministry of Agriculture of the Republic of Lithuania.

The Estonian delegation was headed by Mr. Lauri Vaarja, Fisheries Adviser of the Ministry of Environment of the Republic of Estonia.

List of participants in contained in the Annex.

In the course of consultations the Parties reviewed the following criteria, which could be used for allocation of quotas among the Parties:

- historical catch data;
- participation in scientific research in the NAFO Regulatory Area;
- dependence of coastal regions on fisheries;
- a "good will" principle.

After all the delegations had expressed their views, it was agreed that:

1. a list of stocks for further allocation of joint ("block") quotas in the NAFO Regulatory Area shall include the following stocks:
 - cod in Div. 3M
 - cod Divs. 3NO
 - redfish Div. 3M
 - redfish Divs. 3LN
 - American plaice Div. 3M
 - American plaice Divs. 3LNO
 - witch Divs. 3LMNO
 - capelin Divs. 3NO
 - squid SA 3+4
2. joint ("block") quotas for all stocks (including stocks currently under moratoria) referred to in par. 1 of this Agreed Record shall be allocated among the Parties as follows:

Republic of Latvia	- 11.34%
Republic of Lithuania	- 11.34%
Russian Federation	- 65.98%
Republic of Estonia	- 11.34%
3. this Agreed Record shall be forwarded to the NAFO Fisheries Commission to be used for allocation of quotas among the Parties.

Head of the Russian delegation	Anatoly N. Makoedov
Head of the Latvian delegation	Normunds Riekstins
Head of the Lithuanian delegation	Vytautas Vaitiekunas
Head of the Estonian delegation	Lauri Vaarja

List of Participants**The Russian delegation**

- Anatoly N. Makoedov - Head of Delegation, Deputy Chairman of the State Committee for Fisheries of the Russian Federation, Moscow;
- Marina A. Sominskaya - Deputy Head of Section of the Department of Aquatic Biological Resources and Fisheries Management, the State Committee for Fisheries of the Russian Federation, Moscow;
- Nina G. Kim - Chief Specialist of the Department of International Cooperation, the State Committee for Fisheries of the Russian Federation, Moscow;
- Boris F. Prischepa - Head of Federal State Directorate, Murmanrybvod", Murmansk;
- Alexander V. Vaskov - Scientist of the Polar Research Institute (PINRO), Murmansk.

The Latvian delegation

- Normunds Riekstins - Head of Delegation, Director of the National Board of Fisheries, Ministry of Agriculture of the Republic of Latvia;
- Uldis Rinkis - Senior Officer of Fisheries and Fish Resources Division, the National Board of Fisheries, Ministry of Agriculture of the Republic of Latvia.

The Lithuanian delegation

- Vytautas Vaitiekunas - Head of Delegation, Director of the Fisheries Department, Ministry of Agriculture of the Republic of Lithuania;
- Algirdas Rusakevicius - Chief Specialist of the Fisheries Department, Ministry of Agriculture of the Republic of Lithuania;
- Povilas Kinduris - Director General of the Lithuanian State Centre for Fish Stock Enhancement and Fisheries Research.

The Estonian delegation

- Lauri Vaarja - Head of Delegation, Fisheries Adviser of the Ministry of Environment of the Republic of Estonia;
- Aare Tuvi - Senior Officer of the Fishery Resources Department, Ministry of Environment of the Republic of Estonia.

Annex 10. Statement by Ukraine on Traditional Fishing in the NAFO Regulatory Area

Mr. Chairman,

According to Article XI.4 of the NAFO Convention, the allocation of catches and fishing rights in the Regulatory Area shall take into account the interest of Fisheries Commission members whose vessels have traditionally fished within that Area.

Ukrainian vessels have been fishing in the Area from 1972 under the fishing rights of the former USSR. At the time of accession to NAFO, at the 21st Annual Meeting, 1999, and other appropriate meetings, the Ukrainian delegation presented its justification of traditional fishing rights in the NAFO Area. In this context, Ukraine expected to carry on and utilize its fishing rights allocations according to the established historical fishing which includes, as well, the so-called "Block Quota" allocation to the former entities of the USSR. Any decision to exclude Ukraine from its traditional share in the above-noted allocation would be contradictory to the NAFO Convention and the spirit of international cooperation.

We would like to emphasize that Ukraine is a geographically disadvantaged state and needs access to any available fishing resources to support the socioeconomic needs of its 50 million population.

This delegation asks the Fisheries Commission and NAFO Contracting Parties to take into account the Ukrainian traditional fishing rights for the quota allocation in the NAFO Regulatory Area.

Thank-you.

Annex 11. Amendment to CEM re 3L Shrimp Vessels
(STACTIC W.P. 03/15 Revised – now FC Doc. 03/15)

Conservation and Enforcement Measures to be amended as follows:

The first sentence of Article 11.2 (now Article 12.2) shall be replaced by the following:

“All fishing for shrimp in Division 3L shall take place in depths greater than 200 metres and shall be limited at any one time to one vessel per each flag state Contracting Party’s allocation”.

Annex 12. Comments adopted by FC regarding Precautionary Approach Framework
(FC Working Paper 03/21)

1. The Fisheries Commission acknowledges the work of the Scientific Council in preparing Proposed NAFO Precautionary Approach Framework (FC Working Paper 03/9), and expresses its appreciation for the dedication of the Scientific Council to providing advice to the Fisheries Commission in this regard.
2. Further discussion on the practical application of the framework is required. In the meantime the Fisheries Commission encourages Contracting Parties, in developing proposals for fisheries conservation and management, to consider the NAFO Precautionary Approach Framework in preparing choices for future action, including technical and management measures.

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2004 of particular stocks in Subareas 1-4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Species	Cod			Redfish			American plaice		Yellow-tail	Witch		Capelin	Greenland halibut	Squid (Illex) ¹	Shrimp	
	3L	3M	3NO	3LN	3M	Sub-area 2 and Div. 1F + 3K	3LNO	3M	3LNO	3L	3NO	3NO	3LMNO	Sub-areas 3+4	3L	3NO
Canada		0	0	0	500	7500 ^{2,4}	0	0	14137 ⁵		0	0	2223	N.S. ⁶	10,833	
Cuba		0	-	0	1750	7500 ^{2,4}	-	-	-		-	0	-	510	144	
Denmark (Faroe Islands and Greenland)		0	-	-	69	25000 ^{2,3}	-	-	-		-	-	-	-	144	
European Union		0	0	0	3100	25000 ^{2,3}	0	0	290 ⁵		-	0	8203	N.S. ⁶	144	
France (St Pierre et Miquelon)		-	-	-	69	7500 ^{2,4}	-	-	-		-	-	-	453	144	
Iceland		-	-	-	-	25000 ^{2,3}	-	-	-		-	-	-	-	144	
Japan		-	-	-	400	7500 ^{2,4}	-	-	-		-	0	1519	510	144	
Korea		-	-	-	69	7500 ^{2,4}	-	-	-		-	-	-	453	144	
Norway		0	-	-	-	25000 ^{2,3}	-	-	-		-	0	-	-	144	
Poland		0	-	-	-	25000 ^{2,3}	-	-	-		-	0	-	227	144	
Estonia		0	0	0	1571	7500 ^{2,4}	-	0	-		-	0	-	128	144	
Latvia		0	0	0	1571	7500 ^{2,4}	-	0	-		-	0	-	128	144	
Lithuania		0	0	0	1571	7500 ^{2,4}	-	0	-		-	0	-	128	144	
Russia		0	0	0	9137	25000 ^{2,3}	-	0	-		-	0	1890	749	144	
Ukraine						7500 ^{2,4}									144	
United States of America		-	-	-	69	7500 ^{2,4}	-	-	-		-	-	-	453	144	
Others		0	0	0	124	-	0	0	73 ⁵		0	-	985 ⁷	794	0	
TOTAL ALLOWABLE CATCH	*	*	* ⁸	* ⁸	5000 ^{9,8}	32500 ¹¹	* ⁸	*	14500 ¹⁰	*	*	* ⁸	14820	34000	13000	*

- * Ban on fishing in force – The provisions of Article 8, paragraph 3 shall apply.
1. Any quota listed for squid may be increased by a transfer from any “coastal state” as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded.
Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.
 2. The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.
 3. Quota to be shared by vessels from Denmark (Greenland and Faroe Islands) European Union, Iceland, Norway, Poland and Russia. Catches in the NAFO Convention Area shall be deducted from the quotas allocated in the NEAFC Convention Area.
 4. Quota to be shared by vessels from Canada, Cuba, Estonia, France (St Pierre et Miquelon), Japan, Korea, Latvia, Lithuania, Ukraine and USA.
 5. Contracting Parties shall inform the Executive Secretary before 1 December 2003 of the measures to be taken to ensure that total catches do not exceed the levels indicated.
 6. The allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC (= 29,458 tons).
 7. Of which no more than 60% (591 t) may be fished before 1 May 2004
 8. Applicable to 2004 and 2005.
 9. Each Contracting Party shall notify the Executive Secretary every second week of catches taken by its vessels from this stock until accumulated reported catch reaches 50%, after which time weekly notification shall apply. Not more than 2500 tons may be fished before July 1, 2004. The Executive Secretary shall notify without delay all Contracting Parties of the date on which, for this stock, accumulated reported catch taken by vessels of the Contracting Parties is estimated to equal 50% and then 100% of the TAC.
 10. The provisions of Article 8, paragraph 3 of the Conservation and Enforcement Measures shall apply.
 11. In the case of the NEAFC decision which modify the level of TAC for Oceanic Redfish in 2004 as compared to 2003, these figures shall be accordingly adjusted.

**Annex 14. Statement by Denmark (in respect of Faroe Islands and Greenland)
Regarding 3L Shrimp**

Denmark (in respect of Faroe Islands and Greenland) would like to express its dissatisfaction with the decision taken regarding the allocation of the 3L shrimp quota in the NAFO Regulatory Area.

With this decision the Fisheries Commission once more has disregarded historical catches as the appropriate basis for quota allocation.

As quota allocations in NAFO Regulatory Area from the outset are based on historical catches Denmark (in respect of the Faroe Islands and Greenland) find this decision to be contrary to generally applied principles in NAFO.

Denmark (in respect of the Faroe Islands and Greenland) protest against the lack of consistency in the decision making processes applied by the Fisheries Commission.

We find that NAFO with this decision neglect the legitimate rights of Denmark (in respect of the Faroe Islands and Greenland) to a share of this quota in accordance with its historical track record.

In this regard I would like to inform the Fisheries Commission that this could lead to an objection by Denmark (in respect of the Faroe Islands and Greenland).

Annex 15. Rebuilding Plan for Greenland halibut in SA 2 and Divisions 3KLMNO
(FC Working Paper 03/23 – now FC Doc. 03/13)

THE FISHERIES COMMISSION

- Noting with great concern the advice of the Scientific Council on the Greenland Halibut Stock in Subarea 2 and Divisions 3KLMNO for 2004,
- Noting that such advice has indicated:
 - that the exploitable biomass of the Greenland halibut stock has been declining in recent years and is presently estimated to be at its lowest level;
 - that the recent recruitment has been poor, and
 - that if catches continue at recent levels the stock will decline further;
- Conscious of the need, in light of this advice, to take effective measures to arrest the decline in the exploitable biomass and to ensure the rebuilding of this biomass to reach a level that allows a stable yield of the Greenland halibut fishery over the long term;
- Conscious also of the fact that the rebuilding of the stock is the only means to provide a future for the interested fisheries industry sector,
- Noting that it is necessary to implement a monitoring programme to ensure that the stock is achieving the rebuilding objective in future years,

HAS AGREED AS FOLLOWS

1. Contracting Parties shall implement a fifteen-year rebuilding programme for the Greenland halibut stock in Subarea 2 and Divisions 3KLMNO.
2. The objective of this programme shall be to attain a level of exploitable biomass 5+ of 140,000 tonnes on average, allowing a stable yield over the long term in the Greenland halibut fishery.
3. For this purpose, a total allowable catch for the following years is established as follows:
 - 2004: 20,000 tonnes
 - 2005: 19,000 tonnes
 - 2006: 18,500 tonnes
 - 2007: 16,000 tonnes

The total allowable catch for subsequent years shall be established taking into account the progress made in the rebuilding of the stock.

4. The Scientific Council shall monitor and review the progress of the programme and submit each year an assessment thereon to the Fisheries Commission.
5. The total allowable catch from 2008 onwards may be adjusted by the Scientific Council advice. However, the total allowable catch shall not be set at levels beyond 15% less or greater than the total allowable catch of the preceding year.
6. The following specific measures shall be applicable with regard to the Greenland halibut fishery in Subarea 2 and Divisions 3KLMNO in respect of vessels 24 meters in length or greater:
 - a) Contracting Parties shall issue specific authorisations to vessels fishing for Greenland halibut (hereafter referred to as 'authorised vessels') and shall transmit the list of such vessels to the NAFO Secretariat.

- b) Each Contracting Party shall allocate its quota for Greenland halibut among its authorised vessels.
 - c) Authorised vessels may only land Greenland halibut catch in ports designated by NAFO Contracting Parties. Landings in ports of non-Contracting Parties shall be prohibited.

Each landing shall be submitted to inspection in port. The corresponding port inspection report shall be transmitted to the NAFO Secretariat within 7 working days from the date at which the inspection was completed.
 - d) Contracting Parties shall implement a catch reporting regime that ensures effective monitoring of the utilisation of each vessel's quota.
- 7. Each Contracting Party shall adjust fishing effort commensurate with the available fishing opportunities.
 - 8. In reviewing the implementation of this rebuilding plan, the Fisheries Commission may decide on additional measures to ensure the effective attainment of its objective.
 - 9. Contracting Parties shall prohibit landings from non-Contracting Party vessels that have engaged in fishing activities in the Regulatory Area.
 - 10. Contracting Parties fishing on the Others quota shall be subject to the notification and reporting requirements pursuant to Article 3, paragraph 3 and Article 19, paragraph 3 of the Conservation and Enforcement Measures

**Annex 16. Fisheries Commission decision on Oceanic Redfish
fisheries in NAFO SA2 and Divisions 1F and 3K**
(FC Working Paper 03/15 revised – now FC Doc. 03/11)

		Oceanic Redfish (pelagic <i>Sebastes mentella</i>)
		<u>NAFO SA 2 and Divisions 1F and 3K</u>
Denmark (in respect of Faroe Islands and Greenland)	}	25,000 ^{1);2);3)4)}
European Union		
Iceland		
Norway		
Poland		
Russia		
Canada	}	7,500 ^{1);3)4)}
Cuba		
Estonia		
France (St. Pierre et Miquelon)		
Japan		
Korea		
Latvia		
Lithuania		
Ukraine		
USA		

- ¹⁾ The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.
- ²⁾ As acceptance of this decision the quantities taken from that allocation in the NAFO Convention Area by respective Contracting Parties shall be deducted from the quotas allocated to these Contracting Parties in the NEAFC Convention Area.
- ³⁾ This arrangement applies to 2004 and is without prejudice to sharing arrangements for this stock in future years.
- ⁴⁾ In the case of the NEAFC decision which modify the level of TAC for Oceanic Redfish in 2004 as compared to 2003, these figures shall be accordingly adjusted.

**Annex 17. Fisheries Commission's Request for Scientific Advice on Management in 2005
of Certain Stocks in Subareas 2, 3 and 4**

(FC Working Paper 03/22 Revised – now FC Doc. 03/9)

1. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2004 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 2005:

Shrimp (Div. 3M, 3LNO)
Greenland halibut (Subarea 2 and Div. 3KLMNO)

2. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2004 Annual Meeting, provide advice on the scientific basis for the management of the following fish stocks on an alternating year basis:

Cod (Div. 3NO; Div. 3M)
Redfish (Div. 3M; Div. 3LN; Div. 3O)
Yellowtail flounder (Div. 3LNO)
American plaice (Div. 3LNO; Div. 3M)
Witch flounder (Div. 2J3KL; Div. 3NO)
Capelin (Div. 3NO)
Northern Shortfin Squid (Subareas 3 and 4)

- In 2003, advice was provided for 2004 and 2005 for cod in 3NO, American plaice in 3LNO, witch flounder in 2J3KL, redfish in 3M, redfish in 3LN, redfish in 3O and capelin in 3NO. These stocks will next be assessed in 2005.
- In 2004, advice will be provided for 2005 and 2006 for cod in 3M, American plaice in 3M, yellowtail flounder in 3LNO, witch flounder in 3NO and northern shortfin squid in SA 3&4. These stocks will next be assessed in 2005.

The Fisheries Commission requests the Scientific Council to continue to monitor the status of all these stocks annually and, should a significant change be observed in stock status (e.g. from surveys) or in by-catches in other fisheries, provide updated advice as appropriate.

3. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2004 Annual Meeting, to provide advice on the scientific basis for the management of skates in Div. 3LNO including recommendations regarding the most appropriate TAC for 2005 and 2006. This stock will be assessed in alternate years thereafter.
4. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2004 Annual Meeting, to provide information on the status of the Greenland halibut in SA 2+ Div. 3KLMNO in relation to the Rebuilding Strategy including commentary on progress in relation to targets described in the Strategy.
5. The Commission and the Coastal State request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above:
 - a) The preferred tool for the presentation of a synthetic view of the past dynamics of an exploited stock and its future development is a stock assessment model, whether age-based or age-aggregated.
 - b) For those stocks subject to analytical-type assessments, the status of the stocks should be reviewed and management options evaluated in terms of their implications for fishable stock size in both the short and long term. As general reference points, the implications of fishing at $F_{0.1}$ and F_{2003} in 2005 and subsequent

years should be evaluated. The present stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.

- c) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the following reference points should be calculated: 1) the level of fishing effort or fishing mortality (F) required to take the MSY catch in the long term; 2) two-thirds of that level; 3) 75% of that level; and 4) 85% of that level.
- d) For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.
- e) Spawning stock biomass levels considered necessary for maintenance of sustained recruitment should be recommended for each stock. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing reproductive potential of the stock, management options should be offered that specifically respond to such concerns.
- f) Information should be provided on stock size, spawning stock sizes, recruitment prospects, fishing mortality, catch rates and TACs implied by these management strategies for the short and the long term in the following format:
 - I. For stocks for which analytical-type assessments are possible, graphs should be provided of all of the following for the longest time-period possible:
 - historical yield and fishing mortality;
 - spawning stock biomass and recruitment levels;
 - catch options for the year 2005 and subsequent years over a range of fishing mortality rates (F) at least from $F_{0.1}$ to F_{max} ;
 - spawning stock biomass corresponding to each catch option;
 - yield-per-recruit and spawning stock per recruit values for a range of fishing mortalities.
 - II. For stocks for which advice is based on general production models, the relevant graph of production as a function of fishing mortality rate or fishing effort should be provided. Age-aggregated assessments should also provide graphs of all of the following for the longest time-period possible:
 - exploitable biomass (both absolute and relative to B_{MSY})
 - yield/biomass ratio as a proxy for fishing mortality (both absolute and relative to F_{MSY})
 - estimates of recruitment from surveys, if available.
 - III. Where analytical methods are not attempted, the following graphs should be presented, for one or several surveys, for the longest time-period possible:
 - time trends of survey abundance estimates, over:
 - an age or size range chosen to represent the spawning population
 - an age or size-range chosen to represent the exploited population
 - recruitment proxy or index for an age or size-range chosen to represent the recruiting population.
 - fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the exploited population.

For age-structured assessments, yield-per-recruit graphs and associated estimates of yield-per-recruit based reference points should be provided. In particular, the three reference points, actual F, $F_{0.1}$ and F_{max} should be shown.

6. Noting the progress made by the Scientific Council on the development of a framework for implementation of the Precautionary Approach, the Fisheries Commission requests that the Scientific Council provide the

following information for the 2004 Annual Meeting of the Fisheries Commission for stocks under its responsibility requiring advice for 2005, or 2005 and 2006:

- a) the limit and precautionary reference points as described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (when precautionary reference points cannot be determined directly, proxies should be provided);
 - b) information including medium term considerations and associated risk or probabilities which will assist the Commission in developing the management strategies described in paragraphs 4 and 5 of Annex II in the Agreement;
 - c) information on the research and monitoring required to evaluate and refine the reference points described in paragraphs 1 and 3 of Annex II of the Agreement; these research requirements should be set out in the order of priority considered appropriate by the Scientific Council;
 - d) any other aspect of Article 6 and Annex II of the Agreement which the Scientific Council considers useful for implementation of the Agreement's provisions regarding the precautionary approach to capture fisheries;
 - e) propose criteria and harvest strategies for re-opening of fisheries and for new and developing fisheries; and
 - f) to continue to work toward the harmonization of the terminology and application of the precautionary approach within relevant advisory bodies.
7. In addition, the following elements should be taken into account by the Scientific Council when considering the precautionary approach:

- a) Many of the stocks in the NAFO Regulatory Area are well below any reasonable level of B_{lim} or B_{buf} . For these stocks, the most important task for the Scientific Council is to inform on how to rebuild the stocks. In this context and building on previous work of the Scientific Council in this area, the Scientific Council is requested to evaluate various scenarios corresponding to recovery plans with timeframes of 5 to 10 years, or longer as appropriate. This evaluation should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, including information on the consequences and risks of no action at all.

References to "risk" and to "risk analyses" should refer to estimated probabilities of stock population parameters falling outside biological reference points.

- b) Where reference points are proposed by the Scientific Council as indicators of biological risk, they should be accompanied by a description of the nature of the risk incurred if the reference point is crossed (e.g. short-term risk of recruitment overfishing, loss of long-term yield, etc.)
- c) When a buffer reference point is proposed in order to maintain a low probability that a stock, measured to be at the buffer reference point, may actually be at or beyond the limit reference point, the Scientific Council should explain the assumptions made about the uncertainty with which the stock is measured, and also the level of 'low probability' that is used in the calculation.
- d) Wherever possible, short and medium term consequences should be identified for various exploitation rates (including no fishing) in terms of yield, stability in yield from year to year, and the risk or probability of moving the stock beyond B_{lim} . Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the risks of falling below B_{lim} , as well as of being above F_{lim} and, the risks of stock collapse and recruitment overfishing, as well as the risks of growth overfishing and the consequences in terms of both short and long term yields.
- e) When providing risk estimates, it is very important that the time horizon be clearly spelled out. By way of consequence, risks should be expressed in timeframes of 5, 10 and 15 years (or more), or in terms of other appropriate year ranges depending on stock specific dynamics. Furthermore, in order to provide the Fisheries Commission with the information necessary to consider the balance between risks and yield levels, each harvesting strategy or risk scenario should include, for the selected year ranges, the

risks and yields associated with various harvesting options in relation to B_{lim} , and F_{lim} and target F reference points selected by managers.

8. Regarding pelagic *S. mentella* redfish in NAFO Subareas 1-3, the Scientific Council is requested to review the most recent information on the distribution of this resource, as well as on the affinity of this stock to the pelagic redfish resource found in the ICES Sub-area XII, parts of SA Va and XIV and to the shelf stocks of redfish found in ICES Sub-areas V, VI and XIV, and NAFO Subareas 1-3.
9. Regarding white hake in Divisions 3NO, the Scientific Council is requested to provide the following:
 - a) Information on the fishing mortality on white hake in Divisions 3NO in recent years, as well as information on by-catches of other groundfish in the 3NO white hake fishery;
 - b) Information on abundance indices and the distribution of the stock in relation to groundfish resources, particularly for the stocks which are under moratorium;
 - c) Information on the distribution of white hake in Divisions 3NO, as well as a description of the relative distribution inside and outside the NAFO Regulatory Area;
 - d) Advice on reference points and conservation measures that would allow for exploitation of this resource in a precautionary manner;
 - e) Information on annual yield potential for this stock in the context of (d) above;
 - f) Identification and delineation of fishery areas and exclusion zones where fishing would not be permitted, with the aim of reducing the impact on the groundfish stocks which are under moratorium, particularly juveniles;
 - g) Determination of the appropriate level of research that would be required to monitor the status of this resource on an ongoing basis with the aim of providing catch options that could be used in the context of management by Total Allowable Catch (TAC); and
 - h) Information on the size composition in the current catches and comment on these sizes in relation to the size at sexual maturity.
10. Regarding redfish in Divisions 3L, 3N and 3O, Scientific Council is requested to review all available information and provide advice regarding whether the current management units (3LN and 3O) or any alternative may be the most appropriate.

PART II

Report of the Standing Committee on International Control (STACTIC)

1. Opening of the Meeting

The Chairman, D. Bevan (Canada), welcomed participants to Halifax on September 15, 2003 at 10:00 am adding that there was a lot of work to do before the report of proceedings were to be presented to the Fisheries Commission on Thursday morning.

2. Appointment of Rapporteur

Mike Rimmer (EU) was appointed Rapporteur.

3. Adoption of Agenda

As Canada wanted to make a presentation under item 8, they requested this item be postponed until it was more convenient. The Chairman confirmed that this would be taken at 2:00 pm on 16 September. Denmark (in respect of Faroe Islands and Greenland) requested that a presentation on the harmonization group working be made under item 15 "Other Matters". This was agreed and agenda adopted as revised (Annex 1).

4. Review of Annual Returns of Infringements

The Secretariat introduced STACTIC W.P. 03/7 (revised); 03/10 (revised) and FC Doc. 03/4 (Revised).

5. Review of Surveillance and Inspection Reports

The Secretariat introduced STACTIC W.P. 03/8. The representative of Canada tabled its annual report on surveillance and inspection activity (STACTIC W.P. 03/16). The representative of Denmark (in respect of Faroe Islands and Greenland) tabled its summary of inspection activities (STACTIC W.P. 03/20). The representative of EU confirmed that they had given a presentation on inspection activities in Fisheries Commission.

6. Review of Operation of the Automated Hail/VMS System

STACTIC W.P. 03/9 was introduced. The representative of Canada questioned the entry of automatic/nil against one Contracting Party. The Secretariat explained that they had received reports for this Contracting Party via a third party. These stopped but have restarted again. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked if the entry in the column move and zonal was compulsory when VMS was working. The Secretariat confirmed that this was not the case.

7. Review of Compliance

The Secretariat explained that at the intersessional meeting held in Copenhagen 16-20 June 2003 the Executive Secretary announced that the Secretariat would not be able to present the report on compliance for 2002 because of the large amount of data that needed to be pulled together. The Chairman added that he hoped this would be put together for discussion at 2004 meeting.

At the request of the Fisheries Commission, the Executive Secretary presented STACFAD Working Paper 03/9 "Requirement: Additional staff for a period of 14 months" explaining that this length of handover was necessary to ensure the proper training of the successor to Mr. Gordon Moulton. The Executive Secretary added that additional work could not be carried out without additional resources. STACTIC agrees the work has to be done but should be left to STACFAD to determine how to fund it.

The representative of Canada introduced STACTIC W.P. 03/19. This was a discussion document explaining the roles, responsibilities and process of carrying out review of compliance as agreed in STACTIC W.P. 02/14.

Discussions centered on how much additional work this would create for the Executive Secretary/Secretariat, and if this document actually went further than the terms of reference given to STACTIC in W.P. 02/14. It was clarified that this paper was not intended to replace W.P. 02/14, rather to discuss its implementation. The representatives of EU and Canada agreed to have discussions on how to implement STACTIC W.P. 02/14 and bring recommendation back to STACTIC for their consideration.

8. Port Inspection Protocol

The representative of Canada introduced STACTIC Working Paper 03/12 (Revision 1) explaining that this was a proposal for a port inspection protocol for vessels fishing in the NAFO Regulatory Area. There was a presentation explaining the statistical methodology behind the various sampling plans for port inspections. There was a general discussion on this issue with no conclusions. It was agreed that this document has common elements with STACTIC W.P. 03/17, 03/18 and these were discussed together under item 9d.

9. Program for Observers and Satellite Tracking

a) STACTIC Evaluation of the Program for Observers and Satellite Tracking (STACTIC 02/31)

This was discussed at the intersessional meeting. There was no further discussion.

b) Observer Program and Scientific Requirements (SCS Doc. 00/23)

There was general discussion on this item. The Chairman of the Scientific Council had indicated to Chairman of STACTIC that the Scientific Council did not wish to review this paper.

c) Pilot Project

STACTIC had referred the outcome of working group held in London in November 2002 to the Fisheries Commission. There was no further discussion.

d) Proposals for amendments of Conservation and Enforcement Measures, in particular the observer scheme

EU introduced STACTIC Working Paper 03/17 explaining that this was a working paper and took into account views of some Contracting Parties in Copenhagen meeting. The representative of the EU said this would replace the current observer program which finishes at the end of 2003. The representatives of both Canada and the USA both disagreed with the EU's interpretation on observer program ending 2003. Canada introduced STACTIC Working Paper 03/18 explaining that there should be standardization of observer schemes within NAFO. There was general discussion by Contracting Parties on both of these documents with the consensus view that all needed more time to reflect on these papers. A proposal was discussed to have a Working Group set up that would be charged with looking at STACTIC W.P. 03/12, 03/17 and 03/18 with a view to bringing recommendations for comprehensive changes to the CEM to the intersessional STACTIC meeting. Draft terms of reference were prepared by the Chair (STACTIC W.P. 03/21), however, the representative of the EU could not accept the current observer scheme continuing after 2003 and so could not agree to setting up of this working group.

EU introduced STACTIC Working Paper 03/15 which was a proposal to harmonize rules in 3M and 3L shrimp fishery and would add the words "Flag State" in the first sentence of Article 11.2. of the revised CEM. There was a consensus to adopt STACTIC W.P. 03/15 (Revised) to allow the addition of "Flag State" but to keep the rules on 3M and 3L shrimp as they are due to the differences to the fisheries in the zones. STACTIC could re-examine the possible harmonization of by-catch in shrimp fishery if instructed by Fisheries Commission.

10. Review of by-catch limits (task from the Fisheries Commission)

It is the view of STACTIC that they are comfortable with the current percentages. Given that the new system is simpler than the old, the current percentages should be kept unless the Fisheries Commission wants these looked at.

However, STACTIC noted that it would not be possible to compare the equivalency of the percentages under the two systems because the old system was too complicated to follow.

11. Discussion of possible amendments to the Conservation and Enforcement Measures – Definition of infringement

This matter was discussed but further reflection is required before STACTIC can come forward with a recommendation.

12. Proposals for amendments of the Rules of Procedure of the Fisheries Commission

The EU presented STACTIC Working Paper 03/13 (Revised) which would ensure that any measures adopted by the Fisheries Commission would contain a clear explanation of its rationale in the form of an explanatory memorandum; and a clear indication of the section/article/provision to be amended and the exact wording of the amendment in operative terms. It was agreed to forward 03/13 revised to the Fisheries Commission.

The Fisheries Commission referred FC Working Paper 03/10 on the STACTIC recommendation to amend Rules of Procedure of the Fisheries Commission in order to provide for election of a vice chairman asking STACTIC if it needed to include rules should neither chairman nor vice chairman be available to attend STACTIC meeting. It is the view of STACTIC that this is not the case and recommended that FC Working Paper 03/10 be sent back to Fisheries Commission without amendment.

13. Election of Chair and Vice-Chair

Martin Newman (EU) was elected Chairman and Mads Nedergaard (Denmark in respect of Faroe Islands and Greenland), Vice-Chairman.

Mr. Newman and Mr. Nedergaard both thanked Mr. Bevan for his excellent work as Chairman of STACTIC over the last 8 years.

14. Time and Place of Next Meeting

Intersessional meeting to be held in Copenhagen, Denmark, June 2004.

15. Other Matters

i) Working Group on Harmonization of the Communications of Catches

Iceland and Denmark (in respect of Faroe Islands and Greenland) presented STACTIC Working Paper 03/14. They explained that this was a working document analyzing the differences in the NAFO and NEAFC electronic reporting system. Contracting Parties were encouraged to access website and provide comments on work conducted to date.

ii) Chartering

Fisheries Commission referred W.P. 03/12 on chartering for clarification. Norway requested that [] be placed around fishing days in the document as they had not agreed to this term in Fisheries Commission. France (on behalf of St. Pierre and Miquelon) stated that the pilot project was set up to look at chartering as such not chartering of specifically shrimp and that shrimp should be in []. EU and USA stated that this went beyond remit of STACTIC. STACTIC requests that Fisheries Commission clarify whether they are to look at chartering in general or chartering of only shrimp. Consensus on FC Working Paper 03/12 (Revision 3) be sent to Fisheries Commission with [] to reflect policy decisions to be made by Fisheries Commission.

STACTIC noted that in the event that the Executive Secretary could not verify under Section 9 that the conditions had been met there is no pro-active action provided for.

iii) Article 36 of Conservation and Enforcement Measures

Fisheries Commission asked STACTIC if Article 36 of the overhaul of the Conservation and Enforcement Measures should be deleted.

It is the opinion of STACTIC that this Article should remain. However STACTIC would look at this matter again after it had reviewed the increase of inspection presence in the NAFO Regulatory Area.

iv) Review Increase of Inspection Presence in NAFO Regulatory Area

Fisheries Commission asked STACTIC to review increase in inspection presence in the NAFO Regulatory Area.

It is the opinion of STACTIC that this is too weighty an issue to be dealt with at this Annual Meeting and to do a valid job would take time. STACTIC therefore will look at this matter in 2004 with a view to coming forward with a paper at the next NAFO Annual Meeting.

16. Adoption of Report

The Committee adopted the Report as is.

17. Adjournment

The meeting adjourned on Thursday, 18 September at 1700 hrs.

Annex 1. Agenda

1. Opening by the Chairman, D. Bevan (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Returns of Infringements
 - a) review of disposition of outstanding infringements by Contracting Parties
5. Review of Surveillance and Inspection Reports
6. Review of Operation of the Automated Hail/VMS system
7. Review of Compliance (STACTIC W.P. 02/14)
8. Port Inspection Protocol
9. Program for Observers and Satellite Tracking
 - a) STACTIC Evaluation of the Program for Observers and Satellite Tracking in accordance with Terms of Reference –STACTIC W.P. 02/31)
 - b) Observer Program and Scientific Requirements
 - c) Pilot Project
 - d) Proposals for amendments of Conservation and Enforcement Measures, in particular the observer scheme
10. Review of by-catch limits (Task from the Fisheries Commission)
11. Discussion of possible amendments to the Conservation and Enforcement measures – Definition of infringement
12. Proposals for amendments of the Rules of Procedure of the Fisheries Commission
13. Election of Chair
14. Time and Place of the Next Meeting
15. Other Matters
 - i) Working Group on Harmonization of the Communications of Catches
 - ii) Chartering
 - iii) Article 36 of Conservation and Enforcement Measures
 - iv) Review increase of inspection presence in NAFO Regulatory Area
16. Adoption of Report
17. Adjournment

SECTION III
(pages 141 to 156)

**Report of the Working Group on the
Management of 3O Redfish
30-31 March 2004
St. John's, NL, Canada**

Report of the Working Group.....	143
1. Opening of the Meeting.....	143
2. Election of Chair	143
3. Appointment of Rapporteur.....	143
4. Adoption of Agenda	143
5. Review of Scientific Advice.....	143
6. Management Issues	144
7. Report to the Fisheries Commission.....	146
8. Other Matters.....	146
9. Adjournment.....	146
Annex 1. List of Participants	147
Annex 2. Agenda.....	150
Annex 3. Redfish in NAFO Div. 3O – Summary of Work and Information Provided by Scientific Council in 2002 and 2003	151
Annex 4. Potential List of Management Measures for 3O Redfish.....	155
Annex 5. Proposal by USA, Canada and Japan for Consideration of TAC for 3O Redfish...	156

**Report of the Working Group on the
Management of 3O Redfish**
(FC Doc. 04/2)

**30-31 March 2004
St. John's, NL, Canada**

The Working Group on the Management of 3O Redfish met in accordance with the decision taken by the Fisheries Commission at the 25th Annual Meeting, September 2003.

1. Opening of the Meeting

The NAFO Executive Secretary, Dr. Johanne Fischer opened the meeting by welcoming everyone to the meeting of the Working Group on the management of 3O redfish. Delegates were present from nine Contracting Parties: Canada, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, Japan, Latvia, Russian Federation, Ukraine and the United States of America. (Annex 1)

2. Election of Chair

The Executive Secretary called for nominations for Chair. The EU proposed Nadia Bouffard (Canada). This was supported by USA and Russia. There being no objections Nadia Bouffard took the Chair. She welcomed all to St. John's, especially those that had never been here to this scenic city.

3. Appointment of Rapporteur

It was noted by the Chair that the Secretariat had offered to serve as Rapporteur of the Meeting. With the support of Canada and the EU, Barbara Marshall (NAFO Secretariat) was appointed Rapporteur.

It was noted the meeting was scheduled for 3 days and it was agreed to monitor and assess the needs of the meeting and adjust the schedule accordingly. It was the goal of the group to have a draft report available before the end of the meeting.

4. Adoption of Agenda

The agenda was adopted as circulated. (Annex 2).

5. Review of Scientific Advice

A presentation of the Scientific Council advice extracted from Scientific Council Reports in 2002 (*NAFO Sci. Coun. Rep.*, 2002, p. 35-37) and 2003 (*NAFO Sci. Coun. Rep.*, 2002/2003, p. 286-295) was given by Bill Brodie (Canada). A copy of the Canadian presentation was circulated as 3O Redfish W.G. Working Paper 04/1. (Annex 3)

The Chair then opened the floor for questions and comments.

There were a number of questions regarding use of CPUE, recruitment, size-at-maturity, abundance and variability of by-catch. Questions addressed to Mr. Brodie were answered strictly based on the Scientific Council's previously stated advice.

The EU noted that there was a lack of advice provided by the Scientific Council in 2003 regarding appropriate levels of TAC and interrelationships with the Div. 3LN redfish stock. Div. 3O redfish is assessed on a bi-annual basis and was fully assessed in 2003. The stock will be reviewed again in June 2004 as per the Fisheries Commission Request (FC Doc. 03/9). Linkages between Div. 3LN and Div. 3O redfish are to be examined. Some Contracting Parties agreed they also saw a need for additional information from the Scientific Council.

It was pointed out that the presentation was requested by Canada and was based on scientific advice from the Scientific Council in 2002 and 2003.

Canada noted that the advice to be given in June 2004 will be an interim monitoring report and not a full assessment. It was not the understanding of this Working Group that this would limit the Scientific Council's advice.

Russia underlined that there has been biological uncertainties related to the two redfish species managed together as well as uncertainties in dynamics of biological indices of abundance and CPUE indices. Scientific information is insufficient to make decisions on management issues.

Some participants noted the inability of the Scientific Council to provide advice was hindering discussion towards management measures.

6. Management Issues

At the September 2003 Meeting it was decided to set up an intersessional meeting to discuss the management and possible regulation of Div. 3O redfish (see Annex 3, FC Doc. 03/19).

Canada advised that Div. 3O Redfish should be brought under management in view of:

- Scientific Council Advice – in 2002 Scientific Council advised to bring this stock under TAC and quota management
- Precedents created with NAFO's of adoption of quotas consistent with NEAFC management for Oceanic redfish
- NAFO Convention (Article XI, para. 3) requires the NAFO Fisheries Commission to seek to ensure consistency with the conservation and management measures of the Coastal State.

Canada noted their concern about conservation of Div. 3O redfish and pointed to the responsibility NAFO has for effective management. The Canadian proposal of September (FC WP 03/16) was retabled for consideration by the Working Group. Consistent with scientific advice in 2002, Canada would like to see this stock under a TAC and quota management regime that is applicable throughout the stock area.

It was pointed out that NAFO had cooperated with NEAFC for management of Oceanic redfish in an efficient and expeditious manner and that the situation of Div. 3O redfish is comparable.

The USA confirmed that they were ready to discuss management of Div. 3O redfish noting with concern the increasing catches in recent years, the reliance on a single strong year-class (1988) and the prevalence of immature fish in the catch.

The EU made it clear they are in principle not opposed to management measures for Div. 3O redfish as well as other species. They indicated, however, that they did not consider it appropriate to discuss such measures at this time. The EU felt that it was premature to consider management measures without clearer direction from Scientific Council. The long-term management plan and substantial reduction of the TAC for Greenland halibut have put considerable pressure on their fishing industry in the NAFO Regulatory Area. And finally, the EU also noted that allocation discussions are always very difficult and time consuming.

Russia noted that there are two species that are fished for in this area – redfish and skates. It was pointed out that there was inconsistency between mesh size and size composition of redfish. This was exemplified by NAFO's decision in 1996 to implement a pilot project to evaluate the impact of 90mm mesh size in the Div. 3N redfish fishery. This resulted in the reduction of fishing mortality. It was proposed to discuss mesh size regulations.

Management measures is a very broad term. Canada and Russia pointed out that there are a variety of measures in addition to TACs and quotas which may be considered by this group, such as fish size, mesh regulation, Observer Program, Port Inspections, VMS and by-catch regulations.

Russia noted the unusual description of TAC as a precautionary one in the heading of the working paper. The importance of choosing an averaging period was pointed out as stock productivity varies with time. This issue could be discussed at the 2004 September meeting of the Fisheries Commission.

Japan noted that in order to use the Div. 30 redfish sustainably, Japan supports to set a precautionary TAC. NAFO should not repeat the same failure of Greenland halibut management.

Canada pointed to the Scientific Council indication that 13,000 tons reflected the average catch of Div. 30 redfish since the 1960's and that this level of catches does not appear to be detrimental to the stock. Canada then referred to Scientific Council advice that leads to the conclusion that catches over 20 000 tons would be detrimental to the stock. It was pointed out that this could form the basis of a possible range of TAC for Div. 30 Redfish.

The Ukraine observed that in the last two years catch rates increased and urged the Working Group to examine all information available. In the opinion of the Ukraine, the state of the stock does not appear to be impaired so regulation beyond those measures that already exist do not seem to be necessary. Any additional regulation would need proper justification.

The USA also pointed to the call in Annex 12 of the FC Doc. 03/19 to consider the NAFO Precautionary Approach framework in developing proposals for fisheries conservation and management and obligations that States have under international conventions to apply the Precautionary Approach.

Canada introduced 30 Redfish W.G. WP 04/2 (Annex 4) which is a list of potential measures for regulating Div. 30 Redfish, including:

- TAC in the potential range of 13,000 – 20,000 tons
- Minimum fish size
- Effort controls similar to those that have been recently adopted by NEAFC
- Closure/depth restrictions to protect juveniles of moratoria species

Canada noted that their first priority is the regulation of redfish while the 4th element of the list impacted mostly moratoria stocks caught as by-catches in the redfish fishery.

The EU commented on the 4 elements of the list by:

- raising concerns regarding the proposal for a TAC given that scientific advice is expected in June 2004 and noted again the sensitivity of TACs and allocation issues, adding that any allocation has to be based on historical catches during a representative fishing time period.
- indicating openness to the idea of a minimum fish size, although raising the need for guidance from Scientific Council and the need for consistent measures for all redfish stocks in the NRA.
- noting they were open to the idea of effort controls but pointed to the need to further consider effort control measures and their applicability in NAFO.
- noting that the closed areas were to protect other species – not just redfish. It was noted there was controversy surrounding depth restrictions. Some guidance from Scientific Council on seasonal/area closures and how to deal with other fisheries in closed areas.

Further information on the NEAFC recommendation was circulated.

Canada reminded the Working Group that this list was submitted to stimulate discussion of possible measures to regulate Div. 30 redfish, which may be taken into account by Scientific Council and STACTIC prior to the Annual Meeting.

The USA representative indicated that they have preferences for some items on the list but agreed with the EU that any decision on such measures remain with the Fisheries Commission.

Russia responded to the 4 elements of the list:

- This fishery is still developing and they have concerns about accepting the range suggested in the list without further analysis by Scientific Council.
- The Scientific Council must give advice on minimum fish size and mesh size requirements should also be discussed.
- The effectiveness of the NEAFC measure has not been determined and questioned whether this could be used in conjunction with a TAC or as an alternative.
- Juveniles of species under moratoria must be protected and there are by-catch limitations in effect. The impact of any measures on other new fisheries in the NRA such as skate must also be considered.

The EU agreed with Russia that mesh size is an additional element to consider and that such measures should be applied consistently in other fisheries. The EU also noted possible inter-linkages with Div. 3LN redfish and the need to reduce redfish by-catch in the shrimp Div. 3LNO fishery.

The USA introduced a proposal (WG WP 04/3) (Annex 5) jointly submitted with Canada and Japan for consideration by the meeting. This proposal was an endorsement of the Scientific Council's advice of 2002 to bring the Div. 3O redfish stock under a quota management regime applicable throughout the stock area, as well as a suggested range of 13,000 to 20,000 tons TAC for the stock.

The USA and Canada indicated that as the Div. 3O redfish fishery had been described as a developing fishery, it was important to establish management measures. The suggested range was selected to avoid imposing necessary hardship on current participants in the fishery.

The EU and Ukraine opposed the proposal. The Ukraine felt there was no clear basis to set a TAC at the suggested range. Ukraine stressed its adherence to principles of responsible fisheries and rational management. Ukraine is ready to support any reasonable management measures directed to long-term sustainable fisheries. There has been no evidence of negative impact from fishing pressure.

7. Report to the Fisheries Commission

Subject to minor editorial changes, the draft report of the Working Group was adopted.

8. Other Matters

There were no other matters.

9. Adjournment

The meeting was adjourned at 1700 hrs on Wednesday, 31 March 2004. The Chair wished everyone a pleasant journey home. Contracting Parties thanked the Chair for all her work and special thanks was given to the Secretariat for supporting the meeting and serving as Rapporteur.

Annex 1. List of Participants

CANADA

Head of Delegation

Jim Baird, Regional Director, Fisheries Management, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 4543 - Fax: +709 772 2046 – E-mail: bairdj@dfo-mpo.gc.ca

Advisers

Ray Andrews, Director, Government and Industry Relations, Fishery Products International, 70 O'Leary Ave., P. O. Box 550, St. John's, Newfoundland & Labrador A1C 5L1

Phone: +709 570 0115 – Fax: +709 570 0436 – E-mail: randrews@fpil.com

Nadia Bouffard, Director, Atlantic Affairs, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 993 1860 - Fax: +613 993 5995 - E-mail: bouffardn@dfo-mpo.gc.ca

Bill Brodie, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 3288 - Fax: +709 772 4105 - E-mail: brodieb@dfo-mpo.gc.ca

Bruce Chapman, Executive Director, Groundfish Enterprise Allocation Council, 1388 River Road, Manotick, Ontario K4M 1B4

Phone: +613 692 8249 - Fax: +613 692 8250 - E-mail: bchapman@sympatico.ca

Tom Dooley, Director, Resource Policy, Dept. of Fisheries and Aquaculture, P. O. Box 8700, St. John's, Newfoundland & Labrador A1B 4J6

Phone: +709 729 0335 – Fax: +709 729 6082 – E-mail – tdooley@mail.gov.nf.ca

Judy Dwyer, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 8831 – Fax: +709 772 2046 – E-mail: dwyerji@dfo-mpo.gc.ca

Brian Lester, Resource Management Officer-Groundfish, Resource Management – Atlantic, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 990 0090 – Fax +613 990 7051 – E-mail: lesterb@dfo-mpo.gc.ca

Don Power, Science, Oceans and Environment, DFO Newfoundland & Labrador Region, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 4935 - Fax: +709 772 4105 - E-mail: powerd@dfo-mpo.gc.ca

Max Short, Special Advisor, NAFO, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland and Labrador A1C 5X1

Phone: +709 772 6369, Cell +709 682 3110 - Fax: +709 772 204 – E-mail: shortm@dfo-mpo.gc.ca

Bob Steinbock, Senior International Fisheries Advisor, Atlantic Affairs Div., International Affairs Directorate, Fisheries Management, Dept. of Fisheries & Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 993 1836 – Fax: +613 993 5995 – E-mail: steinbob@dfo-mpo.gc.ca

Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries & Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 8021 – Fax: +709 772 2046 – E-mail: strowbridgel@dfo-mpo.gc.ca

DENMARK (IN RESPECT OF FAROES AND GREENLAND)

Head of Delegation

Jens Helgi Toftum, Ministry of Fisheries, P. O. Box 64, FO-100 Torshavn, Faroe Islands

Phone: +298 353030 - Fax: +298 353035 - E-mail: jenst@fisk.fo

ESTONIA**Head of Delegation**

Kaire Martin, Fishery Resources Dept., Ministry of the Environment, Ravala 8, 10143 Tallinn
 Phone: +372 660 4611 - Fax: +372 660 4599 - E-mail: kaire.martin@ekm.envir.ee

EUROPEAN UNION**Head of Delegation**

Staffan Ekwall, Principal Administrator, European Commission, DG FISH, External Policy and Markets, International and Regional Arrangements, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium
 Phone: +32 2 299 6907 – Fax: +32 2 295 5700 – E-mail: staffan.ekwall@cec.eu.int

Advisers

Emilia Batista, Directora de Servicos, Departamento de Recursos, Direccao Geral das Pescas e Aquicultura, Av. Brasilia, 1449-030 Lisbon, Portugal

Phone: +351 213 035 850 Fax: +351 213 035 922 E-mail: ebatista@dg-pescas.pt

Margarite Mancebo, Jefe de Servicio, Subdireccion General de Organismos Multilaterales de Pesca, Ministerio de Agricultura, Pesca y Alimentación, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 3476176 - Fax: +34 91 3476049 – E-mail: cmancebo@mapya.es

Carlos Aldereguia, Subdireccion General de Organismos Multilaterales de Pesca, Ministerio de Agricultura, Pesca y Alimentación, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 3476180 - Fax: +34 91 3476049 – E-mail: caldereg@mapya.es

JAPAN**Head of Delegation**

Yuzuru Tomizuka, Deputy Director, Fisheries Agency, Far Seas Fisheries Div., Resources Management Dept., 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3502 2443 – Fax: +81 3 3591 5824 – E-mail: yuzuru_tomiduka@nm.maff.go.jp

Advisers

Yoshiharu Kashio, Representative, Japan Fisheries Association, Suite 1209 Duke Tower, 5251 Duke St. Tower, Halifax, N.S., Canada B3J 1P3

Phone: +902 423 7975 - Fax: +902 425 0537 - E-mail: jfa-hfx@ns.sympatico.ca

Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F 3-6, Kanda Ogawa-cho, Chiyoda-ku, Tokyo 101-0052

Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: ntakagi@jdsta.or.jp

LATVIA**Head of Delegation**

Ricards Derkacs, Head of International Agreements and Legal Division, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV-1010 Riga

Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: fish@com.latnet.lv

Adviser

Uldis Rinkis, Chief Specialist, Fisheries and Fish Resources Div., National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV-1010 Riga

Phone: +371 733 4478 – Fax: +371 733 4892 – E-mail: fish@com.latnet.lv

RUSSIA**Head of Delegation**

Vladimir Shibanov, Research Director, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk 183763
 Phone: +7 8152 472614 – Fax: +7 8152 473331 – E-mail: shibanov@pinro.ru

Advisers

Vadim Agalakov, Chief Inspector of “MURMANRYBVOD”, Kominterna 7 str., 183678 Murmansk
 Phone: +7 8152 455066 – Fax: +7 815 245 6028 – E-mail: mrv@an.ru
 Leonid Kokovkin, Representative of the Russian Federation in Canada on Fisheries, 47 Oceanview Drive, Bedford, Nova Scotia, Canada B4A 4C4
 Phone: +902 832 9225 – Fax: +902 832 9608 – E-mail: rusfish@ns.sympatico.ca
 Ekaterina Volkovinskaia, Translator, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk
 Phone: + 7 8152 47 49 63 – Fax: + 7 8152 473331 – E-mail: inter@pinro.ru

UKRAINE**Head of Delegation**

Vasyl Chernik, Deputy Chairman, State Department for Fisheries of Ukraine, 45A Artema str., Kiev, 04050
 Phone: +38044 226 2405 - Fax: +380 44 226 2405 – E-mail: nauka@i.kiev.ua

Advisers

Anatoliy Chernikov, Head of Department External Economic Relations & Contracts, Capitan Ltd., 24, Primorskaya St., Odessa 65026
 Phone: +38 0482 22 00 57 – Fax: +38 0482 22 63 14 – E-mail: kitconsult@ukr.net
 Valentin Litvinov, Senior Expert, Div. for International Fishing Policy, State Department for Fisheries of Ukraine, 82A Turgenivska str., Kiev 252053
 Phone: +38044 246 8984 – Fax: +38044 246 8984 – E-mail: fishdep@i.kiev.ua / nauka@i.kiev.ua
 Vladimir Mishchuk, First Deputy General Director, JSC “Antarktika”, 17 Ekaterininskaya St., Odessa, 65026
 Phone: +380482 22 39 73 – Fax: +38 0482 49 63 34 – E-mail: vmishchuk@ukr.net
 Evgeny Romanov, Chief of World Ocean Fisheries Resources Dept., Southern Scientific Research Institute of Marine Fisheries and Oceanography (YugNIRO), 2 Sverdlov Str., Kerch 98300
 Phone: +380 6561 2 10 65 – Fax: +380 6561 2 15 72 – E-mail: island@crimea.com

UNITED STATES OF AMERICA**Head of Delegation**

Dean Swanson, Chief, International Fisheries Div., F/SF4, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Highway, Silver Spring, MD 20910
 Phone: +301 713 2276 – Fax: +301 713 2313 – E-mail: dean.swanson@noaa.gov

Adviser

Pat Moran, International Fisheries Div., F/SF4, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East -West Hwy., Silver Spring, MD 20910
 Phone: +301 713 2276 - Fax: +301 713 2313 - E-mail: pat.moran@noaa.gov

NAFO SECRETARIAT

Johanne Fischer (jfischer@nafo.int)
 Bev Cruikshank (bcruikshank@nafo.int)
 Barbara Marshall (bmarshall@nafo.int)

Annex 2. Agenda

1. Opening of the Meeting
2. Election of Chair
3. Appointment of the Rapporteur
4. Adoption of Agenda
5. Review of Scientific Advice
6. Management Issues
7. Report to the Fisheries Commission
8. Other matters
9. Adjournment

**Annex 3. Redfish in NAFO Division 3O – Summary of Work and Information
Provided by Scientific Council in 2002 and 2003**

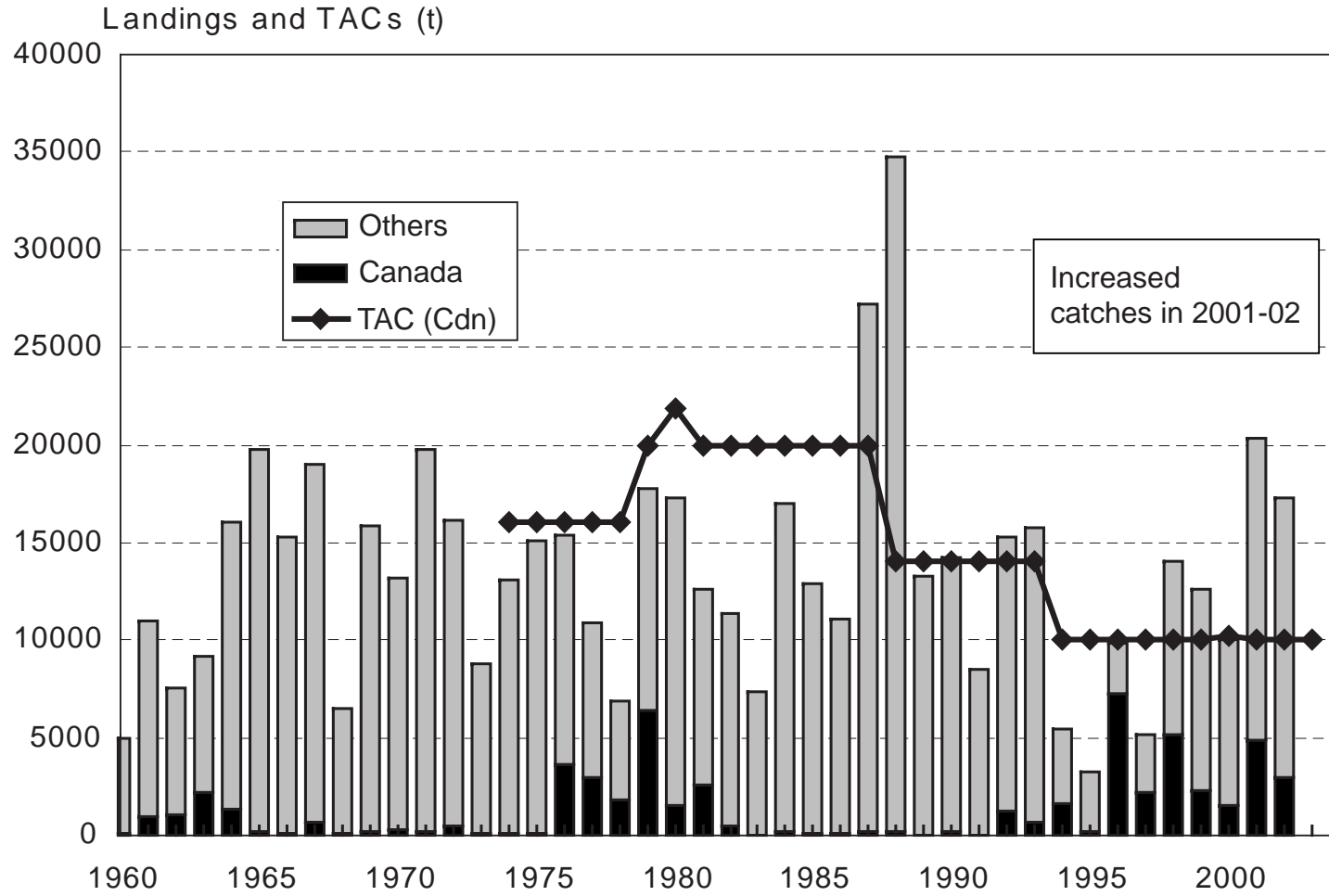
(Power Point Presentation by B. Brodie (Canada) - 3O Redfish W.G. Working Paper 04/1)

In 2002 SC responded to a series of questions on 3O redfish posed by Canada as Coastal State.

- SC noted there are two species of redfish fished in Div. 3O, *Sebastes fasciatus* and *S. mentella*.
 - These species overlap in distribution and are very similar in appearance, and require special techniques to separate in the catch.
 - It is therefore unlikely that these will ever be properly separated in the fishery statistics, and are not separated out in most research surveys.
- a) *Information on the fishing mortality on redfish in Div. 3O in recent years, as well as information on by-catches of other groundfish in the Div. 3O redfish fishery.*
- SC noted: - it is not possible to estimate fishing mortality for this stock. There is insufficient historical catch sampling for some fleets and no data for others to conduct analytical assessments.
 - - there is some doubt about the magnitude of actual catches reported from Div. 3O, as it is not regulated by TAC in the Regulatory Area. (SC does not rely only on STATLANT data for its catch estimates)
 - Accepting the caveat on catches and the observation that Canadian spring and autumn survey estimates of Div. 3O redfish are relatively stable in the last few years, the increase in catches in Div. 3O in recent years, particularly in 2001 at 20 000 tons, suggests that fishing mortality may have increased in 2001.
 - Based on STATLANT 21B data for 1998-2000, Atlantic cod, American plaice, Greenland halibut, witch flounder, and yellowtail flounder constitute the major by-catch species in the directed redfish fishery in Div. 3O.
 - The percentage of by-catch, calculated as the sum of by-catch for all species as a percentage of redfish catch, suggests that there are differences by fleet and by year, which ranged between 2% and 20% from 1998-2000.
 - There were large differences between by-catch within the Canadian EEZ (at less than 3% each year) and by-catch within the NRA (between 12% to 20% annually) depending on the fleet).
- b) *Information on abundance indices and the distribution of the stock in relation to groundfish resources, particularly for the stocks which are under moratorium.*
- SC noted the only information available on abundance indices was from Canadian spring and autumn research surveys. SC does not consider these survey indices as indicative of year-to-year changes in the resource
 - Redfish reside on the slopes of the shelf primarily from 100-750 m in an area that encompasses about 6 400 square nautical miles of the 20 000 square nautical miles of the total area of Div. 3O to 1 500 m
 - From Canadian survey data pooled from 1999-2001, for 3NO cod and 3LNO American plaice, the greatest overlap occurs in depths between 100 m to 200 m. For 3NO witch flounder, redfish overlap with its distribution with the exception of the area >750 m.
 - There are also differences in the amount of overlap for all species between spring and autumn.
 - Greater overlap generally occurs in the spring with Atlantic cod and witch flounder, and in the autumn with American plaice.
- c) *Information on the distribution of redfish in Division 3O, as well as a description of the relative distribution inside and outside the NAFO Regulatory Area.*
- Relative distribution inside and outside the NRA was determined based on Canadian survey data. The area of redfish habitat in the NRA (100 to 750 m) is about 496 sq. nm compared to 5 515 sq nm inside the Canadian EEZ. This represents about 8.25% of the area.
 - In 2003, SC noted: the proportion of biomass in the NRA averaged 18% in the spring surveys and 20% in the autumn.

- d) *Advise on reference points and conservation measures that would allow for exploitation of this resource in a precautionary manner.*
- Research survey results are highly variable and, although useful for determining longer term stock trends, are not considered a reliable indicator of actual abundance – they are therefore of limited value in establishing reference points.
 - Given that the fishery in the NRA is currently unregulated, an initial conservation measure should be to bring the stock under a quota management regime that is applicable throughout the stock area.
- e) *Information on annual yield potential for this stock in the context of (d) above.*
- There is insufficient information on which to base predictions of annual yield potential for this resource. Stock dynamics and recruitment patterns are also poorly understood.
 - Catches have averaged about 13 000 tons since 1960 and over the longer term, catches at this level do not appear to have been detrimental.
- f) *Identification and delineation of fishery areas and exclusion zones where fishing would not be permitted, with the aim of reducing the impact on the groundfish stocks which are under moratorium, particularly juveniles.*
- Canadian surveys indicate that the area of overlap between redfish and juveniles of groundfish stocks which are under moratorium (Div. 3NO Atlantic cod and witch flounder, Div. 3LNO American plaice) diminished at depths > 100 m.
 - RV data from 1999-2001 indicated that redfish were caught in only a few sets in depths less than 100 m, where most of the juveniles of cod (≤ 40 cm) and American plaice (≤ 30 cm) and witch flounder (≤ 25 cm) reside.
 - Densities of juveniles of these species are relatively low beyond 200 m. Fishing at depths greater than 200 m for redfish should minimize the impact on these juveniles.
- g) *Determination of the appropriate level of research that would be required to monitor the status of this resource on an ongoing basis with the aim of providing catch options that could be used in the context of management by Total Allowable Catch (TAC).*
- Spring and autumn surveys by Canada sufficiently cover the redfish habitat. Estimates of abundance and biomass have been highly variable from these surveys and part of the reason may be due to vertical and horizontal migrations of redfish in the area.
 - There is also uncertainty regarding the integrity of Div. 3O as a separate management unit. Recent technological advances in the tagging of deepwater fish at depth may help address the problems of the resource surveys, and provide another method of estimating stock size, as well as assisting in better understanding of stock structure.
 - SC noted there has been much discussion in recent years about the relationship between Div. 3O and Div. 3LN with regard to stock structure and that a recommendation was made by SC in 2001 that studies be carried out to further clarify stock structure of redfish.
 - SC also noted that the utilization of the NAFO Observer Program set-by-set data would have been beneficial in addressing this request on Div. 3O redfish, and could be an important source of data in monitoring this resource.
- h) *Information on the size composition in the current catches and comment on these sizes in relation to the size at sexual maturity.*
- Commercial sampling from the 2001 catches of several countries indicate that fish between 21-25 cm dominated the size composition. Based on recent size at maturity data, the female portion of these catches will largely be immature (size at 50% maturity is approximately 27.5 cm).
 - SC noted that size at maturity was based on data that did not separate *S. mentella* and *S. fasciatus* and that it is possible that there were different maturity rates between these species. However, it is not expected that these differences would be large.

Redfish 30 - Catches



In 2003, SC noted:

- 2002 Catch = 17,234 t
- No sign of good recruitment since 1988 year-class
- No increase in survey biomass over the last few years
- Surveys indicate no overall trend in stock size in last decade
- An index of relative fishing mortality, based on catches and survey biomass, increased steadily from 1998 to 2002

- In 2003, SC was unable to advise on a specific TAC for 2004 & 2005
- There was insufficient information on which to base predictions of annual yield potential for this resource. Stock dynamics, recruitment patterns are poorly understood.
- Catches have averaged about 13,000 t since 1960 and over the long term, catches at this level do not appear to have been detrimental.
- Given that the bulk of the catches in recent years are comprised of fish less than 25cm, the fisheries are targeting predominantly immature fish.
- Surveys indicate that length frequencies of redfish in 3O are more similar to 3N than 3L
- Continuing uncertainties regarding relationships between redfish in 3LN and 3O have important impacts on interpretation of data.

SC recommendation in 2002

- *an initial conservation measure should be to bring the stock under a quota management regime that is applicable throughout the stock area.*

From SC Summary sheet in 2003:

- *Catches have averaged about 13,000 t since 1960 and over the long term, catches at this level do not appear to have been detrimental.*

Annex 4. Potential List of Management Measures for 3O Redfish
(3O Redfish W.G. Working Paper 04/2)

Under Agenda Item 19 of the 2003 Fisheries Commission Meeting, (Management of Currently Unregulated Stocks), a Working Group on the Management of 3O Redfish was tasked to "discuss the management and possible regulation of this stock [3O redfish]...A report of the intersessional meeting will be provided for consideration at the September 2004 meeting." (Report of the Fisheries Commission, 25th Annual Meeting, September 2003)

The following management measures are put forward for consideration by Fisheries Commission in 2004:

TAC (Range 13,000 - 20,000)

Scientific Council in 2002 recommended "*Given that the fishery in the NRA is currently unregulated, an initial conservation measure should be to bring the stock under a quota management regime that is applicable throughout the stock area.*" (SC Report 2002, p.36)

"*No increase in survey biomass over the last few years.*" (SC Report 2002/2003, p.173)

"*Catches have averaged about 13,000 tons since 1960 and over the long term catches at this level do not appear to have been detrimental.*" (SC Report 2002/2003, p. 173)

Minimum Fish Size

"*Given that the bulk of the catches in recent years comprised fish less than 25 cm, the fisheries are targeting predominantly immature fish.*" (SC Report 2002/2003, p.173)

A minimum fish size of 22cm could be considered.

Effort Controls

Effort Controls could be considered in line with those that were decided at the 22nd Annual Meeting of NEAFC (November 2003) to address concerns about "data poor" stocks.

Closures/Depth Restrictions

Seasonal and/or area closures as well as depth restrictions could be considered to address the by-catch of moratoria species in shallow water.

"*RV data from 1999-2001 indicated that redfish were caught in only a few sets in depths less than 100 m, where most of the juveniles of cod (≤ 40 cm) and American plaice (≤ 30 cm) and witch flounder (≤ 25 cm) reside.*" (2002 SC Report, p. 37)

"*Densities of juveniles of these species are relatively low beyond 200 m. Fishing at depths >200 m for redfish should minimize the impact on these juveniles.*" (SC Report 2002, p. 37)

**Annex 5. Proposal by USA, Canada and Japan for
Consideration of TAC for 30 Redfish
(30 Redfish W.G. Working Paper 04/3)**

The WG endorses the 2002 recommendation of the SC that:

"Given that the fishery in the NRA is currently unregulated, an initial conservation measure should be to bring the stock under a quota management regime that is applicable throughout the stock area." (SC Report 2002, p. 36)

For consideration of the Fisheries Commission, this TAC should be in the range of 13,000 to 20,000 tons.

SECTION IV
(pages 157 to 185)

**Report of the STACFAC Meeting
And STACFAC-STACTIC Joint Meeting
15-18 June 2004
Copenhagen, Denmark**

Part I. Report of STACFAC Meeting	159
This report dealt with Agenda items:	
1. Opening of the Meeting	159
2. Appointment of Rapporteur	159
3. Adoption of Agenda.....	159
4. Modification of Scheme to promote compliance by Non-Contracting Party vessels with the Conservation and Enforcement Measures established by NAFO.....	159
10. Adjournment	161
Annex 1. List of Participants	162
Annex 2. Agenda	164
Annex 3. Working Paper presented by Canada on Modification of the NCP Scheme (STACFAC W.P. 04/1)	165
Annex 4. Working Paper presented by the EU on Modification of the NCP Scheme (STACFAC W.P. 04/3, Version 4).....	171
Annex 5. Working Paper presented by Canada on Article 11 – Entry into Force (STACFAC W.P. 04/6)	177
Part II. Report of Joint STACFAC-STACTIC Meeting.....	178
This report dealt with Agenda items:	
1. Opening by the Chairs.....	178
2. Appointment of Rapporteur	178
3. Adoption of Agenda.....	178
5. Elaboration of a Scheme for Contracting Parties with content similar to that of Scheme for NCPs.....	178
6. Development of trade-tracking system.....	180
7. Implementation of the IPOA on IUU in NAFO	180
8. Other Matters	180
9. Adoption of Report	180
10. Adjournment	180
Annex 1. List of Participants	181
Annex 2. Agenda	183
Annex 3. Working Paper presented by Canada - Text to Enhance Compliance by Contracting Parties with NAFO Measures (STACFAC/STACTIC W.P. 04/5).....	184

PART I

Report of STACFAC Meeting

(GC Doc. 04/2)

**15, 16, and 18 June 2004
Copenhagen, Denmark**

1. Opening of the Meeting

STACFAC Chair Daniel Silvestre was not available. Therefore, Vice-Chair Nadia Bouffard chaired and opened the meeting. Contracting Parties represented at the meeting were: Canada, Denmark (in respect of Faroe Islands and Greenland), European Union, Iceland, Norway and the USA. (Annex 1)

2. Appointment of Rapporteur

The Executive Secretary, Johanne Fischer, was appointed Rapporteur.

3. Adoption of Agenda

The proposed agenda was adopted. (Annex 2)

4. Modification of Scheme to promote compliance by non-Contracting Party vessels with the Conservation and Enforcement Measures established by NAFO (GC Doc. 03/3, Part III-Report of STACFAC, Annex 6)

All present CPs agreed to use as a basis for the discussion the proposal tabled by the European Union at the STACFAC meeting held September 15-18, 2003 (Annex 6 of GC Doc. 03/3, Part III – Report of STACFAC). This report summarizes the key matters discussed during the meeting. CPs supported the need to effectively address IUU fishing by non-Contracting Party (NCP) vessels in the NAFO Regulatory Area and as such, were favourable to considering improvements to the current NAFO NCP scheme. Concern was expressed, particularly by those NAFO CPs who are also party to the Northeast Atlantic Fisheries Commission, that an increasing number of NCP vessels were targeting oceanic redfish in NEAFC and following the fish into the NAFO Regulatory Area in the later months of the summer and Fall. In their discussions, Contracting Parties considered similar measures adopted by other regional fisheries management organisations with a view to exploring approaches employed by other Regional Fisheries Management Organizations. Some CPs supported the concept of harmonizing NCP schemes, in particular the NAFO NCP scheme and the NCP scheme developed by the Northeast Atlantic Fisheries Commission (NEAFC).

Canada introduced STACFAC Working Paper 04/1 (Annex 3) proposing changes to the EU text and explained that these were meant to improve fairness and transparency in the procedures outlined in the EU text and overall clarity.

Participants agreed on a number of changes to the EU text which have been reflected in STACFAC WP 04/3, version 4 (Annex 4). Though progress was made on addressing comments and concerns with the EU draft text, square brackets remain for further discussion. CPs agreed to insert footnotes to the draft text which explain the outstanding issues in the text reflected by brackets in order to facilitate preparation and participation at the 2004 annual meeting by the CPs unable to attend the intersessional meeting. It was noted that the text should be read and drafted using definitions and terminology consistent with the NAFO Conservation and Enforcement Measures, as the draft text, once adopted, would be included in the NAFO measures. Key definitions in the latter apply to the NCP scheme and assisted in interpreting the draft text.

Contracting Parties discussed the scope of the scheme. There was general agreement that the scheme should cover IUU fishing and related activities by non-contracting parties involving stocks regulated by NAFO. This would therefore include fishing and related activities that occur in the NRA, but as well those that occur outside the NRA, including in CP's waters or ports. Therefore the scheme would apply, for instance to transshipment activities of NAFO regulated stocks, which occur outside the NRA, inside a CP port or inside CPs' exclusive economic zones. The purpose clause (Article 1) of the text was amended to reflect this discussion and the wording remains bracketed.

There was discussion on the need to expand the scheme to better cover transshipment activities between NCP vessels and CP vessels which were seen as activities which support IUU fishing. There was general support for this idea, though concern was expressed that such measures not be too broad, covering transshipments by all forms of ships, including cargo vessels, as this was seen by some CPs as going beyond the mandate of NAFO. It was recognized at the 2003 Annual Meeting that such discussions involving potential implications for CPs required the involvement of STACTIC. As a result a recommendation was made by STACFAC to the General Council in the report of the 2003 Annual Meeting that “STACTIC and STACFAC meet intersessionally in joint session to consider implementation of the IPOA on IUU, the development of a trade-tracking system and the elaboration of a Scheme for Contracting Parties with content similar to that of the Scheme for Non-Contracting Parties. These discussions were held in the second portion of the intersessional meeting jointly with STACTIC.

As had been reflected in the current NCP scheme, Contracting Parties also agreed that any revised NCP scheme adopted by NAFO would not affect CPs’ sovereign rights to impose additional or stronger measures, consistent with international law. It was also recognized that the scheme should be interpreted in a manner that is consistent with international law, including WTO requirements.

Participants agreed to the concept of establishing a list of NCP vessels considered to be involved in IUU fishing, which, once on the list, could trigger sanctions for the vessel and/or the flag State. There was extensive discussion on whether and how to establish a preliminary or interim list, and whether a process should be put in place to finalize the outcome of the list through a mail voting procedure, to avoid delays from waiting for the annual STACFAC and General Council meetings to finalize the list and to make determinations accordingly. Participants felt there was need to address IUU fishing in a timely manner, while ensuring that the process was fair, open and transparent and hence consistent with WTO requirements. In the end, participants agreed that the Secretariat be tasked with establishing a preliminary list of NCP vessels from information from broad sources, to inform the flag States and seek additional information regarding the activity of the NCP vessel in time for the annual STACFAC meeting. At this meeting, STACFAC would consider all facts and determine whether the vessel should be on the final list of NCP vessels and recommend a course of action to the General Council.

Participants felt that the scope of the current scheme may have been a little too narrow and agreed that the source of information to trigger a listing of an NCP vessel should not be limited to those vessels sighted in the NRA.

Participants discussed the possible approaches and considerations regarding publication of the provisional and IUU lists. Concerns were expressed with respect to publicizing the provisional list as well as the need to protect certain confidential/personal information, in keeping with national legislation of CPs, when disclosing such a list. It was agreed that publication of the following details should pose no problem to NAFO CPs: Flag State, vessel name, letters and numbers of registration, and other identifying features of the vessel as set out in Annex XII of the NAFO CEM.

CPs then discussed the consequences (sanctions) triggered by vessels being put on the IUU list. The EU text proposed sanctions, including trade sanctions, be imposed on individual vessels put on the list, and sanctions on their flag States. Some CPs raised concerns with the fact that the inclusion of trade sanctions in the NCP scheme discussed earlier in the meeting should not lead to NAFO discriminating between vessels of NCPs and vessels of CPs, imposing more severe consequences for IUU fishing on NCP vessels than those imposed on CPs. These CPs believe that such discrimination could result in a breach of WTO requirements. Hence these CPs believed that a scheme providing for sanctions for CPs and their vessels, consistent, but not necessarily the same, for NCPs and their vessels was necessary to meet this WTO requirement. Many parties did not believe that NAFO currently has a sanctions regime for IUU fishing by CP vessels, while others believed that, by virtue of the fact they were parties to NAFO and were bound by the provisions of the NAFO Convention and its Conservation and Enforcement Measures, including compliance and control measures, NAFO Parties have alternative means of addressing IUU fishing by their vessels – hence not necessitating a NAFO scheme with specific sanctions, including trade measures for the vessels and their flag Contracting Parties. Canada proposed a clause to be added to the EU text, which 1) reflects discussion and commitment among the group to further explore the elaboration of a mechanism to address IUU fishing by CPs; and 2) seeks to prevent inconsistency with WTO rules by agreeing that trade sanctions envisaged in Article 10(3) of the EU draft text are not implemented until equivalent measures are in place for CPs that engage in IUU fishing. (STACFAC W.P. 04/6) (Annex 5). The Canadian proposal sets a timeframe of 2 years

to adopt such measures for CP vessels. Some CPs expressed concern that this timeframe may be too short for elaborating a CP scheme, and many CPs expressed concern with not adopting a final revised NCP scheme until a CP scheme was adopted.

10. Adjournment

The meeting broke to be continued on Thursday, 17 June, in a joint session with STACTIC.

The STACFAC portion of the meeting was finally closed on June 18, with consensus by participants to recommend to General Council that STACFAC be asked to continue the review and discussions of the revised draft text in September 2004 at the annual NAFO meeting, with a view to eliminating brackets and propose a revised NCP scheme for adoption by General Council.

Annex 1. List of Participants

CANADA

Head of Delegation

Nadia Bouffard, Director, Atlantic Affairs, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
Phone: +613 993 1860 - Fax: +613 993 5995 - E-mail: bouffardn@dfo-mpo.gc.ca

Advisers

Glen Linder, Legal Officer, Oceans, Environment and Economic Law Div., Foreign Affairs Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
Phone: +613 944 4718 – E-mail: glen.linder@dfait-maeci.gc.ca
Kym Purchase, Officer, Atlantic Affairs, Dept. of Fisheries and Oceans, 13N155, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 993 1862 – Fax: +613 993 5995 – E-mail: purchasek@dfo-mpo.gc.ca

DENMARK (IN RESPECT OF FAROES AND GREENLAND)

Head of Delegation

Einar Lemche, Head of Representation, Gronlands Hjemmestyre, Strandgade 91, 3. sal, Postboks 2151, 1016 Copenhagen K, Denmark
Phone: +45 32 83 38 00 - Fax: +45 32 83 38 01 - E-mail: el@ghsdk.dk

Adviser

Dorthe Lillelund, Head of Section, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland
Phone: +299 345376 – Fax: +299 323235 – E-mail: doli@gh.gl

EUROPEAN UNION

Head of Delegation

Fuensanta Candela Castillo, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium
Phone: +32 2 295 7753 – Fax: +32 2 295 5700 – E-mail: maria.candela-castillo@cec.eu.int

Advisers

Staffan Ekwall, Principal Administrator, European Commission, DG FISH, External Policy and Markets, International and Regional Arrangements, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium
Phone: +32 2 299 6907 – Fax: +32 2 295 5700 – E-mail: staffan.ekwall@cec.eu.int
Margarite Mancebo, Subdireccion General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain
Phone: +34 91 3476176 - Fax: +34 91 3476049 – E-mail: cmancebo@mapya.es

ICELAND

Head of Delegation

Kolbeinn Arnason, Director of International Affairs, Ministry of Fisheries, Skulagata 4, 150 Reyjavik
Phone: +354 545 8300 – Fax +354 562 1853 – E-mail: kolbeinn.arnason@sjr.stjr.is

Adviser

Gudridur Margrét Kristjánsdóttir, Legal Adviser, Ministry of Fisheries, Skulagata 4, 150 Reyjavik
Phone: +354 545 8370 - Fax: +354 562 1853 - E-mail : gudridur.kristjansdottir@sjr.stjr.is

NORWAY

Head of Delegation

Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 185, N-5804 Bergen
Phone: +47 55 23 80 00 Fax: +47 55 23 80 90 E-mail: terje.lobach@fiskeridir.no

Adviser

Jan Pieter Groenhof, Adviser, Norwegian Ministry of Fisheries, P. O. Box 8118 Dep., 0032 Oslo
Phone: +47 22 24 64 52 – Fax: +47 22 24 95 85 – E-mail: jan-pieter.groenhof@fid.dep.no

UNITED STATES OF AMERICA

Head of Delegation

Gene Martin, Attorney, Office of the General Counsel, Northeast Region, National Oceanic and Atmospheric Administration, U.S. Dept. of Commerce, 1 Blackburn Dr., Gloucester, MA 01930
Phone: +1 978 281 9242 Fax: +1 978 281 9389 E-mail: gene.s.martin@noaa.gov

Adviser

Deirdre Warner-Kramer, Senior Atlantic Fisheries Officer, Office of Marine Conservation, United States Department of State (Rm 5806), 2201 C Street NW, Washington, D.C.
Phone +1 202 647 2883 – Fax: +1 202 736 7350 – E-mail: warner-kramerdm@state.gov

SECRETARIAT

Johanne Fischer, Executive Secretary (jfischer@nafo.int)
Bev Cruikshank, Personal Assistant to the Executive Secretary (bcrruikshank@nafo.int)

Annex 2. Agenda

1. Opening by the Chair
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Modification of Scheme to promote compliance by Non-Contracting Party vessels with the Conservation and Enforcement Measures established by NAFO (GC Doc. 03/3, Part III-Report of STACFAC, Annex 6)
5. Elaboration of a Scheme for Contracting Parties with content similar to that of Scheme for NCPs
6. Development of trade-tracking system
7. Implementation of the IPOA on IUU in NAFO
8. Other Matters
9. Adoption of Report
10. Adjournment

15-16 June – STACFAC – re item 4

17-19 June – Joint session with STACTIC re items 5-7 (see **Part II of this Section, page**)

Annex 3. Working Paper presented by Canada on Modification of the NCP Scheme
(STACFAC W.P. 04/1)

Suggested Changes – Canada

**SCHEME TO PROMOTE COMPLIANCE BY NON-CONTRACTING PARTY
VESSELS WITH RECOMMENDATIONS ESTABLISHED BY NAFO**

(These amendments are intended to replace Chapter VI of the CEM Overhaul, pending the final adoption of that document. Numbering of articles in this section would thus need to be corrected.)

**Article 1
Scope and Objectives**

1. The measures contained in this Scheme are applicable to non-Contracting Party vessels engaged in fishing activities in the Regulatory Area of NAFO.
2. The purpose of the Scheme is to ensure the effectiveness of the Conservation and Enforcement measures established by the Organization.
3. Nothing in this Scheme shall affect the exercise by Contracting Parties of their sovereignty over the ports in their territory in accordance with international law.
4. This Scheme shall be interpreted in a manner consistent with international law, including the principles, rights and obligations in WTO agreements, and be implemented in a fair, transparent, and non-discriminatory manner.

**Article 2
Definitions**

(These definitions would be inserted in Article 2 of the CEM Overhaul, where those of ‘Fishing activities’ and ‘Inspectors’ are already included, pending final adoption of the Overhaul.)

1. “non-Contracting Party vessel” means any vessel not flagged ~~in~~ to a Contracting Party of NAFO or to a member state of a Regional Economic Integration Organization that is a Contracting Party of NAFO, including vessels for which there are reasonable grounds for suspecting them to be without nationality.
2. “Fishing activities” means fishing, fish processing operations, the transshipment of fish or fish products and any other activity in preparation for or related to fishing in the Regulatory Area.
3. “Inspector” means an inspector of the fishery control services of the Contracting Parties assigned to the Scheme of Joint International Inspection and Surveillance.
4. “IUU fishing” means activities as defined in paragraph 3 of the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing that occur within the NAFO Regulatory Area.
5. “IUU List” means the list, established pursuant to Article 9 of Chapter VI, containing the particulars of vessels that have been found by the General Council to have engaged in IUU fishing.
6. “Provisional List” means the list, established pursuant to Article 9 of Chapter VI, containing the particulars of vessels that have been identified as having engaged in fishing activities in the Regulatory Area, according to information received pursuant to Articles 3 to 5 (to 6 if trade tracking implemented) or information received in reports pursuant to Article 8 of Chapter VI.

Article 3
Sightings of non Contracting Party vessels

1. A non-Contracting Party vessel ~~which that~~ has been sighted engaging in fishing activities in the Regulatory Area ~~for which has been denied port access, landing or transshipment pursuant to Article 6~~ is presumed to be undermining the effectiveness of Conservation and Enforcement Measures. In the case of any transshipment activities involving a sighted non-Contracting Party vessel, inside or outside the Regulatory Area, the presumption of undermining Conservation and Enforcement Measures applies to any other non-Contracting Party vessel ~~that which~~ has engaged in such activities with that vessel.
2. Information regarding such sightings ~~or denials of [port access,] landings or transshipments~~ shall be immediately transmitted to the Secretariat. For sightings, the Surveillance Report provided in Annex XII shall be used. The Secretariat shall then transmit this information to all Contracting Parties and other relevant Regional Fisheries Management Organizations within one business day of receiving this information, and to the Flag State as soon as possible.
3. The Contracting Party shall attempt to inform the vessel that it has been sighted engaging in fishing activities, ~~or that it is being denied [port access,] landing or transshipment,~~ and is accordingly presumed to be undermining the Conservation and Enforcement Measures, and that this information will be distributed to all Contracting Parties, other Regional Fisheries Management Organizations and to the Flag State of the vessel.

Article 4
Inspections at sea

1. NAFO inspectors shall, if appropriate, request permission to board non-Contracting Party vessels ~~that are sighted as being engaged~~ in fishing activities in the Regulatory Area. If the vessel consents to be boarded the inspectors' findings shall be transmitted to the Secretariat without delay. The Secretariat shall transmit this information to all Contracting Parties and other relevant Regional Fisheries Management Organizations within one business day of receiving this information, and to the Flag State as soon as possible. The non-Contracting Party vessel ~~that which~~ is boarded shall be provided with a copy of the findings of the NAFO inspectors.
2. Where evidence so warrants, a Contracting Party may take such action as may be appropriate in accordance with international law. Contracting Parties are encouraged to examine the appropriateness of domestic measures to exercise jurisdiction over such vessels.

Article 5
Inspections in port

1. When a non-Contracting Party vessel referred to in Article 3(1) enters a port of any Contracting Party, it shall be inspected by authorised Contracting Party officials knowledgeable of the Conservation and Enforcement Measures (and this Scheme), and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, log books, fishing gear, catch onboard and any other matter relating to the vessel's activities in the Regulatory Area.
2. Information on the results of all inspections of non-Contracting Party vessels conducted in the ports of Contracting Parties, and any subsequent action, shall immediately be transmitted to all Contracting Parties and other relevant Regional Fisheries Management Organizations through the NAFO Secretariat, and as soon as possible to the relevant Flag State(s).
3. ~~Nothing in this Scheme shall affect the exercise by Contracting Parties of their sovereignty over the ports in their territory in accordance with international law.~~

Article 6

Landings, transshipments and joint fishing activities operations

1. ~~Contracting Parties shall ensure that their vessels do not receive transshipments of fish from a non-Contracting Party vessel [referred to in Article 3] or engage in joint fishing operations with such vessels. Contracting Parties shall ensure that their vessels do not engage in fishing activities with the vessels of non-Contracting Parties.]~~
- [2. Landings and transshipments of all fish from a non-Contracting Party vessel to which this Scheme applies shall be prohibited in all Contracting Party ports if the vessel has on board any species listed in Annex XIX, unless:
 - a) The vessel establishes that the fish were caught outside the Regulatory Area; or
 - b) The vessel establishes that it has applied all relevant Conservation and Enforcement Measures, in particular Part IV.]
- 3. Contracting Parties denying landings or transshipments shall inform the vessel, the flag State of the vessel and the NAFO Secretariat of this decision.**

Article 7

Notification of presumed IUU activities

- ~~1. When transmitting the information received in accordance with Articles 3 to 5 to the Flag State concerned, the Secretariat shall, in consultation with the chairman of the General Council, request that it take measures in accordance with its applicable legislation to ensure that the vessel or vessels in question desist from any activities that undermine the effectiveness of Conservation and Enforcement Measures, including if necessary, the withdrawal of the registration or of the fishing licences of these vessels.~~
- ~~2. The Secretariat shall request the Flag State(s) to report back to NAFO on the results of enquiries and/or on the measures it has taken in respect of the vessel or vessels concerned. The Secretariat shall also provide the Flag State with a copy of this Scheme, advise of the dates when STACFAC will be considering the composition of the IUU List and encourage the Flag State to communicate any relevant information to the Secretariat in an expeditious manner. The Secretariat shall promptly distribute any information received to all Contracting Parties.~~

Article 8

Reports on IUU fishing activities

1. Each Contracting Party shall report to the Executive Secretary by 1 March each year for the previous calendar year:
 - a) the number of inspections of non-Contracting Party vessels it conducted under this Scheme at sea or in its ports, the names of the vessels inspected and their respective Flag State, the dates and as appropriate, the ports where the inspection was conducted, and the results of such inspections; and
 - b) where fish are landed or transhipped following an inspection pursuant to this Scheme, the report shall also include the evidence presented pursuant to Article 6(2).
2. In addition to sighting reports and information on sea or port inspections, Contracting Parties may at any time submit to the Secretariat any further information, which might be relevant for the identification of non-Contracting Party vessels that might be carrying out IUU fishing activities in the Regulatory Area.
3. The Executive Secretary shall prepare a report by 1 April each year, for the period corresponding to the previous calendar year, based on the reports and information received from the Contracting Parties as called for in this Scheme.

Article 9
IUU vessel lists and notification to NCP Flag States

1. [By 1 April each year,] The Secretariat shall establish a Provisional List containing the name and flag state of place on a provisional list of IUU vessels (hereinafter referred to as 'the Provisional ') the non-Contracting Party vessel or vessels identified as being having engaged in fishing activities in the Regulatory Area, according to information received pursuant to Articles 3 to 5 (to 6 if trade tracking implemented) and the reports mentioned in Article 8. The Secretariat shall also place the Provisional List on a secure section of the NAFO website.

2. By 1 April each year, [The Secretariat shall advise relevant non-Contracting Parties of the vessels flying their flag that have been included in the Provisional list, The Secretariat shall also place the Provisional List on a secure section of the NAFO website and, in consultation with the chairman of the General Council STACFAC, provide the following information to the non-contracting Party:
 - a) the reasons for the inclusion on the Provisional list and all relevant evidence upon which inclusion of the vessel on the list is based;
 - b) a copy of the NAFO Conservation and Enforcement Measures, including this Scheme;
 - c) a request to the flag state to take measures in accordance with its applicable legislation to ensure that the vessel or vessels in question desist from activities that undermine the effectiveness of the NAFO Conservation and Enforcement Measures;
 - d) a reminder that trade restrictive measures may be imposed if the Flag State does not take effective measures to ensure that the vessel or vessels in question desist from activities that undermine the effectiveness of the NAFO Conservation and Enforcement Measures;
 - e) a request to report back to NAFO on the results of enquiries and/or measures it has taken in respect of the vessel or vessels concerned, and a reasonable deadline by which a reply is required; and,
 - f) the dates when STACFAC will be considering recommendations with respect to the composition of the IUU List, and an invitation to the non-Contracting Party to attend the meeting of STACFAC as an observer.

- 2bis. The Secretariat shall promptly distribute to Contracting Parties any information received pursuant to Article 9(2)(e)

3. On the basis of the reports drawn up pursuant to Article 8(3), the information received from Flag States in response to notice sent pursuant to Article 7(2) 9(2)(e) , as well as any other relevant information submitted by Contracting Parties or Flag States which might be relevant for the identification of non-Contracting Party vessels that might be carrying out IUU fishing activities in the Regulatory Area, the Standing Committee on Fishing Activities of non-Contracting Parties in the NAFO Regulatory Area (STACFAC) shall consider the Provisional List and as appropriate recommend to the General Council that the vessels either:
 - a) be removed therefrom the list of;
 - b) be retained on the list pending the receipt of further information; or,
 - c) be or otherwise transferred to the confirmed IUU List hereinafter referred to as 'the IUU List'.

4. At the same time STACFAC shall undertake a review of the current IUU List and as appropriate recommend to the General Council that vessels are maintained therein or removed. STACFAC shall only recommend that the General Council remove a vessel from either the Provisional or IUU list if the Flag State of the vessel concerned provides satisfactory information to establish that satisfies the General Council that:
 - a) it has taken effective action in response to the IUU fishing activities in question, including prosecution and imposition of sanctions of adequate severity; or

- b) it has taken measures to ensure the granting of the right to the vessel to fly its flag will not result in IUU fishing ~~or;~~
- c) the vessel has changed ownership and ~~that~~ the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it and that the new owner has not participated in IUU fishing; or,
- d) the vessel did not take part in IUU fishing activities.

4bis. The General Council shall review the recommendations made by STACFAC pursuant to this Article, and shall determine the composition of the IUU List.

5. The Secretariat shall [place the IUU ~~list~~ List on a secure section of the NAFO website. This list shall include the name and flag state of the vessel and, where available, the previous name, the previous flag state, the radio call sign, and the name and address of the owner of the vessel. ~~the following information...~~]

6. The Secretariat shall provide to relevant flag states the names of vessels on the IUU List flagged to that state.

Article 10 Follow-up action

1. ~~Contracting Parties shall take all the necessary measures, under their applicable legislation, in order that:~~

- ~~a)1.~~ vessels appearing on the IUU ~~list~~ List are not authorised to land or tranship in their ports or waters under their jurisdiction ~~but are inspected in accordance with the provisions of Article 5;~~
- ~~b)2.~~ fishing vessels, including support vessels, refueling vessels, the mother-ships and cargo vessels flying their flag do not in any way assist, or participate in ~~any transshipments or joint~~ fishing activities with, vessels appearing on the IUU ~~list~~ List.
- ~~c)3.~~ the issuing of licenses to vessels appearing on the IUU ~~list~~ List to fish in waters under their fisheries jurisdiction is prohibited;
- ~~d)4.~~ the chartering of vessels appearing on the IUU ~~list~~ List is prohibited;
- ~~e)5.~~ the granting of their flag to vessels appearing on the IUU ~~list~~ List is refused;
- ~~f)6.~~ importers, transporters and other sectors concerned are encouraged to refrain from negotiating with and from transshipping fish caught by vessels appearing on the IUU ~~list~~ List;
- ~~g)7.~~ appropriate information regarding vessels appearing on the IUU ~~list~~ List is collected and exchanged with other Contracting Parties or non-Contracting Parties with the aim of detecting, controlling and preventing false import/export certificates regarding fish from such vessels subject to confidentiality requirements of States.

~~[2. Notwithstanding the provisions of Article 6, paragraph 2, the General Council will recommend appropriate measures and, if necessary, trade restrictive measures to prevent vessels of non Contracting Parties appearing on the IUU list from continuing the fishing activities in the Convention Area. Any trade measures under this paragraph will be import restrictions on the catch from these vessels and consistent with each Party's international obligations. The trade measures will be of such duration and under such conditions as the General Council may determine.]~~

Article 11 Action vis-à-vis Flag States

1. Contracting Parties shall jointly and/or individually request non-Contracting Parties whose vessels appear on the IUU ~~list~~ List to co-operate fully with the ~~Organization~~ in order to avoid undermining the effectiveness of the Conservation and Enforcement Measures adopted pursuant to the Convention.

2. The General Council shall review, at subsequent annual meetings as appropriate, actions taken by such non-Contracting Parties and identify those ~~which~~ that have not rectified their fishing activities.
- ~~[3. The General Council shall decide appropriate measures to be taken in respect of non-Contracting Parties identified under paragraph 2. In this respect, Contracting Parties may co-operate to adopt appropriate multilaterally agreed trade related measures, consistent with the World Trade Organisation (WTO) that may be necessary to prevent, deter, and eliminate the IUU fishing activities identified by the General Council. Multilateral trade measures may be used to support co-operative efforts to ensure that trade of fishing products from the Regulatory Area does not in any way encourage IUU fishing or otherwise undermine the effectiveness of NAFO Conservation and Enforcement Measures which are consistent with the United Nations convention on the Law of the Sea 1982.]~~
3. Where the Flag State of a vessel identified in paragraph 2 has:
- (a) failed or refused to exercise effective control over the vessel flying its flag so as to ensure that the vessel desists from undermining the effectiveness of the NAFO Conservation and Enforcement Measures; and,
- (b) received reasonable notice of the consequences of its failure to take effective control and has been provided with an opportunity to respond;
- the General Council may, where no other reasonable means are available to compel the Flag State to exercise effective control over the vessel, recommend that Contracting Parties adopt appropriate non-discriminatory trade restrictive measures against the Flag State in question, consistent with their international obligations
4. Where trade measures are recommended pursuant to paragraph 3, the chairman of the General Council shall inform the Flag State in question of the recommendation and again request the Flag State to exercise effective control over the vessel or vessels.
5. STACFAC shall review each year all trade restrictive measures that have been adopted and, where circumstances warrant, shall submit for the approval of the General Council, recommendations for the lifting of the measures.

Article 12
Entry Into Force

This Scheme shall not enter into force prior to the entry into force of a similar scheme to promote compliance by Contracting Parties with NAFO conservation and management measures.

Annex 4. Working Paper presented by the EU on Modification of the NCP Scheme
(STACFAC W.P. 04/3, Version 4)

**SCHEME TO PROMOTE COMPLIANCE BY NON-CONTRACTING PARTY
VESSELS WITH RECOMMENDATIONS ESTABLISHED BY NAFO**

(These amendments are intended to replace Chapter VI of the CEM Overhaul, pending the final adoption of that document. Numbering of articles in this section would thus need to be corrected.)

Article 1

Scope and Objectives

- [1. The purpose of this Scheme is to prevent, deter and eliminate fishing activities by non-Contracting Party vessels that undermine the effectiveness of the Conservation and Enforcement measures established by the Organization.]¹
2. Nothing in this scheme shall affect the sovereign rights of Contracting Parties to impose additional measures to promote compliance by NCP vessels, in accordance with international law.
3. This Scheme shall be interpreted in a manner consistent with international law, including the principles, rights and obligations in WTO agreements, and be implemented in a fair and transparent manner.

Article 2

Definitions

(These definitions would be inserted in Article 2 of the CEM Overhaul, where those of ‘Fishing activities’ and ‘Inspectors’ are already included, pending final adoption of the Overhaul.)

1. “non-Contracting Party vessel” means any vessel not flagged to a Contracting Party, including vessels for which there are reasonable grounds for suspecting them to be without nationality.

TO BE DELETED AS ALREADY IN CEM

 2. “Fishing activities” means fishing, fish processing operations, the transshipment of fish or fish products and any other activity in preparation for or related to fishing in the Regulatory Area.
 3. “Inspector” means an inspector of the fishery control services of the Contracting Parties assigned to the Scheme of Joint International Inspection and Surveillance.
4. “IUU fishing” means activities as defined in paragraph 3 of the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing.
5. “IUU List” means the list, established pursuant to Article 7 of Chapter VI, containing the particulars of vessels that have been found by the General Council to have engaged in IUU fishing.
6. “Provisional List” means the list, established pursuant to Article 7 of Chapter VI, containing the particulars of vessels that have been identified as having engaged in fishing activities, according to information received pursuant to Articles 3 to 6 or information received in reports pursuant to Article 8 of Chapter VI.

Article 3

Sightings and identifications of non Contracting Party vessels / Presumption of NCP vessels undermining NAFO Conservation and Enforcement Measures

1. A non-Contracting Party vessel that has been sighted or by other means identified by a Contracting Party as engaging in fishing activities in the Regulatory Area is presumed to be undermining the effectiveness of Conservation and Enforcement Measures. In the case of any transshipment activities involving a sighted non-Contracting Party vessel, inside or outside the Regulatory Area, the presumption of undermining Conservation

¹ Draft proposed by the Chair, not yet discussed by the Committee.

and Enforcement Measures applies to any other non-Contracting Party vessel that has engaged in such activities with that vessel.

2. Information regarding such sightings or identifications shall be immediately transmitted to the Secretariat. For sightings, the Surveillance Report provided in Annex XII shall be used. The Secretariat shall then transmit this information to all Contracting Parties and other relevant Regional Fisheries Management Organizations within one business day of receiving this information, and to the flag State as soon as possible.
3. The Contracting Party shall attempt to inform the vessel that it has been sighted or identified engaging in fishing activities, and is accordingly presumed to be undermining the Conservation and Enforcement Measures, and that this information will be distributed to all Contracting Parties, other Regional Fisheries Management Organizations and to the flag State of the vessel.

Article 4 Inspections at sea

1. NAFO inspectors shall, if appropriate, request permission to board non-Contracting Party vessels that are sighted engaging in fishing activities in the Regulatory Area. If the vessel consents to be boarded the inspectors' findings shall be transmitted to the Secretariat without delay. The Secretariat shall transmit this information to all Contracting Parties and other relevant Regional Fisheries Management Organizations within one business day of receiving this information, and to the Flag State as soon as possible. The non-Contracting Party vessel that is boarded shall be provided with a copy of the findings of the NAFO inspectors.
2. Where evidence so warrants, a Contracting Party may take such action as may be appropriate in accordance with international law. Contracting Parties are encouraged to examine the appropriateness of domestic measures to exercise jurisdiction over such vessels.

Article 5 Inspections in port

1. When a non-Contracting Party vessel referred to in Article 3(1) enters a port of any Contracting Party, it shall be inspected by authorised Contracting Party officials knowledgeable of the Conservation and Enforcement Measures (and this Scheme), and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, log books, fishing gear, catch onboard and any other matter relating to the vessel's activities in the Regulatory Area.
2. Information on the results of all inspections of non-Contracting Party vessels conducted in the ports of Contracting Parties, and any subsequent action, shall immediately be transmitted to all Contracting Parties and other relevant Regional Fisheries Management Organizations through the NAFO Secretariat, and as soon as possible to the relevant flag State(s).

Article 6 Fishing activities

- [1. Contracting Parties shall ensure that their vessels do not receive transhipments of fish from a non-Contracting Party vessel [referred to in Article 3] or engage in joint fishing operations with such vessels.]²
2. Landings and transhipments of all fish from a non-Contracting Party vessel to which this Scheme applies shall be prohibited in all Contracting Party ports, unless:
 - a) The vessel establishes that the fish were caught outside the Regulatory Area; or
 - b) The vessel establishes that it has applied all relevant Conservation and Enforcement Measures.

² Language bracketed pending outcome of discussions on a) the possibility of prohibiting at sea transhipment from all NCP vessels (not just those sighted etc) and b) the possibility that a proposal is made to the Organisation to prohibit all transhipments at sea.

3. Contracting Parties denying landings or transshipments shall inform the vessel, the flag State of the vessel and the NAFO Secretariat of this decision.

Article 7

Notification of presumed IUU activities and establishment of a Provisional List

1. Upon receipt of information from Contracting Parties pursuant to Articles 3 to 6, the secretariat shall enter the flag State, vessel name and letters and numbers of registration, and other identifying features of the vessel as available, on a Provisional List. The Secretariat shall place the Provisional List on a secure section of the NAFO website.

[In addition to sighting reports and information on sea or port inspections, Contracting Parties may at any time submit to the Secretariat any further information, which might be relevant for the identification of non-Contracting Party vessels that might be carrying out IUU fishing in the Regulatory Area.]³

2. At the same time, the Secretariat shall, in consultation with the Chair of STACFAC, advise relevant non-Contracting Parties of the vessels flying their flag that have been included in the Provisional List and provide the following information to the non-Contracting party:
 - a. the reasons for the inclusion on the Provisional List and all relevant evidence upon which inclusion of the vessel on the list is based;
 - b. a copy of the NAFO Conservation and Enforcement Measures, including this Scheme;
 - c. request that it take measures in accordance with its applicable legislation to ensure that the vessel or vessels in question desist from any activities that undermine the effectiveness of Conservation and Enforcement Measures;
 - d. a reminder that trade restrictive measures may be imposed if the flag State does not take effective measures to ensure that the vessel or vessels in question desist from activities that undermine the effectiveness of the NAFO Conservation and Enforcement Measures;
 - e. a request to report back to NAFO [within 30 days from the date the letter is sent]⁴ on the results of enquiries and/or measures it has taken in respect of the vessel or vessels concerned.; and,
 - f. the dates when STACFAC and the General Council will be considering recommendations with respect to the composition of the IUU List, and an invitation to the non-Contracting Party to attend the meeting of STACFAC and the General Council as an observer, with the opportunity to further respond to the request specified in sub-paragraph e).
3. The Secretariat shall promptly provide non-Contracting Parties concerned with any additional information received pursuant to Articles 3 to 6 in respect of vessels flying their flag that have already been included on the Provisional List.
4. The Secretariat shall promptly distribute any information received from non-Contracting Parties to all Contracting Parties.
5. [If a non-Contracting Party that has received information regarding one of the vessels entitled to fly its flag pursuant to paragraph 2 does not object to a listing by the deadline established under paragraph 2, subparagraph e), the vessel concerned shall be transferred from the Provisional List to the IUU List.
6. Vessels that have been transferred from the Provisional List to the IUU List in this manner shall be retransferred to the Provisional List if the flag State at any date prior to X days before the Annual Meeting of STACFAC reacts in writing to the information received. If the vessel is retransferred to the Provisional List in this manner the decision whether to put the vessel on the IUU List shall be referred to STACFAC.]⁵

³ The Committee agreed on the substance of this paragraph – Article 8(2) of the initial proposal. Language not yet discussed.

⁴ Deadline subject to the outcome of discussion on the general cycling of the listing procedure and the cutoff date established in Article 8.2, still to be decided. Cf. footnote 5.

⁵ Reservations expressed with respect to automatic listing.

Article 8
Establishment of the IUU list

1. STACFAC shall consider the Provisional List and as appropriate recommend to the General Council that the vessels either:
 - a) be removed from the Provisional List;
 - b) be retained on the Provisional List pending the receipt of further information; or,
 - c) be transferred to the IUU List.
2. [STACFAC shall only consider vessels for inclusion on the IUU list if the period referred to in Article 7.2.e) has elapsed.]⁶
3. STACFAC shall undertake a review of the current IUU List and as appropriate recommend to the General Council that vessels are maintained thereon or removed. STACFAC shall only recommend that the General Council remove a vessel from either the Provisional or IUU list if the flag State of the vessel concerned provides satisfactory information to establish that:
 - a) it has taken effective action in response to the IUU fishing in question, including prosecution and imposition of sanctions of adequate severity;
 - b) it has taken measures to ensure the granting of the right to the vessel to fly its flag will not result in IUU fishing;
 - c) the vessel has changed ownership and the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it [and that the new owner has not participated in IUU fishing]⁷; or,
 - d) the vessel did not take part in IUU fishing.
4. The General Council shall review the recommendations made by STACFAC pursuant to this Article, and shall determine the composition of the IUU List.
5. The Secretariat shall place the IUU List on the NAFO website. This list shall include the name and flag state of the vessel and, where available, the previous name (s), the previous flag state (s), the radio call sign.
6. The Secretariat shall provide to relevant flag States the names of vessels on the IUU List flagged to that state.

Article 9
Follow-up action

CPs shall take all necessary measures to the extent possible in accordance with their applicable legislation, in order that:

- a) vessels appearing in the IUU List are not authorised to land, tranship, refuel or re-supply, engage in fish processing operations or in any other activity in preparation for or related to fishing in their ports or waters under their jurisdiction;
- b) fishing vessels, including support vessels, refuel vessels, the mother ships and cargo vessels flying their flag do not in any way assist, or participate in transshipment or any other activity in preparation for or related to fishing or joint fishing activities with vessels appearing on the IUU List;
- c) the issuing of licences to vessels appearing on the IUU List to fish in waters under their fisheries jurisdiction is prohibited;
- d) the chartering of vessels appearing on the IUU List is prohibited;
- e) the granting of their flag to vessels appearing on the IUU List is prohibited;

⁶ Cutoff date to be determined and subject to the outcome of discussions on the general cycling of the procedure. Cf. footnote 3.

⁷ Reservations expressed on preferences for more specific language.

- f) importers, transporters and other sectors concerned are encouraged to refrain from negotiating with and from transshipping fish caught by vessels appearing on the IUU List.
- g) appropriate information regarding vessels appearing on the IUU List is collected and exchanged with other Contracting Parties, non-Contracting Parties and other Regional Fisheries management Organisations with the aim of detecting, controlling and preventing false import/export certificates regarding fish from such vessels.

Article 10
Actions vis-a-vis Flag States

1. Contracting Parties shall jointly and/or individually request non-Contracting Parties whose vessels appear on the IUU List to co-operate fully with the Organisation in order to avoid undermining the effectiveness of the Conservation and Enforcement Measures adopted pursuant to the Convention.
2. The General Council shall review, at subsequent annual meetings as appropriate, actions taken by such non-Contracting Parties and identify those that have not rectified their fishing activities.
3. ⁸*[The General Council shall decide appropriate measures to be taken in respect of non-Contracting Parties identified under paragraph 2. In this respect, Contracting Parties may co-operate to adopt appropriate multilaterally agreed trade related measures, consistent with the World Trade Organisation (WTO) that may be necessary to prevent, deter, and eliminate the IUU fishing activities identified by the General Council. Multilateral trade measures may be used to support co-operative efforts to ensure that trade of fishing products from the Regulatory Area does not in any way encourage IUU fishing or otherwise undermine the effectiveness of NAFO Conservation and Enforcement Measures which are consistent with the United Nations convention on the Law of the Sea 1982.]*

OR:

3. *[Where the Flag State of a vessel identified in paragraph 2 has:*
 - (a) *failed or refused to exercise effective control over the vessel flying its flag so as to ensure that the vessel desists from undermining the effectiveness of the NAFO Conservation and Enforcement Measures; and,*
 - (b) *received reasonable notice of the consequences of its failure to take effective control and has been provided with an opportunity to respond;*

the General Council may, where no other reasonable means are available to compel the Flag State to exercise effective control over the vessel, recommend that Contracting Parties adopt appropriate non-discriminatory trade restrictive measures against the Flag State in question, consistent with their international obligations
4. *Where trade measures are recommended pursuant to paragraph 3, the Chairman of the General Council shall inform the Flag State in question of the recommendation and again request the Flag State to exercise effective control over the vessel or vessels.*
5. *STACFAC shall review each year all trade restrictive measures that have been adopted and, where circumstances warrant, shall submit for the approval of the General Council, recommendations for the lifting of the measures.]*

[X. Where the flag State of a vessel identified in paragraph 2 has failed or refused to exercise control over the vessel entitled to fly its flag, Contracting Parties shall develop ways to ensure that the export and transfer of fishing vessels to such an identified flag State is prohibited.]⁹

⁸ Two alternative languages proposed. In addition, reservations on the concept of trade sanctions against NCPs being included in the Scheme.

⁹ Not yet discussed by the Committee.

**[Article 11
Entry Into Force¹⁰**

1. Contracting Parties shall adopt a comparable mechanism by no later than the close of the 2006 annual meeting of NAFO that includes additional measures to ensure that Contracting Parties fulfill their obligations not to undermine the NAFO Conservation and Enforcement Measures.
2. Article 10(3) of this Scheme shall not enter into force before the entry into force before the entry into force of the Contracting Party mechanism pursuant to 11(1).I]

¹⁰ Reservations expressed as to the inclusion of this provision in the Scheme. Paragraph 2 linked to the outcome of discussions on Article 10(3), bracketed.

Annex 5. Working Paper presented by Canada
(STACFAC W.P. 04/6)

Article 11 – Entry into Force

1. Contracting Parties shall adopt a comparable mechanism by no later than the close of the 2006 annual meeting of NAFO that includes additional measures to ensure that Contracting Parties fulfill their obligations not to undermine the NAFO Conservation and Enforcement Measures.
2. Article 10(3) of this Scheme shall not enter into force before the entry into force of the Contracting Party mechanism pursuant to 11(1).

PART II

Report of Joint STACFAC-STACTIC Meeting

(GC Doc. 04/2)

17-18 June 2004
Copenhagen, Denmark

1. Opening by the Chairs

The combined STACFAC/STACTIC meeting was opened by Co-chairs Nadia Bouffard (Vice-Chair of STACFAC) and Martin Newman (Chair of STACTIC).

2. Appointment of Rapporteur

The Executive Secretary, Johanne Fischer, continued as Rapporteur.

3. Adoption of Agenda

The new participants (Annex 1) adopted agenda items 5 to 7 of the draft Agenda (Annex 2). At the Chairs' suggestion, participants agreed that recommendations from this joint meeting would be submitted to both General Council and the Fisheries Commission at the NAFO annual meeting in September 2004, and that each body would make decisions in areas falling under their respective mandate. It was recognized that STACFAC and STACTIC may need to continue the work begun during this intersessional joint meeting and that General Council and Fisheries Commission would respectively be recommended by this joint meeting to task STACFAC and STACTIC in this respect.

5. Elaboration of a Scheme for Contracting Parties with content similar to that of Scheme for NCPs

To help generate discussion, the Chairs circulated a working paper (STACFAC W.P. 04/4) entitled "Chairs proposed matters for discussion under Agenda item 5". The discussion centered on the following topics:

Rationale of a NAFO CP scheme: The need for a CP scheme was explained with obligations resulting from international agreements (WTO, FAO IPOA on IUU) that stipulate a non-discriminatory treatment of all fishing vessels. The EU proposal to revise the current NCP scheme seeks to address IUU fishing by NCPs in the NRA. It is comprehensive and lays out consequences of undermining the NAFO measures up to and including trade measures. However, concern was expressed that adopting a scheme with possible trade measures for NCPs without consistent consequences for CPs could constitute discriminatory actions under WTO rules. A consistent scheme for CPs, though not necessarily identical, would be necessary to conform to WTO rules. This view was not shared by all participants. Some remarked that NAFO Member vessels are subject to a strict control and enforcement system that contains precise obligations falling on flag States to impose sanctions on vessels that commit infringements to the NAFO CEM, as well as to provide follow-up to the Organisation on procedures applied to such effect. Therefore, as far as CP vessels are concerned, the NAFO rules already establish a basis for sanctioning vessel behaviour that responds to the definition of IUU fishing, although in NAFO, the matter is dealt with under the concept of compliance. It was indicated, in this respect, that other RFMOs had sought to introduce such a system by means of an IUU scheme rather than by rules on Member compliance. This represents a mere difference in approach to attain similar objectives

Definition of IUU fishing (Illegal, Unreported, Unregulated fishing) and scope of CP scheme: The relevant text (Article 3) of the FAO IPOA on IUU fishing containing the definition of "IUU fishing" was circulated. There was consensus that the term "unregulated" was irrelevant in the context of a discussion regarding fishing activities by vessels of Contracting Parties to an RFMO. In addition, Article 80.11 of the IPOA "*definition of circumstances in which vessels will be presumed to have engaged in or to have supported IUU fishing*" was felt to have relevance for the discussion as well as the NAFO CEM Article 32 ("*Serious Infringements*"). It was acknowledged that traditionally there was an understanding in NAFO that IUU fishing applied to NCPs only [it hadn't been discussed in this context] whereas in the case of Contracting Parties the term "non-compliance" applied. There was consensus, however, that NAFO CP vessels can by definition be engaged in illegal and unreported (IU) fishing. The idea was

introduced that if there are a high frequency of serious infringements by a vessel or a significant number of vessels of a Contracting Party, this could constitute IUU (or IU) fishing by a CP.

Information required to determine IUU fishing of CPs: Participants agreed that NAFO control measures (e.g. at-sea and port inspection reports) could be used as objective sources of information to determine IUU fishing by CP vessels. In addition, certain participants were of the view that other sources such as observer reports and information obtained from VMS and other monitoring sources could also constitute valid sources of information to determine IUU fishing by CP vessels. Some participants expressed that the need for follow-up actions by a CP flag state regarding such vessels should be considered when establishing an IUU list for NAFO CP vessels. CPs agreed that any new measures for CPs should be considered within the context of the existing NCEM. The annual Report on infringements (CEM Article 35) was perceived as being a relevant source of information for establishing a CP IUU list. This Report consists of tables listing the various infringements discovered at sea or at ports and the actions taken by the flag states. It was highlighted that these tables had not been kept up to date with the latest information on actions taken by flag States nor the level of details required by Article 35 and participants were encouraged to update the tables on an annual basis at STACTIC.

Although no conclusions were reached on this point, participants discussed the need to allow a reasonable opportunity for the flag State to act upon non-compliant behavior by its flagged vessels before NAFO's scheme entered into force and sanctions are contemplated by the Organization. Some CPs believed that if according to the Article 35 report, no action or an unsatisfactory action had been taken by the flag state within a reasonable period of time a follow-up action taken by the Organization could be justified. It was also pointed out that a NAFO Compliance Report (to be elaborated by STACTIC this year for the first time) could play a role in elaborating an IUU listing process for CP vessels. Some participants felt that the identification of a NAFO CP IUU vessel should be based mainly on its actions and not on the follow-up actions of the flag state, especially when this involved second guessing the legal system of a flag state. The rationale of a CP scheme would be best understood as allowing for collective sanctioning action against recidivist vessels to reinforce the action taken by the flag state. It was proposed that the effectiveness of the sanctions imposed by a flag state could be assessed based on their effectiveness in deterring the IUU activities in the NRA by a specific vessel or fleet.

In the context of this discussion, it was emphasized that CPs may, by virtue of their NAFO membership and their obligation to enforce the Organization's CEM, apply a presumption of innocence to vessels cited for an apparent infringement until appropriate procedures have confirmed or not the existence of a violation. However, since NCP flag states are not bound by the NAFO CEM, their vessels can hardly benefit from a presumption of compliance with the NAFO conservation measures when found fishing in the NAFO RA and can be presumed to be undermining the effectiveness of the NAFO CEM thus resulting in a lower standard of proof of IUU activities by NCP vessels. Some participants felt that this distinction is inevitable, and that it justifies a different regime and treatment to be applied to, respectively, CP and NCP vessels under any IUU scheme. In the case of NAFO CP vessels, it is ultimately the responsibility of the flag state to determine whether an infringement has actually occurred and then take the necessary action within their legal possibilities.

Sanctions: Participants stated that the most powerful means to fight IUU fishing was to prevent fishermen to profit from their illegal activities. The elaboration of an IUU list met with concern by some participants, especially any automatism that would lead to placing vessels on such a list and it was suggested to instead operate by consensus and discuss the placement of vessels on a case by case basis looking at the seriousness and frequency of infringements. It was pointed out that a provisional list alone (without further sanctions) based on a NAFO Compliance Report and using the provisions of Article 35 could ensure a negative visibility of a vessel with repetitive offending patterns. A method by which STACTIC would develop such a provisional list could be devised.

Canada submitted a proposed text for a CP scheme based on the provisions of the proposed NCP Scheme, incorporating the discussions to date during the meeting (STACFAC/STACTIC W.P. 04/5) (Annex 3). Participants remarked that the proposal represented a good basis for discussion. Some participants expressed the desire to see more specific sanctions spelled out in the text, particularly with respect to individual vessels and suggested a list of sanctions similar to Article 9 of the NCP scheme. Some CPs expressed concern that a "name and shame" list would be inappropriate and could backfire or be counter-productive. One CP questioned the appropriateness of listing vessels and reprimanding flag states and instead, suggested that a system be devised to sanction individuals, i.e. captains or vessel owners.

Participants agreed to postpone the discussion to the September 2004 annual meeting of NAFO and recommended that the Fisheries Commission mandate STACTIC to include this matter on their agenda for further discussion. Canada was further invited to revise its paper to reflect the discussion and comments provided at the meeting and circulate it at the September 2004 STACTIC meeting.

6. Development of trade-tracking system.

A general summary of such systems was provided. They are used in some RFMOs and involve documents being issued/certified by the flag State of vessels which identify the product and where it was caught and is required to follow the fish to its destined market. It was mentioned that the purpose of the tracking system is not to impose trade sanctions but rather to improve catch statistics, however, these documents are used as relevant information in the process of imposing trade sanctions, particularly on individual vessels. General concern was voiced that implementing a tracking system within NAFO would be complicated and work intensive (posing an additional burden on vessels of Contracting Parties) and that in a processed at sea, mixed fishery such as NAFO, reliable documentation would be difficult to achieve. Most participants questioned whether NAFO needed such a scheme and it was agreed that there was no appetite for developing such a scheme in NAFO.

7. Implementation of the IPOA on IUU in NAFO

STACFAC was mandated by GC to look into the implementation by NAFO of the FAO International Plan of Action on IUU fishing. A paper elaborated by Norway on this topic was introduced (GC W.P. 02/1). Participants felt that, on the basis of the Norwegian Paper, NAFO had made significant progress in implementing the provisions of the IPOA. Participants agreed that Norway's analysis should serve as a basis for a work plan for NAFO and noted two areas for further work by NAFO in the future: 1) the need to review the NAFO CEM regarding support of IUU fishing activities, such as transshipments, fuelling and provisioning of IUU vessels, and 2) improved cooperation and information sharing between NAFO and other institutions and RFMOs regarding IUU fishing. On the first point, participants agreed that STACTIC should be mandated by the Fisheries Commission to consider reviewing the provisions of the CEM to determine whether changes would be needed to more effectively deal with vessels that aid in IUU fishing activities. In respect of improved cooperation it was recommended that the Secretariat be requested that all information on the NAFO NCP scheme be publicized on the NAFO public website and that relevant IUU information should be place on an easy access place on the protected NAFO member pages. Finally, it was recommended that the Secretariat be requested to report regularly on progress of implementing international agreements in NAFO.

8. Other Matters

The possibility of a common NAFO/NEAFC NCP scheme was discussed. The desirability of such an approach was emphasized and it was remarked that, as all NEAFC members are also members in NAFO this should not be a difficult goal to achieve.

9. Adoption of Report

It was decided to adopt the report of both the STACFAC meeting and the joint STACFAC/STACTIC meetings through the mail. This was done on 19 August 2004.

10. Adjournment

The meeting was adjourned on Friday, 18 June at 3:30 p.m.

Annex 1. List of Participants

CANADA

Head of Delegation

Nadia Bouffard, Director, Atlantic Affairs, International Affairs Directorate, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 993 1860 - Fax: +613 993 5995 - E-mail: bouffardn@dfo-mpo.gc.ca

Advisers

Judy Dwyer, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 8831 – Fax: +709 772 2046 – E-mail: dwyerji@dfo-mpo.gc.ca

Glen Linder, Legal Officer, Oceans, Environment and Economic Law Div., Foreign Affairs Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: +613 944 4718 – E-mail: glen.linder@dfait-maeci.gc.ca

Kym Purchase, Officer, Atlantic Affairs, Dept. of Fisheries and Oceans, 13N155, 200 Kent Street, Ottawa, Ontario K1A 0E6

Phone: +613 993 1862 – Fax: +613 993 5995 – E-mail: purchasek@dfo-mpo.gc.ca

Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries & Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1

Phone: +709 772 8021 – Fax: +709 772 2046 – E-mail: strowbridgel@dfo-mpo.gc.ca

DENMARK (IN RESPECT OF FAROES AND GREENLAND)

Head of Delegation

Einar Lemche, Head of Representation, Gronlands Hjemmestyre, Strandgade 91, 3. sal, Postboks 2151, 1016 Copenhagen K, Denmark

Phone: +45 32 83 38 00 - Fax: +45 32 83 38 01 - E-mail: el@ghsdk.dk

Advisers

Simun Joensen, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: +298 311065 – Fax: +298 313981 – E-mail: sj@vb.fo

Martin Kruse, Adviser, FMC-Manager, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: +298 311065 – Fax: +298 313981 – E-mail: mk@vb.fo

Dorthe Lillelund, Head of Section, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345376 – Fax: +299 323235 – E-mail: doli@gh.gl

EUROPEAN UNION

Head of Delegation

Fuensanta Candela Castillo, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7753 – Fax: +32 2 295 5700 – E-mail: maria.candela-castillo@cec.eu.int

Advisers

Staffan Ekwall, Principal Administrator, European Commission, DG FISH, External Policy and Markets, International and Regional Arrangements, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 299 6907 – Fax: +32 2 295 5700 – E-mail: staffan.ekwall@cec.eu.int

Martin Newman, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7449 – Fax: +32 2 296 2338 – E-mail: martin.newman@cec.eu.int

Jose Mesquita, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 – Fax: +32 2 296 2338– E-mail: jose.mesquita@cec.eu.int

Margarite Mancebo, Subdireccion General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 3476176 - Fax: +34 91 3476049 – E-mail: cmancebo@mapya.es

Alexandre Teixeira, Direccao Geral das Pescas e Aquicultura (DGPA) – DIP, Av. Brasilia, 1400 Lisbon, Portugal

Phone: +35 121 302 5136 – Fax: +35 121 302 5101 – E-mail: alexandreteixeira@igp.pt

ICELAND

Head of Delegation

Gudridur Margrét Kristjánsdóttir, Legal Adviser, Ministry of Fisheries, Skulagata 4, 150 Reyjavik

Phone: +354 545 8370 - Fax: +354 562 1853 - E-mail : gudridur.kristjansdottir@sjr.stjr.is

NORWAY

Head of Delegation

Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 185, N-5804 Bergen

Phone: +47 55 23 80 00 Fax: +47 55 23 80 90 E-mail: terje.lobach@fiskeridir.no

Adviser

Jan Pieter Groenhof, Adviser, Norwegian Ministry of Fisheries, P. O. Box 8118 Dep., 0032 Oslo

Phone: +47 22 24 64 52 – Fax: +47 22 24 95 85 – E-mail: jan-pieter.groenhof.johansen@fid.dep.no

UNITED STATES OF AMERICA

Head of Delegation

Gene Martin, Attorney, Office of the General Counsel, Northeast Region, National Oceanic and Atmospheric Administration, U.S. Dept. of Commerce, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +1 978 281 9242 Fax: +1 978 281 9389 E-mail: gene.s.martin@noaa.gov

Advisers

Deirdre Warner-Kramer, Senior Atlantic Fisheries Officer, Office of Marine Conservation, United States Department of State (Rm 5806), 2201 C Street NW, Washington, D.C.

Phone +1 202 647 2883 – Fax: +1 202 736 7350 – E-mail: warner-kramerm@state.gov

Sarah McLaughlin, Fishery Policy Analyst, Sustainable Fisheries Div., Northeast Region, National Marine Fisheries Service, U.S. Dept. of Commerce, NOAA, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +978 281 9279 – Fax: +978 281 9135 – E-mail: sarah.mclaughlin@noaa.gov

SECRETARIAT

Johanne Fischer, Executive Secretary (jfischer@nafo.int)

Bev Cruikshank, Personal Assistant to the Executive Secretary (bcruiksbank@nafo.int)

Annex 2. Agenda

1. Opening by the Chair
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Modification of Scheme to promote compliance by Non-Contracting Party vessels with the Conservation and Enforcement Measures established by NAFO (GC Doc. 03/3, Part III-Report of STACFAC, Annex 6)
5. Elaboration of a Scheme for Contracting Parties with content similar to that of Scheme for NCPs
6. Development of trade-tracking system
7. Implementation of the IPOA on IUU in NAFO
8. Other Matters
9. Adoption of Report
10. Adjournment

15-16 June – STACFAC – re item 4 (**see Part I of this Section, page 159**)
17-19 June – Joint session with STACTIC re items 5-7

Annex 3. Working Paper Presented by Canada
(STACFAC/STACTIC W.P. 04/5)

TEXT TO ENHANCE COMPLIANCE BY CONTRACTING PARTIES WITH NAFO MEASURES

(These amendments are intended to follow Article 35 of Chapter IV)

Article 35.1
Establishment of CP “Problem Vessel” List

1. Each year, STACTIC shall examine the reports submitted pursuant to Article 35, together with any other information received, and any other information provided to it during its meeting.
2. STACTIC shall review the information referred to in paragraph 1 and shall identify those vessels in respect of which no effective action has been taken in response to infringements that have been notified.
3. Following this review, STACTIC shall submit to Fisheries Commission for approval a proposed CP “Problem Vessel” List (hereinafter “CPPV List”).
4. On approval of the CPPV list, Fisheries Commission shall request Contracting Parties whose vessels appear thereon to take effective action in respect of these vessels, including:
 - a) immediately and fully investigating the infringement and reporting back to STACTIC on the progress and outcome of the investigation;
 - b) where applicable, prosecuting and imposing sanctions adequate in severity to be effective in securing compliance and depriving the offending vessel of the benefits accruing from its non-compliant behaviour;
 - c) where applicable, seizure of illegal catch and/or gear; and,
 - d) where applicable, withdrawing or suspending the vessel’s fishing license.
5. The Secretariat shall place the CPPV List on a secure section of the NAFO website. The list shall include the name and flag state of the vessel and the radio call sign.

Article 35.2
Annual Review of the CPPV List

1. STACTIC shall undertake a review of the existing CPPV List each year and, as appropriate, recommend to the Fisheries Commission that vessels are maintained thereon or removed. STACTIC shall recommend that the Fisheries Commission remove a vessel from the CPPV List if:
 - a) the flag state of the vessel concerned provides satisfactory information to establish that:
 - i) it has taken effective action pursuant to paragraph 4 of Article 35.1;
 - ii) the vessel has changed ownership and the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it and the flag state is satisfied that the new owner will not engage in non-compliant fishing activity; or,
 - iii) the vessel did not commit the infringement reported pursuant to Article 35; or,
 - b) STACTIC otherwise determines that the vessel should be recommended for removal.

2. The Fisheries Commission shall review the recommendations made by STACTIC pursuant to this Article and shall amend the composition of the CPPV List as appropriate.

Article 35.3
Actions vis-a-vis Flag States

1. Fisheries Commission identify, at subsequent annual meetings, as appropriate, those Contracting Parties that have repeatedly not taken effective action in respect of their vessels on the CPPV List.
2. Fisheries Commission may, in respect of those Contracting Parties whose vessels are identified pursuant to paragraph 2, recommend any other measures to ensure that effective action is taken.
3. Where Fisheries Commission determines that no effective action has been taken, and the Flag State has received notice of the consequences of its failure to take such action, Fisheries Commission may recommend that Contracting Parties adopt trade restrictive measures against the Flag State in question, consistent with their international obligations.
4. STACTIC shall review each year all trade restrictive measures that have been adopted and, where circumstances warrant, submit for the approval of Fisheries Commission, recommendations for the lifting of the measures.
5. This Article shall be interpreted in a manner consistent with international law, including the principles, rights, and obligations in WTO agreements, and be implemented in a fair and transparent manner.

Article 35.4
Additional Measures by Contracting Parties

Nothing in Articles 35.1 to 35.3 shall affect the sovereign rights of Contracting Parties to impose additional measures in accordance with international law.

SECTION V
(pages 187 to 266)

**Report of the Standing Committee on
International Control (STACTIC)
21-23 June 2004
Copenhagen, Denmark**

Report of the Meeting.....	189
1. Opening of the Meeting.....	189
2. Appointment of Rapporteur.....	189
3. Adoption of Agenda.....	189
4. Compilation of Compliance Data – Presentation by Secretariat.....	189
5. Functioning of the Joint Inspection Scheme (including inspection times).....	190
6. Modifications to the NAFO Monitoring and Control Scheme (harmonization of STACTIC W.P. 03/12 (revised), 03/17 and 03/18).....	191
7. Possible Amendments to the NAFO CEM (including Annex to describe toggle chains for the shrimp fishery).....	192
8. NAFO/NEAFC harmonization on VMS system and Monitoring of Fisheries.....	192
9. Update on 2003 Observer/VMS Pilot Project.....	192
10. Increase of Inspection Presence in the NRA (i.e. review of current coverage, Associated costs, sharing of costs).....	192
11. SCS Doc. 00/23 (FC Doc. 03/18) – Consideration of Possible Options to Provide Observer Data to the Scientific Council.....	193
12. Other Matters.....	193
13. Adoption of Report.....	193
14. Adjournment.....	193
Annex 1. List of Participants.....	194
Annex 2. Agenda.....	198
Annex 3. The Compilation of NAFO Fishing Reports for STACTIC Compliance Analysis (by NAFO Secretariat).....	199
Annex 4. Compliance Review (presented by EU).....	208
Annex 5. Quarterly Report on the Objectivity in the Realization and Distribution of Inspection Between the Contracting Parties January – March, 2004 (by NAFO Secretariat).....	210
Annex 6. Proposal for Modifications to the NAFO Monitoring and Control Scheme –Harmonization of STACTIC WP 03/12 (Rev), 03/17 and 03/18.....	212
Annex 7. Text to Enhance Compliance by Contracting Parties with NAFO Measures.....	253
Annex 8. Proposal by Canada for Modifications to the NCEM to illustrate and describe Toggle Chains.....	255
Annex 9. Proposal presented by Iceland, Denmark (in respect of Faroe Islands and Greenland) and Norway to harmonize the VMS message format and reports by fishing vessels consistent with the formats used in NEAFC.....	257
Annex 10. Update on 2003 Observer/VMS Pilot Project.....	265
Annex 11. Extract from the Report of STACREC, June 2004 regarding the NAFO Observer Program.....	266

**Report of the Standing Committee on
International Control (STACTIC)**
(FC Doc. 04/3)

**21-23 June 2004
Copenhagen, Denmark**

1. Opening of the Meeting

The Chairman (Martin Newman, EU) opened the meeting and welcomed delegates (Annex 1) to Copenhagen on June 21, 2004 at 10:15 hrs. There were no opening statements.

2. Appointment of Rapporteur

Mr. Robert Steinbock (Canada) was appointed rapporteur.

3. Adoption of Agenda

The revised Provisional Agenda was adopted as modified (Annex 2). It was agreed, as proposed by the delegate of the EU, to add a new agenda item on the functioning of the Joint Inspection Scheme including the issue of inspection times.

4. Compilation of Compliance Data – Presentation by the Secretariat

Mr. Ricardo Federizon presented the Secretariat's compilation of the NAFO fishing reports for the STACTIC compliance analysis (STACTIC Working Paper 04/01-Annex 3) as previously prescribed in STACTIC WP 02/14. He noted that the compilation was prepared to enable easy comprehension, to facilitate the comparison and cross-verification of data from different sources, and to facilitate the identification of data gaps and missing reports. He indicated the following difficulties were encountered during the compilation:

- Reports in non-English language
- Unreadable or difficult to read reports because of poor quality of reproduction
- Incomplete information in the reports, e.g. no information on fishing dates, division or subarea, mesh size, missing hail reports
- Inconsistent information on infringements between the issuing report, cover letters, and reports on inspection and surveillance activities
- Lack of care in specifying units (kg or mt) and in placing decimal points in reporting catches.

He recommended the submission of fishing reports in English, the standardization of the format of observer reports, and the electronic submission of reports to the Secretariat to improve the overall quality of data.

Dr. Johanne Fischer advised that the final compilation will be sent to Contracting Parties before the NAFO annual meeting to allow cross-checking of data before the STACTIC meeting. Delegates expressed appreciation to the Secretariat for the comprehensive compilation of a substantial and complex amount of data. Delegates requested that the Secretariat provide vessel names to the Contracting Parties concerned in order to check the accuracy of the data. It was concluded that this did not contravene the confidentiality rules in Annex XX.3 of the NAFO Conservation and Enforcement Measures (NCEM).

Delegates provided views and a number of concrete suggestions to structure, summarize and improve the coherence and transparency of the data. Some noted that the assessment should reflect an assessment of overall compliance and not just provide an analysis of infringements. The delegate of Iceland suggested that the Secretariat would compile data of the functioning of the VMS, in particular communication between the different Fishery Monitoring Centres (FMC), and the Secretariat. This could help to locate problems and subsequently correct them. The delegate of the EU noted that, in addition to presenting data on fleet compliance, additional data should be provided to reflect Contracting Party obligations to provide a more comprehensive picture of reporting responsibilities. She

presented the proposal for this two-part review (STACTIC Working Paper 04/8- Annex 4). This proposal was supported by delegates and it was agreed that Part I should also include tables on Contracting Parties submission of observer reports and port inspection reports to the Secretariat. It was agreed that while the tables represented a good first step in moving forward with the joint compliance review in September, it was recognized that the list is not exhaustive and additional improvements may be possible by the Secretariat.

5. Functioning of the Joint Inspection Scheme (including Inspection times)

The delegate of the EU noted that the increased number of Canadian inspections in the NAFO Regulatory Area since early May had created considerable uncertainty and frustration for their fishermen and was hampering their legitimate fishing activities. In reference to a June 6, 2004 letter from the Russian Fisheries Representative in Canada to NAFO (NAFO GF/04-259), he raised a number of concerns regarding the application and implementation of the NAFO Joint Inspection Scheme which he considered should be discussed to avoid any misunderstandings. The concerns were as follows:

- Duration of the inspections (usually longer than the prescribed 3 hours for routine situations) – this has been a frequent problem and a list of occurrences was provided to Canada. The EU has seen an improvement concerning respect for the 3 hour time limit since then.
- Absence of prior notification of inspections – in particular at night
- Need to better implement the obligation in Article 24.3 in the NCEM concerning coordination of inspection activities among all inspection platforms operating in the NRA.
- Need to enhance the equitable distribution of inspections and equal treatment of fishing vessels as prescribed by Article 24.6 of the NCEM. He referred to the annual report on objectivity of inspections produced by the Secretariat pursuant to Article 24.6 showing that the EU fleet had received a disproportionately high number of inspections over the last five years.
- High frequency of inspections – high number of inspection vessels relative to the number of fishing vessels has led to some vessels being inspected up to 10 times during a fishing trip. These activities have been described by Canadian authorities as intending to harass non-Canadian fishing activities.
- Use of video cameras during inspections, not limited to the fish processing areas of the vessel, which is not provided for under the NCEM.
- Legal basis for inspections in the NAFO Regulatory Area and Canada's interpretation of the applicability of the control measures in the UN Fish Stocks Agreement (UNFA).

The delegate of Canada noted many allegations of a general nature but the absence of specific incidents. He confirmed the increased number of Canadian NAFO inspections since early May which was necessitated by the increasing level of non-compliance in the NRA by some vessels during 2003 and the threat posed to moratoria stocks by continued directed fishing. He stated that Canadian inspectors are experienced and knowledgeable in the NAFO rules based on substantial inspection experience. He stated that the intent of the enhanced inspections was to target rogue vessels and that the increased inspections have resulted in changes and improvements to fishing behavior. He noted that there are exceptions to the 3 hour rule based on violations and the time of boarding relative to the time of a vessel's tow. He was not aware of any incidents when inspections were not notified in advance and noted that Canada would investigate fully if the details of an incident were provided. He acknowledged inspections do occur at night by Fast Rescue Craft (FRC). He did not see any evidence or statistics that would support a disproportionate number of inspections or inequitable treatment. He stated that Canadian inspectors coordinated their activities with the EU and Faroese inspectors and sought cooperation.

The Secretariat circulated STACTIC Working Paper 04/5 (Annex 5) – to present a quarterly report on the objectivity of inspections between Contracting Parties during January to March 2004 however there was no discussion of the content.

There were no comments from other delegates. The Chair noted that while STACTIC would take note of the concerns expressed, some elements could be discussed bilaterally, while other concerns were highly political and beyond the ambit of STACTIC. The delegate of the EU noted that if prior notification is not provided, it is of the view that inspections could be refused. He stated that if these activities continue with no improvement, then the EU may have to reconsider its participation in the Joint Inspection Scheme.

It was noted that technical experts from Canada and the EU had discussed these concerns in detail as well as specific incidents. The delegate of Canada committed to fully cooperate and undertook to fully review the specific incidents, to cooperate to try to resolve the issues and communicate the results to the EU.

6. Modifications to the NAFO Monitoring and Control Scheme (harmonization of STACTIC WP 03/12 (Revised), 03/17 and 03/18)

Three proposals proposing modifications to the NAFO Monitoring and Control Scheme were tabled at the September 2003 Fisheries Commission meeting. Canada was tasked to seek to harmonize the three proposals and obtain comments through consultations with other Contracting Parties. The delegate of Canada introduced and described STACTIC Working Paper 04/4 (Annex 6) which represents primarily a synthesis of the three proposals as well as the inclusion of new definitions related to infringements. The delegate of the EU recalled that this attempt to improve and reorganize the NAFO Scheme is based on the desire to facilitate a reduction in the current level of 100% observer coverage.

Four main points were discussed extensively:

1. **Scope:** comments on the scope of observer coverage had been provided by Iceland, the EU and Canada. Delegates felt that no progress could be made on the scope issue as the Canadian proposal for guidelines for establishing observer coverage levels had not been elaborated to date. Canada undertook to provide this for September 2004 meeting.
2. **Infringements:** Canada had proposed distinct definitions of infringements and apparent infringements to differentiate between the findings of inspectors and information received from other monitoring sources such as observer data. The delegate of the EU noted that an infringement cited by an inspector obliges a flag State to act under NCEM Article 32, whereas there is no such obligation with findings from other monitoring sources. He noted that this category is intended to feed into inspection activities at sea or in port. In the absence of agreement, it was agreed to defer consideration of the definitions.
3. **Port Inspection:** The Canadian proposal for a two-tiered inspection approach based on analyses of data to pre selected vessels for Level 1 or Level 2 inspection during vessel offloading in a Contracting Party port was considered overly complex and incomplete to ensure a full understanding. Delegates (in particular Ukraine, Russia and Lithuania) expressed significant concerns about not over-complicating inspection procedures. Canada undertook to reflect on these concerns and table a modified Port Inspection Protocol in September 2004.
4. **Web Based Possibilities:** Delegates expressed support for the Canadian suggestion to consider exploring the possibilities of posting reporting data to a secure web site for access by inspecting authorities. It was agreed that this type of solution should be pursued. The delegate of Iceland showed the functioning of such web based solutions on the website of the Icelandic Directorate of Fisheries (www.fiskistofa.is).

Also discussed was the proposal to amend Article 13 – Authorization to Fish. While some concerns were expressed that new measures to deal with IUU fishing should be dealt with in the context of the draft text developed in STACFAC/STACTIC W.P. 04/5 (Annex 7), it was agreed that this could be pursued by STACTIC in parallel with the STACFAC/STACTIC exercise.

Concerns were expressed with the proposal to amend Article 18 to require all fish harvested in the NRA and frozen at sea to be packaged and marked/identified with the species product type/NAFO Division and date. It was agreed to determine current market requirements on product labelling before pursuing this proposal.

The Chair reminded the meeting of the point raised by Norway during the STACFAC/STACTIC meeting concerning landings of vessels that have transhipped fish. Norway undertook to submit a paper to the September meeting.

The delegate of Japan expressed difficulties with Article 23.17 in STACTIC Working Paper 04/4 which called for vessels entering the NRA and that do not carry observers to be available for inspection at a pre-arranged checkpoint. He stated that Japan has no experience with this type of measure in other regional fisheries management organizations and considered the proposed measure as excessive.

The delegate of the EU stated that some conclusions will need to be drawn on the proposal to modify the NAFO Monitoring and Control Scheme in September 2004. He noted that under NCEM Article 23.8, it is unclear whether NAFO will have an observer scheme from 01 January 2005 if recommendations are not provided for a new Scheme.

7. Possible Amendments to the NAFO Conservation and Enforcement Measures (including Annex to describe toggle chains for the shrimp fishery)

The delegate of Canada presented a proposal to modify the NCEM by adding Annex XXII to illustrate and describe toggle chains (STACTIC Working Paper 04/7-Annex 8). The requirement for the use of toggle chains is for vessels fishing for shrimp only in Division 3L. It was agreed to recommend this proposal to the Fisheries Commission subject to the illustration being modified to more accurately reflect the actual proportions.

8. NAFO/NEAFC harmonization on VMS system and Monitoring of Fisheries

The delegate of Iceland presented a proposal developed jointly with Denmark (in respect of the Faroe Islands and Greenland) and Norway to harmonize the VMS message format and reports by fishing vessels consistent with the formats used in NEAFC (STACTIC Working Paper 04/3-Annex 9). It was agreed in principle to amend Annexes IX and X and to add a new Annex to clarify the message system subject to further technical examination. The Secretariat was requested to examine the cost implications of this proposal before the September meeting.

Delegates expressed appreciation for these joint efforts to ensure continuing harmonization in formats between NAFO and NEAFC. It was acknowledged that this was a reciprocal process between organizations.

It was noted that the NAFO and NEAFC Secretariats had agreed to jointly create a new public website on the North Atlantic format. The Secretariats will continue discussions on developing this site to ensure harmonization. STACTIC recommends that a joint NAFO/NEAFC group of experts be appointed to oversee the North Atlantic format. A similar recommendation has been made by the control group of NEAFC (PECCOE). The delegate of Norway advised that a FAO Experts Consultation on data formats and procedures in monitoring control and formats would be hosted by Norway during September 27-29, 2004 in Bergen with invitations limited to experts from a specified group of countries.

9. Update on 2003 Observer/VMS Pilot Project

It was noted that there are currently three vessels participating in the pilot project – one from Iceland and two from Norway. Delegates provided updates on their expected participation this year. It was noted that information on the pilot project participation is updated on the NAFO website under the Members Pages (STACTIC Working Paper 04/2-Annex 10).

10. Increase of Inspection Presence in the NRA (i.e. review of current coverage, associated costs, sharing of costs)

The delegate of the EU explained the background. At the 2003 NAFO meeting, the EU suggested that Contracting Parties not sending a patrol vessel to the NRA should be prepared to help defray the significant costs of the inspection presence. It was decided to task STACTIC to review the current coverage, which Contracting Parties provide coverage and the associated costs, and the possible options for more broadly sharing these costs. STACTIC was requested to report and recommend options towards more equitable sharing of coverage and/or costs.

There was a recognition by experts that there was room for improvement in enhanced communications and coordination at the operational level between inspection platforms and for exchanges of inspectors - while paying due regard to some restrictions to exchanges on military vessels. The delegate of the EU noted its intent to pursue further discussions on enhanced opportunities for this type of cooperation.

The delegate of the EU sought the views of other delegates as to how they envisaged sharing the “inspection burden”. The delegate of Canada supported the EU proposal for more broad participation in the Joint Inspection Scheme. In the past, Canada has invited inspectors from other Contracting Parties to participate on the Canadian inspection platform and could make both Canadian inspection vessels and inspectors available. The delegate of

Russia concurred with the Canadian proposal and advised that Russia has well-qualified inspectors available. The delegate of Denmark (on behalf of the Faroe Islands and Greenland) noted the cooperation in the NAFO area among inspectors from the Faroes, Greenland and Russia last year. The Chair opined that the pooling of costs of an inspection platform and a possible multinational pool of NAFO inspectors could help to develop a common approach to inspections - thus improving confidence and building bridges among Contracting Parties. He noted that this could involve cooperation in the deployment of inspectors and the coordination of areas and vessels to be inspected. **STACTIC recommends that Contracting Parties increase this cooperation, involving in particular the exchange of inspectors, including from Contracting Parties that do not currently have an inspection presence in the NRA.**

11. SCS Doc. 00/23 (FC Doc. 03/18) – Consideration of Possible Options to Provide Observer Data to the Scientific Council

The Chair advised that STACREC was reiterating forcefully the request from the Scientific Council for observer data on a set-by-set basis in a format consistent with SCS Doc 00/23, as adopted by the Fisheries Commission (STACTIC Working Paper 04/6-Annex 11). The harmonized NAFO observer program data system proposal is presented in NAFO FC Doc. 03/18. After extensive discussion concerning the uncertainty of how to implement the request as well as the costs and administrative burden, delegates considered that it may be premature to pursue this matter pending a new Observer Scheme. It was agreed to defer consideration of this item but that it should kept on the agenda for the September 2004 annual meeting.

12. Other Matters

There were no other matters.

13. Adoption of Report

The report for the meeting was adopted. The report, as well as relevant working papers, will be posted to the NAFO website.

14. Adjournment

The meeting adjourned on Wednesday, June 23, 2004 at 15:45 hrs. The next meeting will be held in September, 2004.

Annex 1. List of Participants

CANADA

Head of Delegation

Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries & Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
Phone: +709 772 8021 – Fax: +709 772 2046 – E-mail: strowbridgel@dfo-mpo.gc.ca

Advisers

Judy Dwyer, International Programs and Corporate Services, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
Phone: +709 772 8831 – Fax: +709 772 2046 – E-mail: dwyerji@dfo-mpo.gc.ca

Randy Jenkins, A/Director, Conservation and Protection, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
Phone: +709 772 0468 – Fax: +709 772 5983 – E-mail: jenkinsr@dfo-mpo.gc.ca

Glen Linder, Legal Officer, Oceans, Environment and Economic Law Div., Foreign Affairs Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
Phone: +613 944 4718 – E-mail: glen.linder@dfait-maeci.gc.ca

Bob Steinbock, Senior International Fisheries Advisor, Atlantic Affairs Div., International Affairs Directorate, Fisheries Management, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
Phone: +613 993 1836 – Fax: +613 993 5995 – E-mail: steinbob@dfo-mpo.gc.ca

DENMARK (IN RESPECT OF FAROES AND GREENLAND)

Head of Delegation

Mads Trolle Nedergaard, Fiskerilicensinspektør, Head of Unit, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland
Phone: +299 345377 - Fax: +299 323235 - E-mail: mads@gh.gl

Advisers

Simun Joensen, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, P. O. Box 347, FO-110 Torshavn, Faroe Islands
Phone: +298 311065 – Fax: +298 313981 – E-mail: sj@vb.fo

Martin Kruse, Adviser, FMC-Manager, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, P. O. Box 347, FO-110 Torshavn, Faroe Islands
Phone: +298 311065 – Fax: +298 313981 – E-mail: mk@vb.fo

Dorthe Lillelund, Head of Section, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland
Phone: +299 345376 – Fax: +299 323235 – E-mail: doli@gh.gl

EUROPEAN UNION

Head of Delegation

Staffan Ekwall, Principal Administrator, European Commission, DG FISH, External Policy and Markets, International and Regional Arrangements, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium
Phone: +32 2 299 6907 – Fax: +32 2 295 5700 – E-mail: staffan.ekwall@cec.eu.int

Advisers

Fuensanta Candela Castillo, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium
Phone: +32 2 295 7753 – Fax: +32 2 295 5700 – E-mail: maria.candela-castillo@cec.eu.int

Willem Brugge, Head of Unit, European Commission, Fisheries Directorate-General, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone : +32 2 295 5137 – Fax : +32 2 296 2338 – E-mail: willem.brugge@cec.eu.int

Martin Newman, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7449 – Fax: +32 2 296 2338 – E-mail: martin.newman@cec.eu.int

Jose Mesquita, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 – Fax: +32 2 296 2338– E-mail: jose.mesquita@cec.eu.int

Emilia Batista, Directora de Servicos, Departamento de Recursos, Direccao Geral das Pescas e Aquicultura, Av. Brasilia, 1449-030 Lisbon, Portugal

Phone: +351 213 035 850 Fax: +351 213 035 922 E-mail: ebatista@dg-pescas.pt

Alexandre Teixeira, Direccao Geral das Pescas e Aquicultura (DGPA) – DIP, Av. Brasilia, 1400 Lisbon, Portugal

Phone: +35 121 302 5136 – Fax: +35 121 302 5101 – E-mail: alexandreteixeira@igp.pt

Carlos Aldereguia Prado, Subdireccion General de Organismos Multilaterales de Pesca, Ministerio de Agricultura, Pesca y Alimentación, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 6180 - Fax: +34 91 347 6049 – E-mail: caldereg@mapya.es

Manuel Rios Cidras, Subdireccion General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 3471946 - Fax: +34 91 3471512 – E-mail: mrioscid@mapya.es

ICELAND

Head of Delegation

Gudridur Margrét Kristjánsdóttir, Legal Adviser, Ministry of Fisheries, Skulagata 4, 150 Reyjavik

Phone: +354 545 8370 - Fax: +354 562 1853 - E-mail: gudridur.kristjansdottir@sjr.stjr.is

Advisers

Gudmundur Dadason, The Icelandic Directorate of Fisheries, Ingolfsstraeti, 150 Reykjavik

Phone: +354 569 7968 - Fax: +354 569 7991 - E-mail: nafo@fiskistofa.is

Gylfi Geirsson, Commander, Icelandic Coast Guard, P. O. Box 7120, 127 Reykjavik

Phone: +354 545 2000 ext. 2071 – Fax: +354 545 2040 – E-mail: gylfi@lhg.is

JAPAN

Head of Delegation

Tsuyoshi Iwata, Far Seas Fisheries Div., Resources Management Dept., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone:+81 3 3502 8111 ext. 7239 - Fax: +81 3 3591 5824 – E-mail: tsuyoshi_iwata@nm.maff.go.jp

Advisers

Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F Kanda Ogawa -cho, Chiyoda-ku, Tokyo 101-0052

Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: ntakagi@jdsta.or.jp

Keiko Tsuyama, Far Seas Fisheries Div., Resources Management Dept., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone:+81 3 3502 8111 ext. 7238 - Fax: +81 3 3591 5824 – E-mail: keiko_tsuyama@nm.maff.go.jp

LATVIA**Head of Delegation**

Andris Tomkalns, Marine Environment Board, Ministry of Environment Protection of Latvia, Voleru St. 2, Riga, LV -1007
Phone: +371 746 9664 – Fax: +371 465 888 – E-mail: andris.tomkalns@jvp.gov.lv

LITHUANIA**Head of Delegation**

Genadijus Babcionis, Chief Specialist, European Community and International Affairs Division, Fisheries Dept. under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius
Phone: +370 5 239 1180 – Fax: +370 5 239 1176 – E-mail: genadijus@zum.lt

NORWAY**Head of Delegation**

Stein-Age Johnsen, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 185, N-5804 Bergen
Phone: +47 55 23 80 00 – Fax: +47 55 23 80 90 – E-mail: postmottak@fiskeridir.no

POLAND**Head of Delegation**

Izabela Janas, Chief Expert, Fisheries Dept., Ministry of Agriculture and Rural Development, 30,Wspolna Street, 00-930 Warsaw
Phone: +48 22 623 26 08 – Fax:+48 22 623 2204 – Email: i.janas@minrol.gov.pl

RUSSIA**Head of Delegation**

Vadim Agalakov, Chief Inspector of “MURMANNRYBVOD”, Kominterna 7 str., 183678 Murmansk
Phone: +7 8152 455066 – Fax: +7 815 245 6028 – E-mail: mrv@an.ru

UNITED STATES OF AMERICA**Head of Delegation**

Sarah McLaughlin, Fishery Policy Analyst, Sustainable Fisheries Div., Northeast Region, National Marine Fisheries Service, U.S. Dept. of Commerce, NOAA, 1 Blackburn Dr., Gloucester, MA 01930
Phone: +978 281 9279 – Fax: +978 281 9135 – E-mail: sarah.mclaughlin@noaa.gov

Adviser

Thomas King, Lieutenant Commander, Coast Guard Liaison Officer, Office of Marine Conservation (Rm 5806), U.S. Department of State, 2201 C Street NW, Washington, D.C. 20520
Phone: +202 647 3177 - Fax: +202 736 7350 - E-mail: thking@comdt.uscg.mil

UKRAINE

Head of Delegation

Vasyl Chernik, Deputy Chairman, State Department for Fisheries of Ukraine, 45A Artema str., Kyiv, 04050
Phone/Fax: +38 044 226 2405 – E-mail: nauka@i.kiev.ua

Advisers

Anatoliy Chernykov, Head of Department External Economic Relations & Contracts, Capitan Ltd., 24, Primorskaya St., Odessa 65026
Phone: +38 048 724 23 91 – Fax: +38 0482 49 63 34 – E-mail: kitconsult@ukr.net

OBSERVER

Joao Batista Neves, North-East Atlantic Fisheries Commission (NEAFC), 22 Berners Street, London W1P 4DY
United Kingdom
Phone: +44 (0)20 7631 0016 - Fax: +44 (0)20 7636 9225 – E-mail: joao@neafc.org

SECRETARIAT

Johanne Fischer, Executive Secretary (June 21) (jfischer@nafo.int)
Bev Cruikshank, Personal Assistant to the Executive Secretary (bcruikshank@nafo.int)
Gordon Moulton, CEM Officer (gmoulton@nafo.int)
Ricardo Federizon, Fisheries Scientist (rfederizon@nafo.int)

Annex 2. Agenda

1. Opening by the Chairman (Martin Newman, EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compilation of compliance data – Presentation by the Secretariat
5. Functioning of the Joint Inspection Scheme (including inspection times)
6. Modifications to the NAFO Monitoring and Control Scheme (harmonization of STACTIC WP 03/12 (Revised), 03/17 and 03/18)
7. Possible Amendments to the NAFO Conservation and Enforcement Measures (incl. Annex to describe toggle chains for the shrimp fishery; Inspection times)
8. NAFO/NEAFC harmonization on VMS system and Monitoring of Fisheries
9. Update on 2003 Observer/VMS Pilot Project
10. Increase of Inspection Presence in the NRA (i.e. review of current coverage, associated costs, sharing of costs)
11. SCS Doc. 00/23 (FC Doc. 03/18) – Consideration of Possible Options to Provide Observer Data to the Scientific Council
12. Other Matters
13. Adoption of Report
14. Adjournment

**Annex 3. The Compilation of NAFO Fishing Reports for
STACTIC Compliance Analysis (by NAFO Secretariat)**
(STACTIC Working Paper 04/1-Revision 1)

I INTRODUCTION

STACTIC Working Paper 02/14 dated May 2002 requires the NAFO Secretariat (NS) to compile information from catch statistics (Recording of Provisional Catches, STATLANT data), from port and inspection at sea reports, summary data of observer reports, VMS, surveillance in the NAFO Regulatory Area (RA), and other relevant information available to the Executive Secretary.

The objective of the compilation is to enable STACTIC to produce a compliance report at the NAFO Annual Meeting in September 2004. The compilation permits easy comparison of the data from different sources.

II DATA COMPILATION

A. Fishing Trip

STACTIC Working Paper 02/14 specifies that the compilation of catch information for each vessel from various sources (i.e. VMS, Observer, Port, and Inspection Reports) should be tabulated on a “fishing trip” resolution. According to the CEM definition, a fishing trip refers to “the time beginning when the vessels enters the Regulatory Area and ending when the vessel leaves the Regulatory Area and all catch on board from the Regulatory Area is unloaded or transshipped” (CEM 2004). This definition applies largely to the fishing periods reported by port inspectors. However, the fishing dates indicated in Observer Reports and VMS hail reports do not usually correspond to a “fishing trip”. Splitting or combining the catch data from the respective VMS or Observer reports to derive the catch of a “fishing trip” is virtually impossible. Therefore, for the purpose of this compilation, a fishing period refers to the start and end dates as indicated in the Reports, and does not necessarily imply a fishing trip.

In order to facilitate comparison of catch information from different sources the various reports were tabulated in chronological order and aligned to correspond with the dates of the other sources (see Table 1). This system allows the identification of data gaps or missing reports as they represent blank cells in the compilation tables (submitted separately from this Working Paper).

B. The Compilation Tables

The compilation of the information is presented in nine spreadsheet tables, based on the format recommended by STACTIC (STACTIC Working Paper 02/14):

- Table 1 – Catch by Vessel from VMS, Observer, Port and Inspection Reports.
- Table 2 – Mesh Size Observations
- Table 3 – Information on Interference with STS and Position Reports
- Table 4 – Information on Prevention of Inspectors from carrying out the inspector’s duties.
- Table 5a – CP Summary of VMS Reports, Observer Reports, Port Reports, Monthly Provisional Catch Reports and STATLANT 21A on catches.
- Table 5b – CP Summary of Inspector Reports on catches
- Table 6 – CP Summary on Mesh Size Observations
- Table 7 – CP Summary on Interference with Satellite tracking System
- Table 8 – CP Summary on Prevention of Inspectors from carrying out the inspectors’ duties.

In Table 1, catches by vessels are presented alphabetically first by CP and then by call sign. Rules on Confidentiality (Annex XX of 2004 CEM) require the Secretariat to ensure that the identity of individual vessels is not disclosed. Therefore, in our databases and in this compilation, all vessels are coded to replace the identifying call signs.

Table 5 was split into two tables – Table 5a contains catches from VMS, Observer, etc., and Table 5b contains catches from at-sea Inspection Reports. This was necessary as the catch information from at-sea Inspection Reports is not directly comparable to the catch information from other sources.

C. Apparent Infringements (AI)

The sources of information on AI are the Inspector Reports and Port Reports and the accompanying cover letters, official statements and communications. Summaries of the AI are presented in the tables. For example, AIs involving misreporting of catches or fishing for prohibited species are presented in Table 1, Table 5a and Table 5b. All AIs involving mesh size violations are given in Tables 2 and 6.

D. Transshipments, Charter Arrangements, and Research Activities

A comparison of catches from VMS, Observer and Port Reports with those from recording of provisional catches can be problematic when they involve transshipments, charter arrangements, and scientific research.

Review of the submitted reports and communications to the NAFO Secretariat indicated that in 2003 only one incident of transshipment was recorded, i.e. 565 tons of redfish involving a Russian vessel receiving catches from five other Russian fishing vessels. Examination of the catch and VMS data from these fishing vessels, however, did not reveal such a transaction and the transshipment vessel did not send a VMS report. The transshipment was reported in a Port Inspection Report.

In 2003, research activities were conducted by Canada, Denmark (in respect of the Faroe Islands and Greenland), Russia, the EU (Spain) and Japan in the NAFO RA in accordance with Part III C of the 2003 CEM. However, in the compilation the catch data emanating from these fishing research activities are not included.

Charter arrangements in 2003 involved Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), Estonia, France (in respect of St. Pierre et Miquelon), Poland and USA in capacity as either chartering CP or flag state CP in the utilization of fishing days for shrimps at 3M and/or catch for shrimps at 3L. The catches from these arrangements are reflected in the Monthly Provisional Catch reports that the NAFO Secretariat receives. However, it can not be determined which portion of the catches as reported in the VMS, Observer, or Port Reports has to be attributed to charter arrangements.

In this present compilation, no attempt was made to adjust catches as reported from the VMS, observers, and ports to take into account transshipments, charter arrangements, and research activities. As explained above, this involved much uncertainty and would therefore not have contributed to improve the overall quality of the compilation.

III DATA SOURCES AND CRITERIA FOR INCLUSION

A. VMS (Vessel Monitoring System)

Fishing vessels entering and exiting the NAFO RA are required to submit catch reports (COE and COX, previously ENT and EXI; the previous practice was partly continued in 2003). Only “fishing periods” (see II.A) ending in 2003 are considered in this compilation. For VMS Reports, a “fishing period” is defined as the days between a COE-COX pair. Usually, the difference between catches on entry and on exit is considered as the catch in the NAFO RA (COX – COE). In the example table below, the total catches of Vessel #1250 are 335,000 and 341,500 kg of shrimps. The corresponding fishing days are 27 and 32 days.

RC	FR	TM	RA	DA	TI	COD	RED	PLA	WIT	YEL	GHL	CAP	SKA	SQU	PAN	OTH
1250	EST	COE	3M	20030730	10	0	0	0	0	0	0	0	0	0	0	0
1250	EST	COX	3M	20030826	2355	0	0	0	0	0	0	0	0	0	335000	0
1250	EST	COE	3M	20030830	1515	0	0	0	0	0	0	0	0	0	0	0
1250	EST	COX	3M	20031001	830	0	0	0	0	0	0	0	0	0	341500	0

The next table represents an example for a fishing period that started in 2003 and is nevertheless not considered in this compilation because the vessel exited the area not prior to 2004. This fishing period will be included in the 2004 compilation next year.

RC	FR	TM	RA	DA	TI	COD	RED	PLA	WIT	YEL	GHL	CAP	SKA	SQU	PAN	OTH
1399	JPN	COE	3L	20031025	2200	0	0	0	0	0	0	0	0	0	0	0
1399	JPN	COX	3L	20030124	1230	0	0	0	0	0	429140	0	0	0		0

Consequently, in the following example, a fishing period that started in 2002 is included in the present compilation of 2003 because the vessel exited the NAFO RA in 2003.

RC	FR	TM	RA	DA	TI	COD	RED	PLA	WIT	YEL	GHL	CAP	SKA	SQU	PAN	OTH
1193	EST	ENT	3M	20021224	2000	0	0	0	0	0	0	0	0	0	0	0
1193	EST	EXI	3M	20030119	2345	0	0	0	0	0	0	0	0	0	181000	0

The way that vessel masters report their catches was not consistent. In the exit reports (COX) sometimes a cumulative catch is reported that includes the catch on board when entering the NAFO RA. In other cases, the exit reports do only account for catches in the NAFO RA. If COE is larger than COX then the catch reported on exit can be considered to constitute fish caught in the NAFO RA only. In the example below vessel #1020 caught 19,600 kg of halibut (GHL) and 8,300 kg of “others” (OTH).

RC	FR	TM	RA	DA	TI	COD	RED	PLA	WIT	YEL	GHL	CAP	SKA	SQU	PAN	OTH
1020	LTU	COE	3M	20031020	1350	0	0	0	0	0	0	0	0	0	0	138700
1020	LTU	COX	3M	20031212	1655	700	600	16300	330	0	19600	0	411000	0	0	8300

There are cases where no catch was reported on entry to the NAFO RA. In such cases, we assume that the vessel did not retain any catch on board when entering the NAFO area. The example below illustrates this. One added problem with missing entry reports is that the number of fishing days cannot be determined accurately.

RC	FR	TM	RA	DA	TI	COD	RED	PLA	WIT	YEL	GHL	CAP	SKA	SQU	PAN	OTH
1124	FRO	COX	3M	20030629	750	0	0	0	0	0	0	0	0	0	579445	0
1124	FRO	COX	3M	20030817	650	0	0	0	0	0	0	0	0	0	507076	0
1124	FRO	COX	3M	20030827	730	0	0	0	0	0	0	0	0	0	129624	0

The catch reports transmitted at entries to and exits from the NAFO RA allow an estimate of total catches by individual vessels. It should be noted that catches reported via VMS only detail regulated fish stocks/species, i.e. cod (COD), redfish (RED), American plaice (PLA), witch flounder (WIT), yellowtail flounder (YEL), Greenland halibut (GHL), capelin (CAP), squids (SQI), and shrimps (PAN) as well as the unregulated skates (SKA). The rest of the species are lumped under “Others” (OTH). For the purpose of this compilation, skates were also combined with “others”.

B. Observers Reports

Observers Reports are expected to be available for all CP fishing activities in the NAFO RA and the total catch reported by observers should be similar to the catches reported via VMS. Observers Reports which cover fishing period ending in 2003 are included in the compilation. For reports that cover a fishing period starting in 2002 and ending in 2003, it was attempted to identify the 2003 catch portions. If this was not possible, the whole report is included in the compilation. The same applies for reports that cover a fishing period starting in 2003 and ending in 2004 where attempt was made to identify the 2003 portion of the catch. The present compilation includes the following information from Observer Reports: Fishing period and the number of fishing days, division or subarea, fishing gear, mesh size, catch of main species, and total catch.

C. Port Reports

When a vessel unloads its catches at a NAFO Contracting Party's Port, a port inspection will take place. The total catches as reported by the port inspectors should be comparable to those from Observer Reports and from vessel reports via VMS. Total catches are reported as live weight after port inspectors apply a conversion factor. For the compilation of catches from Port Reports that cover fishing periods starting in one year and ending in the next year, the same criteria apply as described under "Observer Reports" above. The following information from the Port Inspection Reports is compiled: Fishing period and the number of fishing days, division or subarea, fishing gear, mesh size, catch of main species, total catch. Summaries of any Apparent Infringements (AI) issued by port inspectors are also presented in the compilation tables.

D. Inspection Reports

Contracting Parties with inspections presence in the NAFO RA in 2003 Canada, European Union (EU) and Faeroes Islands. Only reports of inspection that were conducted in 2003 are included in the present compilation regardless of the fishing period. The following information from the Inspector Reports are compiled: Fishing period, division or subarea, fishing gear, mesh size, catch of main species, total catch. Summaries of the Apparent Infringements (AI) issued by the at-sea inspectors are also included in the compilation tables. Catch information from at-sea inspection reports is not directly comparable to the catch information from VMS, Observer, and Port Reports (because (a) fishing is ongoing, and (b) the same catch can be inspected more than once). Therefore, catch data from the at-sea Inspection Reports are presented in a separate table (Table 5b).

E. Monthly Provisional Catches.

NAFO Contracting Parties submit their monthly estimates of catches taken by their vessels. These are reported on a species resolution. Note that unregulated species from CP's catch estimates are lumped under "others" for the purpose of this compilation. European Union (EU) submits their catch estimates for the entire EU and not for their individual states.

F. FAO STATLANT 21A

The STATLANT 21 database represents the official fisheries statistics of FAO Fishing Area 21 (corresponding to the NAFO Convention Area). For the purpose of catch comparison these data are presented in conjunction with the catches from other sources mentioned above. The STATLANT 21A catch data are generally available by mid-May of the following year.

G. Other relevant sources

Summary Reports, e.g. "Summary of Inspections, Catch Record Discrepancies and/or Apparent Infringement" submitted by Canada, and "Reports on Inspection and Surveillance" submitted by EU, as well as official communications to the NAFO Secretariat regarding AIs were also used as source documents for the compilation of information on AI.

IV Overview of the Compiled Data

A. Number of Fishing Vessels and Fishing Days (Table A)

If in 2003 at least one of the required reports (VMS, Observer, Port, and/or Inspection Report) was filed for a vessel, this vessel was identified as having fished in the NAFO RA. In total, 145 vessels were identified. Estimates of the total number of fishing days ranges from 12,103 to 17,163 days corresponding to an average of 80 – 102 fishing days per vessel in 2003. The estimated average number of vessels operating in any given day is between 33 and 42 vessels.

Table A: Number of vessels and estimate of fishing days at the NAFO RA.					
CP	# of vessels	# of vessel with VMS reports	# of fishing days (source: VMS)	# of fishing days (source: Observer Reports)	# of fishing days (Source: Port Reports)
CAN	3	3	26	25	-
EST	8	8	1393	2232	1728
E/DEU	3	3	81	141	-
E/ESP	32	31	4717	6351	6394
E/GBR	1	1	59	56	21
E/PRT	14	14	2066	1976	2559
FRO	10	9	1180	869	993
GRL	4	3	143	122	99
ISL	12	11	198	470	298
JPN	2	2	543	601	237
LTU	9	8	522	365	458
LVA	4	4	540	198	481
NOR	13	13	400	1759	1428
POL	1	1	34	-	33
RUS	28	23	138	1998	886
UKR	1	1	63	-	-
TOTAL	145	135	12103	17163	15615
EU (Total)	50	49	6923	8524	8974

B. Number of Observer Reports and Port Reports

The number of Observer Reports and Port Inspection Reports are given in Tables B and C. Port Inspection Reports come from Canada and EU.

Table B. Number of Observer Reports	
CP	# of reports
CAN	3
EST	33
EU/DEU	3
EU/ESP	87
EU/GBR	2
EU/PRT	30
FRO	21
GRL	4
ISL	21
JPN	10
LTU	14
LVA	6
NOR	50
RUS	26
Grand Total	310
EU (total)	122

Table C. Number of Port Reports.	
CP	# of Reports
E/ESP	59
E/GBR	1
E/PRT	31
EST	61
FRO	22
GRL	4
ISL	11
JPN	7
LTU	24
LVA	20
NOR	54
POL	1
RUS	34
Grand Total	329
EU (Total)	91

C. Number of Inspection Reports.

Canada, EU and Faeroes have inspector presence at the NAFO RA. Table D shows the frequency of at-sea inspection conducted by the Inspecting CP on the vessels from each CP.

CP\ Ins. CP	CAN	EU	FRO	TOTAL
CAN	1			1
EST	8	7	5	20
EU/DEU		4		4
EU/ESP	48	76	5	129
EU/PRT	40	27		67
FRO	2	9	6	17
GRL	1	3		4
ISL	1	2	1	4
JPN	3	2		5
LTU	7	6	2	15
LVA	1	4	1	6
NOR	4	11	6	21
POL		1		1
RUS	30	26	1	57
UKR		1		1
Grand Total	146	179	27	352
EU Total	88	107	5	200

D. Availability of Catch Data

Table E shows the available catch data received by the NAFO Secretariat. The Monthly Provisional Catch data from EU are submitted as total of the catches of the individual countries of the EU. The blanks signify that the NAFO Secretariat did not receive the data, and the dashes signify that the data are not expected. Catches from the different sources, by CP, by regulated species/stocks, and by Division or Sub area, are tabulated in Table 5a of the compilation.

CP	VMS	Observer	Port	MPC	STATLANT 21A
CAN	√	√		√	√
CUB				√	
EST	√	√	√	√	√
EU	-	-	-	√	-
E/DEU	√	√		-	√
E/DNK				-	√
E/ESP	√	√	√	-	√
E/GBR	√	√	√	-	√
E/PRT	√	√	√	-	
FRA-SP					√
FRO	√	√	√	√	
GRL	√	√	√	√	√
ISL	√	√	√	√	√
JPN	√	√	√	√	√
LTU	√	√	√	√	√
LVA	√	√	√	√	√
NOR	√	√	√	√	√
POL	√		√		
RUS	√	√	√	√	√
UKR	√			√	
USA				√	

E. Apparent Infringements issued.

In all, there were 26 citations involving 21 vessels from 7 CP (Table F). Care should be taken in quantifying the AI or citations because of cases wherein there are multiple violations in a single citation (e.g. misreporting of catches and gear modification in a single inspection), cases of a single violation but with two multiple citations, the second serving as a verification of the first, and citations that were eventually rescinded by the issuing CP. There are also two separate cases of AI wherein the fishing masters dispute the citation. However, the NAFO Secretariat does not have further information on the developments of the disputed cases.

Table G presents the details of the AI with the footnotes noting the different cases of AI mentioned above. Five types of AI were identified: 1) Directed fishing for prohibited species, 2) Failure to have independent observers, 3) Mesh size or gear modification violation, 4) Misreporting of catches, and 5) No satellite tracking device.

CP	# of vessels with AI citation	# of citations
E/ESP	4	4
E/PRT	9	11
EST	1	1
FRO	1	1
JPN	1	2
LTU	2	3
RUS	3	4

Table G. Details of the AI

Summary of AI in 2003.							
CP	Vessel Code	App. Infr.	Ins or Port Rpt	Ins Party or Port	Date	Remarks	
E/ESP	1029	Directed fishing for prohibited species	Port	Vigo	13-Oct-03	Part IV 6 iv b. (Port Rpt 273)	
E/PRT	1345	Directed fishing for prohibited species	at-sea Inspection	CAN	05-May-03	Part I A 5 a) Directed fishery for COD (Ins Rpt 45)	
E/PRT	1345 ^{A,B}	Directed fishing for prohibited species	Port	Garanha de Nazare	28-May-03	Part I A 5 a) (Port Rept.108 and Fish/D/5/JMC/D (2003). Verification of the AI issued during at-sea inspection on 5 May 03.	
E/PRT	1298	Directed fishing for prohibited species	at-sea Inspection	CAN	07-Nov-03	Part I A 5 (a) Directed fishery for PLA (Ins. Rpt 317)	
E/PRT	1326 ^C	Directed fishing for prohibited species	at-sea Inspection	CAN & EU	13-Sep-03	Part I A. 5. c) PLA 5% incidental catches (Ins Rpt 290 & 298)	
E/PRT	1132 ^C	Directed fishing for prohibited species	at-sea Inspection	CAN & EU	17-Sep-03	Part I A. 5. c) PLA 5% incidental catches (Ins Rpt 289 & 299)	
RUS	1368 ^D	Directed fishing for prohibited species	at-sea Inspection	CAN	09-Jun-03	Part I A 5 (a) Directing fishing for species subject to incidental catch limits (Ins Rpt 100). Citation eventually rescinded by Canada 8-Oct-03.	
RUS	1386 ^D	Directed fishing for prohibited species	at-sea Inspection	CAN	17-May-03	Part I A 5 (a) Directing for PLA, s aspecies subject to incidental catch limits (Ins. Rpt 380). Citation eventually rescinded by Canada 8-Oct-03	
FRO	1146	Failure to have independent observer on-board	at-sea Inspection	CAN	30-Jun-03	Part VI A 1a) (Ins Rpt 163)	
JPN	1399	Failure to have independent observer on-board	at-sea Inspection	CAN	06-Jul-03	Part VI A 1a) (Ins Rpt 164)	
E/ESP	1304	Mesh Size/Gear modification	at-sea Inspection	EU	01-Oct-03	Part II C4 Strengthening ropes (Ins. Rpt 318)	
E/ESP	1096	Mesh Size/Gear modification	at-sea Inspection	EU	02-Oct-03	Art.10 1 c) Mesh size of 269.3 mm being less than the minimum legal size of 280 mm (Ins Rpt 319).	
E/PRT	1047 ^A	Mesh Size/Gear modification	Port	Garanha de Nazare	20-Jun-03	Part II C (Port Rpt. 116 and FISH/D/5/JMC/ND d (2003)	
EST	1174	Mesh Size/Gear modification	at-sea Inspection	CAN	25-Oct-03	Part IV 9 ii. 126 mm mesh size. Legal size is 130 mm. (Ins. Rpt. 314)	
EST	1174 ^B	Mesh Size/Gear modification	Port	Vigo-Frioya	19-Dec-03	Verification of the AI issued during at-sea inspection on 25 Oct 03. (Port Rpt 335)	
JPN	1399	Mesh Size/Gear modification	at-sea Inspection	CAN	06-Jul-03	Part II C 4 Strengthening ropes obstructing mesh opening (Ins Rpt 164)	
RUS	1386 ^E	Mesh Size/Gear modification	at-sea Inspection	CAN	04-Jun-03	Part II C 4 (Ins. Rpt. 99)	
RUS	1015 ^E	Mesh Size/Gear modification	at-sea Inspection	CAN	14-Aug-03	Part II C 2 c) (Ins. Rpt 184)	
E/ESP	1269	Misreporting of catch	Port	Cangas do Morazzo	30-May-03	Part IV 9 i.(Port Rpt112)	
E/PRT	1300	Misreporting of catch	at-sea Inspection	EU	12-Nov-03	Part IV 9 i) Misreporting of catches (Ins. Rpt. 384)	
E/PRT	1325	Misreporting of catch	Port	Aveiro	09-Dec-03	Part I D 2c) i) ii) (Port Rpt 322)	
E/PRT	1068	Misreporting of catch	Port	Aveiro	02-Dec-03	Part 1 D 2 c) i) ii) Record of catch in logbook (Port Rpt 302).	
E/PRT	1324 ^A	Misreporting of catch	Port	Aveiro	21-Aug-03	Part 1 D 2 c) i) ii) ((Port Rpt 224 and FISH/D/5/JMD(2003))	
E/PRT	1326 ^C	Misreporting of catch	at-sea Inspection	CAN & EU	13-Sep-03	Part I D 2 a) i) ii) Record of catches in the logbook; and Part 1 D 2 c) i) Failure to maintain production logbook (Ins Rpt 290 & 298).	
E/PRT	1132 ^C	Misreporting of catch	at-sea Inspection	CAN & EU	17-Sep-03	Part I D 2 a) i) ii) Record of catches in the logbook; and Part 1 D 2 c) i) Failure to maintain production logbook (Ins Rpt 289 & 299)	
E/PRT	1345 ^A	Misreporting of catch	Port	Aveiro	12-Sep-03	Part I D 2 a) i) ii) (Port Ins. Rpt. 242 and FISH/D/5/JMC/D (2003)	
LTU	1020	Misreporting of catch	at-sea Inspection	CAN	19-Nov-03	Part I D 2 c) Rcord cumulative production logbook (Ins. Rpt 345).	
LTU	1020	No satellite tracking device.	at-sea Inspection	CAN	19-Nov-03	Part V I B No operational VMS onboard (Ins. Rpt 345)	
LTU	1045	No satellite tracking device.	at-sea Inspection	CAN	31-Dec-03	Part V I B No operational VMS onboard (Ins. Rpt 372).	

^ADocument FISH/D/5/JMC/D 2003 indicates an AI. But the Port Inspection Report and the cover letter do not indicate an AI.

^BThe Port report verifies or confirms the AI issued during at-sea inspection.

^CThe AI was issued by both CAN and EU during a joint at-sea inspection.

^DThe AI citation issued by inspecting CP CAN was eventually rescinded.

^EThe fishing master disputes the AI as indicated in the "Masters' Comments".

IV CONCLUSIONS

A. Difficulties and problems encountered during the compilation

1. Reports in foreign language.
2. Unreadable or difficult to read reports because of poor quality of reproduction.
3. Incomplete information in the reports, e.g. no information on fishing dates, division or subarea, mesh size, missing hail reports.
4. Inconsistent information on AI between the issuing report, cover letters, and Reports on Inspection and Surveillance Activities.
5. Lack of care in specifying units (kg or mt) and in placing decimal points in reporting catches.

B. Recommendations

1. Reports in official language: English
2. Standardization of format of observer reports.
3. Electronic submission of reports.

Annex 4. Compliance Review (paper presented by EU)
(STACTIC Working Paper 04/8)

I – Contracting Party reporting obligations

1. Vessel Registry (Article 15 CEM)

CP	Fishing vessels			Research vessels notified
	Notifications (total)	By 1 st January	After 1 st January	

2. Monitoring (Chapter III CEM) – Monthly catch and fishing days report

Table D in page 7 of Secretariat Working Document. Add a column to indicate whether monthly fishing days reports are received from CPs

3. Inspection (Chapter IV CEM)

Article 25 CEM

CP	Notification of inspection means		Notif. of Inspection plans	Notif. of Inspection presence	Notif. of Contact authorities
	By 1 st Nov.	After 1 st Nov.			

Article 35 CEM – CP Report on follow-up to infringements

CP	Report received by 1 st February	Report received by 1 st September

Article 36 CEM – Annual Report on Inspection and Surveillance activities

Table C in page 7 Secretariat Working Document – A first column should be inserted to indicate whether the annual report is submitted by CPs.

II. Fleet Compliance

1. Compliance with Catch limits – Articles 3 to 9 CEM

Tables 5a and 5b as proposed by the Secretariat

2. Fishing days

Table IV.A in page 5 of Secretariat Working Document – A column should be added indicating limits established – where appropriate – in the CEM.

3. Catch reporting

CP	COE received	COX received	Nr fishing periods	Transshipment reports notified

4. Gear

Table 2 as prepared by the secretariat – Vessel codes should be masked.

5. VMS

Table 7 as proposed by the Secretariat, but vessel codes should be masked. A column should be added to note – by numbers – instances of interference with the STS reported (from table 3, last column).

6. Infringements summaries

Table 8 as proposed

Table F in Secretariat Working Document p. 8

Table G in Secretariat Working Document p. 9 with some modifications:

- Vessel codes should be masked
- The column “App. Infr.” Should be re-labelled “Citations for infringements”
- The contents of the last column “Remarks” should figure right after the column “citations for infringement” under the label “ Descriptive”
- The footnotes should be noted in the last column under “Remarks”
- Extra information in table 6 (mesh size observations” should also be noted in the column “Remarks”.

**Annex 5. Quarterly Report on the Objectivity in the Realization and Distribution of
Inspection Between the Contracting Parties – January – March, 2004**

(presented by Secretariat - STACTIC Working Paper 04/5)

Following the CEM 2004 (Chapter IV, 24.6) the Secretariat reports on the objectivity in the realization and distribution of inspections between the Contracting Parties.

The article stipulates that

“ ..., the number of inspections carried out by a Contracting Party on vessels of any other Contracting Party shall, as far as possible, reflect the ratio of the inspected party's fishing activity to the total fishing activity in the Regulatory Area, per quarter. This ratio shall be measured on the basis of, inter alia, the level of catches and vessel days on ground and shall also take into account compliance records. “

As already stated in previous years, a quarterly analyses is difficult to do because the Secretariat does not receive all the necessary information in a timely manner. Nevertheless, we submit the following tables based on the available information received in the Secretariat for the period of January –March 2004.

The Secretariat has used for some years now a simple method to analyze the objectivity of inspections at sea in the NAFO RA using annual estimates for catch and effort in the RA plus reported infringements and total numbers of inspections. Objectivity is measured as a relation between relative numbers of inspections (D) and the relative degree of involvement in the fisheries of the NAFO RA. For each CP this degree of involvement is equally composed of (A) relative annual catches, (B) relative annual effort (in fishing days), and (C) the degree of non-compliance as measured by the relative number of apparent infringements found by inspections at sea. The formula used is:

$$\text{Objectivity} = \frac{D}{\frac{A+B+C}{3}}$$

An objectivity above "1" indicates "over inspection" and an objectivity below "1" indicates "under inspection".

Objectivity of NAFO Inspections
(based on Inspection Reports received to-date by the Secretariat
for the first quarter of 2004)
January – March 2004

Contracting Parties	Catches (MT)	Fishing days	# app. infringements	# inspections (boardings)
Canada	NA	-	0	0
Cuba	NA	-	0	0
Denmark-Faroes	383	151	0	1
- Greenland	-	-	0	0
Estonia*	2955	476	0	3
European Union	8048	2204	2	42
France (SPM)	-	-	0	0
Iceland	562	73	0	0
Japan	691	128	0	0
Latvia	818	152	1	1
Lithuania	1204	19	0	3
Norway	847	155	0	1
Poland	482	44	0	1
Russia	1532	257	0	4
Ukraine	-	-	0	0
USA	NA	-	0	0
TOTAL:	17522	3659	3	56

Contracting Parties	Catches (%)	Fishing days (%)	App. Infringements (%)	Inspections (boardings) (%)	Objectivity
	A	B	C	D	
Canada	0.0	-	-	-	NA
Cuba	0.0	-	-	-	NA
Denmark -Faroes	2.2	4.1	-	1.8	.86
- Greenland	0.0	-	-	-	NA
Estonia *	16.9	13.0	-	5.4	.54
European Union	45.9	60.2	66.6	75.0	1.30
France (SPM)	0.0	-	-	-	NA
Iceland	3.2	2.0	-	-	NA
Japan	3.9	3.5	-	-	NA
Latvia	4.7	4.2	33.3	1.8	.13
Lithuania	6.9	0.5	-	5.4	2.20
Norway	4.8	4.2	-	1.8	.60
Poland	2.8	1.2	-	1.8	1.35
Russia	8.7	7.0	-	7.1	1.36
Ukraine	0.0	-	-	-	NA
USA	0.0	-	-	-	NA

Note: Catches were taken from the provisional monthly reports. Vessel days were calculated provisionally based on VMS reports. The asterisk (*) indicates that this CP had fished on another CP's quota under a charter arrangement. For the purpose of the objectivity calculations, chartered catches and effort are included in those of the receiving CP.

**Annex 6. Proposal for Modifications to the NAFO Monitoring and Control Scheme –
Harmonization of STACTIC WP 03/12 (Revised), 03/17 and 03/18 (prepared by Canada)**
(STACTIC Working Paper 04/4-Revised)

	<u>Page</u>
Attachment 1 – Second draft of merged STACTIC Working Papers 03/12 (Rev.), 03/17 and 03/18	213
Attachment 2 – Summary of Original Text (Draft 1) and Modifications	234
Attachment 3 - Discussion Paper	237

**Proposal for
Modifications to the NAFO Monitoring and Control Scheme**

EXPLANATORY MEMORANDUM

This paper proposes modifications to the NAFO Monitoring and Control Scheme and specifically to Article 2- Definitions; Article 12 - Authorization to Fish; Article 17 - Product Marking/Identification Requirements; Article 21 - Communication of Catches; Article 22- Observer Program and Chapter V -Inspections in Port.

The document primarily represents the merging of 3 proposals tabled at the September 2003 STACTIC meeting as well as the inclusion of new definitions related to infringements. The three STACTIC Working Papers proposals are as follows:

1. STACTIC Working Paper **03 /12**(revised) - Canadian Proposal for a Port Inspection Protocol
2. STACTIC Working Paper **03/17** - EU Proposal with a view to improving the Control Scheme of NAFO
3. STACTIC Working Paper **03/18** - Canadian Proposal for Modifications to the Program for Observers and Satellite Tracking

A brief description of proposed modifications follow:

Article 2 - Definitions

Modifications to Article 2 outline definitions for infringement and apparent infringement and will provide clarity regarding possible incidents of non-compliance with the NCEM and obligations for follow-up by Contracting Parties.

Article 13 - Authorization to Fish

Modifications to Article 13 - Authorization to Fish outline obligations of Contracting Parties (or flag states as appropriate) to exercise effective control over their vessels and to ensure that compliance data is cross-checked.

Article 18- Product Marking/Identification Requirement (New Title)

Modifications to Article 18 - Product Marking/Identification requirements expand obligations to all fish harvested in the Regulatory Area to facilitate the port inspection protocol and also assist in the at sea inspection process.

Article 22- Communication of Catches

Modifications to Article 22- Communication of Catches require the submission, by vessel masters, of bi-weekly catch reports to enhance the inspection processes and facilitate real time control of catches. A format for this report is included as an Annex.

Article 23- Observer Program

Modifications to Article 23 - Observer Program outline new obligations and also introduces the concept of a separate NAFO document to outline operational procedures for observers.

The new obligations relate to Contracting Parties, the Secretariat, inspectors, and observers. **There may also be a proposal developed by Canada that outlines a criteria-based approach for the establishment of observer coverage levels.**

The new Annexes outline some processes that were previously incorporated in the text of STACTIC WP 03/17 and 03/18 and include harmonized briefings, formats for reporting requirements, and training/certification processes.

Chapter V- Inspections in Port

Modifications to Chapter V- Inspections in Port include obligations which would be incorporated into the main text of the NCEM and also introduces the concept of a separate NAFO document to outline procedures for the port inspection process.

Modifications include a new article outlining general provisions for port inspections. The modified chapter will also outline obligations of Contracting Parties to implement a two-tiered port inspection program to target vessels with compliance problems for an enhanced port inspection process. This will require analyses on a number of information sources and the sharing of this information with Contracting Parties in whose ports their vessels may land.

It also includes an obligation for the master to submit a landing report in advance of landing to facilitate the port inspection process.

The separate NAFO document outlines detailed procedures for sampling and inspection of products to arrive at a reliable estimate of product type and quantity offloaded. The procedures establish an international standard for offloading of fish products as well as provisions for a third party audit process to monitor the implementation of these procedures by all Contracting Parties.

Proposed Modifications to the CEM

The following section proposes specific language to be inserted into the NCEM and provides a rationale for each proposed modification.

Article 2 - Definitions

"Infringement" means any activity or omission of a fishing vessel which gives grounds for suspecting that a violation of the applicable provisions of the CEM has occurred and which has been identified pursuant to Chapter IV or V of the CEM.

"Apparent Infringement" means any activity or omission of a fishing vessel which gives grounds for suspecting that a violation of the applicable provisions of the CEM has occurred and which has been identified pursuant to Chapter III of the CEM.

Rationale

Definitions of infringement and apparent infringement will provide clarity for inspectors, observers, port authorities and others involved in the Control and Monitoring Schemes of NAFO.

Article 13 - Authorization to Fish

1.0 Each flag state Contracting Party shall:

- a) authorise the use of fishing vessels flying its flag for fishing activities under Article 1 only where it is able to exercise effectively its responsibilities in respect of such vessels;
- b) ensure that only authorised fishing vessels flying its flag conduct fishing activities under Article 1;
- c) ensure that fishing vessels flying its flag comply with applicable measures adopted under the NAFO Convention;
- d) ensure that authorised vessels have no history of Illegal, Unregulated and Unreported (IUU) fishing activities or that, if those vessels have such a history, the new owners have provided sufficient evidence demonstrating the previous owners and operators have no legal, beneficial, or financial

interest in, or control over those vessels, or that having taken into account all relevant facts, their authorised vessels are not engaged in or associated with IUU fishing;

- e) ensure, to the extent possible under domestic law, that the owners and operators of the authorised vessels are not engaged in or associated with fishing activities by fishing vessels which are not authorised to fish in the Regulatory Area;
- f) take measures to ensure, to the extent possible under domestic law, that the owners of authorised vessels are citizens or legal entities within the flag state contracting party so that any contract or punitive actions can be effectively taken against them;

2.0 Flag State Contracting Parties shall establish a validation system comprising, in particular, cross checks and verification of all data resulting from applicable measures adopted under the NAFO convention. The flag state shall notify any discrepancies following such cross checks to the captain of the vessel and require an explanation.

3.0 Each Contracting Party shall undertake to manage the number of authorized fishing vessels and their fishing effort commensurate with the fishing opportunities available to that Contracting Party in the Regulatory Area.

Rationale

The proposed measures are aimed at reinforcing the obligations of the flag state to exercise effective control over its vessels and to ensure that compliance data is cross-checked by the flag state.

Article 18- Product Marking/Identification Requirement

All fish harvested in the NAFO Regulatory Area and frozen at sea shall be packaged and marked/identified with the species/ product type/NAFO Division and date.

Rationale

A product marking/identification requirement for all products will facilitate the at sea and port inspection processes by providing the ability to readily compare fish in the hold with logged records.

Article 22- Communication of Catches

- 4.a) As of 1 January 2005, the master shall complete, every two weeks, a report by division on aggregate catches by species retained on board, discards and undersized fish as recorded in the logbook. The VMS template described in Annex A-1 shall be used.
- b) The reports shall be transmitted by Monday 24:00 UTC for the proceeding **two** weeks ending Sunday midnight. If the electronic means for transmitting these reports to and from the FMC is not functioning, the master shall notify the FMC of this failure and transmit the report by any other means of communication available, keep a written log of these transmissions on board and make them available to inspectors if requested.
- c) Contracting Parties shall ensure that technical facilities on board their vessels necessary to send electronic catch reports have been tested with the Secretariat. The testing of this exchange shall be deemed successful once data exchanges have been completed with all recipients at a 100% reliability rate.
- d) The Executive Secretary shall notify the Contracting Party of any vessel from which no reports have been received for 4 consecutive weeks without justification, and copy this notification to Contracting Parties with an inspection presence in the Regulatory Area.

The sequence of messages under Articles 20, 37 and this Article shall be as follows:

Report	Code:	Remarks
Catch on Entry	COE	6 hour position in advance of the vessel's entry into the RA
Entry	ENT	The first position report from a vessel detected to be inside the RA
Position	POS	Position report every 2 hours
Transshipment	TRA	As relevant
Catch on Exit	COX	6 hours in advance of the vessel's departure from the RA
Exit	EXI	The first position report from a vessel detected to be outside the Regulatory Area.
Catch Report	TBD	Biweekly Catch report from Vessel
Advance Landing Report	TBD	48 hours in advance of ETA to port

Rationale

Unless they board and inspect vessels, inspectors patrolling in the area are currently unable to follow activities of fishing vessels on a real time basis. Such information would facilitate the task of the inspection vessel to ensure an effective level of compliance in the Area. Such reports will also allow the Contracting Party (or Flag State as appropriate) to have control over catch of vessels on a real time basis.

Article 23- Observer Program

Scope

- 1.0 [Observer coverage levels shall be established in accordance with guidelines outlined in Annex B (to be developed by Canada for consideration)]
- 2.0 [Each Contracting Party shall during 2004 require that 100% of its vessels fishing in the Regulatory Area at any one time, carry at least one observer on board the vessel. This coverage shall be reduced to 60% from 1 January 2005, to 40% from 1 January 2006 and to 20% from 1 January 2007.]
- 3.0 A Contracting Party with the number of vessels operating in the Regulatory Area which are less in number than correspond to the reduction defined in paragraph 2 shall ensure the presence of an observer on board these vessels with the same level of coverage, as specified in paragraph 2 of the total time that the vessels are present in the Regulatory Area.
- 4.0 Contracting Parties shall immediately place an observer on board any vessel flying their flag that is cited for a serious infringement as described in Article X, unless the vessel is re-routed in accordance with Article X. Contracting Parties with an inspection presence in the Regulatory Area shall have their inspectors confirm their vessels' infringements before the observer is placed on board.

Obligations of the Contracting Parties

- 5.0 Contracting Parties shall recruit, designate and place observers on board vessels flying their flag as well as on vessels of non-Contracting Parties that so agree. While on board, observers shall remain under the responsibility of the Contracting Party that designated them and respond to the relevant authorities thereof.
- 6.0 Contracting Parties shall not later than 1 January 2006 further ensure that designated observers have completed the technical training required by the guidelines laid down in Annex X prior to any placement on vessels. This training shall last at least X weeks and shall include a certification process.

Or, alternatively:

- 7.0 Contracting Parties shall ensure that the observers they recruit and designate have the qualifications, training and certification outlined in Annex C.**
- 8.0 Where a Contracting Party has not placed an observer on board a vessel and is obliged to do so, any other Contracting Party may place an observer on board subject to the consent of the Contracting Party of the vessel, until the latter provides a replacement.
- 9.0 Contracting Parties shall ensure that an observer be on board the vessels referred to in point 2.0 at all times while fishing in the Regulatory Area.**
- 10.0 The duties of the observer shall begin when the vessel enters into the Regulatory Area. These duties are outlined in Annex D
- 11.0 When selecting the vessels on board of which observers are to be placed, Contracting Parties shall take into account inter alia the history of compliance of individual vessels, as well as that of their owners and/or operators.**
- 12.0 Observers shall be rotated between all vessels and, as far as possible, a balance shall be maintained between the types of fishery in which the vessels are engaged.
- 13.0 Contracting Parties shall ensure that their observers carry adequate insurance for the tasks they are required to carry out and any other risks derived from their presence and activities on board.
- 14.0 Contracting Parties shall provide the observer with a portable computer and other means necessary to fulfil their tasks relating, in particular, to the drafting and transmission of reports by electronic means, as well as a standardised equipment kit including certified mesh gauges, scales and sampling equipment.**
- 15.0 Contracting Parties shall before 1 January 2006 create a computerised data base where all **relevant** data contained in observer reports in accordance with this programme are collected.
- 16.0 Contracting Parties shall provide the Executive Secretary with a list of certified observers operating under this programme, which shall be kept current. The Executive Secretary shall make this list available to Contracting Parties with an inspection presence in the Regulatory Area.
- 17.0 Contracting Parties shall from 2006 onward ensure that vessels with catch on board when entering the Regulatory Area and that do not carry observers are available for inspection at a pre-arranged checkpoint. Guidelines shall be established at the 2004 Annual Meeting**
- 18.0 Each Contracting Party shall designate an individual responsible for coordination of their observer program. Names of these designated officials shall be submitted to the NAFO Secretariat before November 30, 2004.**
- 19.0 The designated authority for each Contracting Parties shall ensure that when apparent infringements are identified by observers, the form in Annex E is completed.**
- 20.0 Contracting Parties shall report annually to STACTIC on their compliance with the observer coverage level requirements. This report shall specify by vessel, the number of fishing days in the NRA, the number of those days that were observed and the disposition of apparent infringements identified by observers.**

Impartiality – Code of Conduct

21.0 Observers shall comply with the **Code of Conduct for Observers** outlined in Annex F.

22.0 Observers shall be independent and impartial and may not under any circumstances be a crew member or officer, nor have any links with the owner or crew of the vessel on board of which they are placed. An observer whose lack of impartiality has been proven shall be immediately replaced by the designating Contracting Party.

Status of Observers

23.0 Observers shall have no enforcement authority. Observations made by observers in accordance with Annex D, paragraph 2 a) may not be construed as inspection findings made in accordance with Article XX.

Obligations of the Captain

24.0 Captains of vessels carrying observers on board shall in particular

- a) co-operate fully with the observer and ensure that all officers and crew do likewise, in order to facilitate the observer carrying out his/her tasks efficiently;
- b) provide observers appropriate accommodation, including lodging, food and adequate sanitary facilities of a standard commensurate with the status of a ship's officer;
- c) provide observers adequate space on the bridge or pilot house for clerical work, as well as work tables, scales and other equipment on deck adequate for carrying out observer duties;
- d) give observers access to all fishing gear and any other relevant equipment, including satellite navigation equipment, radar display viewing screens and electronic means of communications available on board the vessel for transmission of observer reports;
- e) give observers access to the vessels working deck during net and fish retrieval and to any specimen, alive or dead, that is brought onboard the vessel or to be discarded;
- f) maintain a good and respectful working relationship with the observer, ensure their security and welfare in the performance of their duties and safeguard their freedom and dignity.

Reporting requirements of the observer

25.0 In carrying out his/her duties, observers shall establish the following reports in an electronic format:

- a) a **summary report** at the end of the assignment. The VMS template described in Annex G-1 shall be used. This report should include observations on instances of possible serious violations, if any, including instances where fishing activities in the Regulatory Area are being declared as having been taken outside this Area. The **summary report** shall be transmitted to the Contracting Party of the vessel as well as directly to the inspection authorities of the port of landing at least 30 hours in advance of the vessel's entry into port. A copy of this report shall be made available to the captain of the vessel.
- b) a **final report** within 5 days after the end of the assignment. This report shall include daily totals of catch by species and division. The final report shall be transmitted to the Executive Secretary and the Contracting Party of the vessel.

Obligations of the Executive Secretary

26.0 Upon receipt of the reports referred to in paragraph 25, the Executive Secretary shall upon request, make the final report available to other Contracting Parties. Copies of reports made available to other Contracting Parties shall not include location of catch in latitude and longitude.

27.0 The Executive Secretary shall also bring to the attention of any Contracting Party instances of incomplete reporting or the absence of final reports.

28.0The Executive Secretary shall report annually to STACTIC on the number and type of infringements and apparent infringements identified in the observer summary reports, trip reports and interview forms. The format outlined in Annex H shall be used to make this report.

Costs

29.0 All costs arising from the assignment of observers under this Programme shall be borne by the Flag State Contracting Party of the vessel onboard which they are placed. Contracting Parties may charge their costs, in part or in full, to the operators of their vessels.

Review

30.0 This Observer Program shall be subject to review and revision in 2005, except where levels of compliance would decrease to a level warranting the review or revision at an earlier date.

Rationale: These enhancements are intended to improve the **effectiveness and** efficiency of the program and better enable the Secretariat and Contracting Parties to make use of the data collected by observers.

The program for Observers and Satellite Tracking has been in place since 1996 and with the exception of an increase in satellite tracking coverage, the program has not been modified since its inception. A recent Canadian assessment (presented at the June STACTIC meeting) of the program concluded that the satellite tracking component was implemented in a consistent fashion by all participating Contracting Parties by using common data and operational procedures but the observer program has not had the benefit of this type of standardization. The report concludes that the result is the emergence of 12 widely different reporting and operational formats that significantly hamper analytical assessment.

Observer findings are not reported on a real time basis and therefore in most cases not available to inspection and port authorities in time. Observers should therefore be obliged to transmit catch reports so that those data are available for inspection vessels and for port authorities when the vessel returns to port. In order to achieve this goal, observers should be provided with independent means to transmit reports electronically on a real time basis.

The current observer rules do not provide for any rules regarding training of observers. This has often led to the situation where insufficiently trained observers with very different backgrounds are being placed on vessels. The result has in many cases been that observer data has been considered unreliable and has not been used for control or scientific purposes. Therefore, all observers should be obliged to undergo a standardised training which should include a certification process.

Clearer provisions on the tasks and obligations of the observers as well as the obligations of the captain of the vessel are also needed to achieve this goal.

Chapter V- Inspections in Port

Article 37 - General Provisions (New Opening Article)

- 1.0 When, in the port of a Contracting Party, a port call is made by a vessel which has been engaged in fishing for stocks subject to the Conservation and Enforcement Measures, that Contracting Party shall ensure that its inspector is present, and that, on each occasion where catch is offloaded, an inspection takes place to verify the species and quantity caught. *Contracting Parties shall ensure that the offloading is monitored in accordance with the procedures in Article 38.*
- 2.0 The Contracting Party shall ensure that the interference in the offloading activity is minimized and that the quality of the catch is not adversely affected.

- 3.0 Upon receipt of the information *contained in the Advance Landing report (Article 20)*, and where applicable, of the summary report submitted by the observer in accordance with Article 22, the relevant port authorities shall compare the data contained therein as well as data derived from VMS reports, inspection reports ~~as well as reports from other sources.~~
- 4.0 The landing of the catch shall not be permitted until this process has been finalised, unless in cases of force majeure there is a special authorisation from the Flag State authorities.
- 5.0 If the relevant vessel is flying another flag than the flag of the port State, port state and flag states authorities shall co-operate to compile and make available all data necessary for port inspection.
- 6.0 The port authorities shall, without delay, transmit all data received to the Flag State for verification by comparison with data derived from VMS reports. The Flag State shall provide the port State with a statement determining if the data corresponds to VMS data and other data available to the flag state.
- 7.0 The port authorities shall attach the statement of the Flag State to the port inspection report.
- 8.0 **Contracting Parties shall facilitate a third party review system by permitting authorities from other Contracting Parties to observe all aspects of their port inspection process. The results of these reviews shall be reported annually to STACTIC/ NAFO Secretariat?**
- 9.0 **Vessels operating in the Regulatory Area shall, at least 48 hours in advance of seeking access to port for the purpose of landing catch, provide the relevant port/inspection authorities and, if the port state is not the flag state, its flag State authorities, with the following information in the format outlined in Annex A-2**
- a) a copy of their authorisation to fish;
 - b) details of their fishing trip including:
 - i. areas fished and quantities of fish therein by species they intend to land.
 - ii. the amount of product onboard, and the amount to be offloaded by species and product type
 - iii. the amount of product onboard, by species and product type, that was harvested in the RA
 - c) a copy of the inspection reports in case the vessel has been inspected at sea.

(Note by Canada: The preceding section 9.0 comprised the former Article 21, paragraph 5.0 and was moved to Article 37 on the suggestion of the EU)

Article 38 -Port Inspection Procedures

- 1.0 When catch is to be offloaded in a Contracting Party port, Contracting Parties will, based on analyses of the data as outlined in Articles 21 and 37, pre select vessels for Level 1 or 2 offloading inspections as follows:
- a) **Level 1**
- Level 1 inspections shall be carried out on vessels which have a good compliance record and for which the data for the current trip indicates that there are no catch discrepancies onboard the vessel. Level 1 will involve a routine enumeration of product coming off the vessel, according to the procedures outlined for an Enumeration Inspection, as outlined in Part XX of NAFO Doc XX.

b) Level 2

Level 2 inspections will be carried out when catch discrepancies are identified in the course of a Level 1 inspection, or in the following circumstances:

- **The vessel has been cited for an infringement of the CEM**
- **The observer has reported an apparent infringement, or a discrepancy exists between the observer's and master's catch report.**
- **Information from other sources, including VMS and air surveillance, indicates that the vessel may have engaged in illegal fishing activity or misreporting of the product onboard the vessel.**

Level 2 will involve an enhanced inspection, incorporating compositional and/or compliance sampling (as described in Part XX of NAFO Doc XX) of product onboard as required.

2.0 Inspectors shall, in the course of port inspections:

- a) **verify species and quantities of fish onboard**
- b) **verify any information from inspections under Chapter IV**
- c) **verify mesh size of nets on board**
- d) **verify size of fish for those species with minimum fish size requirements retained onboard**
- e) **verify VMS data from the vessel (through the Flag State as necessary)**
- f) **confirm the presence onboard of the vessel's Authorization to fish**

Article 39 -Port Inspection Reports

- 1.0 The competent authorities of the Port State shall, on request, transmit the results of the port inspection to the Flag State of the vessel within 14 working days of the date on which the port inspection was completed.
- 2.0 Results of port inspections shall include at least the information listed in Annex XIII, Section B (Annex I).
- 3.0 A copy of the results of the port inspection shall be transmitted to the Executive Secretary within 30 days as from the date on which the landing was completed and shall be provided to other Contracting Party on request.
- 4.0 Where possible, Contracting Parties should transmit the results of the port inspection in accordance with this paragraph in the format defined in Annex XIII, Section A.

Rationale: The NAFO Conservation and Enforcement Measures require Contracting Parties to inspect all vessels that operate in the NAFO Regulatory Area at each port call and when catch is offloaded, to ensure verification of species and quantity caught.

The frequent and continuing identification of discrepancies between information sources and port inspections requires resolution. As well, annual reports to STACTIC on the disposition of infringements indicate that the follow-up process on citations may also require improvement.

The effectiveness of the current port inspection process is limited somewhat by the lack of real time information from onboard observers and VMS. Further complicating the process are varying operational procedures in use by different Contracting Parties.

The current control system does not provide for a sufficient interaction between the different control tools in place. When a vessel enters into port, the port inspection authorities often do not have access to findings of inspections at sea, observers or VMS data. By obliging the captain of the vessel to make a port call in advance, and by giving port authorities access to such information, port authorities will be in a better position to carry out an effective port inspection.

List of Annexes

Annex A-1	Revisions to Annex X NCEM - 6) Catch Report Every Two Weeks
Annex A-2	Revisions to Annex X NCEM - 7) Advance Landing Report
Annex B	Protocol for Establishing Observer Coverage Levels (To Be Developed)
Annex C	Recruitment, training and Certification Guidelines for Observers
Annex D	Duties of Observers
Annex E	Observer-Reported Apparent Infringement Form
Annex F	Code of Conduct for Fishery Observers
Annex G-1	Observer Summary Report
Annex G-2	Trip End report (To Be Developed)
Annex H	Disposition of Observer reported Apparent Infringements
Annex I	Revisions to Annex XIII NCEM, Port Inspection Report

Annex A-1
Revisions to Annex X - NCEM
Format for the communication of catches and reports by fishing vessels

6) Catch Report every two weeks

Data Element:	Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, “XNW” for NAFO
Sequence Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type, “CAT” as Catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag state code followed by number
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel
Relevant Area	RA	M	Activity detail: NAFO Division
Latitude	LA	M ¹	Activity detail; position at time of transmission
Longitude	LO	M ¹	Activity detail; position at time of transmission
Catches every two weeks species live weight	CA	M M	Activity detail; cumulative catch by species retained on board (exclusive of discards), either since commencement of fishing in R.A. ² or last “Catch” report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding species live weight	RJ	M	Activity detail; discarded catch by species, either since commencement of fishing in R.A. ² or last “Catch” report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize species live weight	US	M	Activity detail; undersize catch by species, either since commencement of fishing in R.A. ² or last “Catch” report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

1 Optional if a vessel is subject to satellite tracking

2 Meaning the first “Catch Report” in current fishing trip in the R.A.

Annex A-2
Revisions to Annex X
Format for the communication of catches and reports by fishing vessels

7) Advance Landing Report

Vessel:			Side Number:		
ETA :		Port :			
Departed:		Port:			
Master:			Observer:		
Trip Details					
Days	Division	Dir. Species	Days	Division	Dir. Species
PRODUCT TO BE OFFLOADED:					
FROM NRA:					
Species	Product Type	Carton Weight	Total KG		
Total to be Offloaded from the NRA					
FROM OUTSIDE NRA:					
Total to be Offloaded from Outside the NRA					
PRODUCT TO REMAIN ON VESSEL:					
Total to Remain on Vessel					
ATTACHMENTS:					
Authorization to Fish			Inspection report:		
Master:					

Annex B
Protocol for Establishing Observer Coverage Levels
(To be developed and proposed by Canada)

Annex C

Recruitment, Training and Certification Guidelines for Observers

Recruitment

- 1. Contracting Parties shall ensure that the observers they designate have the following qualifications:**
 - a) sufficient experience to identify species and fishing gear;**
 - b) satisfactory knowledge of the relevant Conservation and Enforcement Measures;**
 - c) the ability to carry out scientific tasks or to observe and record fishing activities accurately;**
 - d) satisfactory knowledge of the language of the flag State of the vessel onboard which they carry out their duties;**
 - e) computer skills relevant for the exercise of their duties;**
 - f) general nautical skills.**

Training and Trainers

- 2. Trainers shall deliver a program that is certified by the Contracting Party and includes a course training standard designed to train individuals to complete the duties outlined in Annex D.**
- 3. The trainers shall ensure that observer candidates complete an examination on conclusion of the training program.**
- 4. The Trainers shall maintain appropriate records and issue documents of successful completion.**

Certification

- 5. The observer candidate shall obtain an acceptable grade as determined by the Contracting Party authorities. In addition to an acceptable grade, the observer candidate must also sign undertaking to comply with the Code of Conduct.**
- 6. The Contracting Party authorities shall issue a Certificate of Designation to the observer candidate who has successfully completed the training program and signed undertaking to comply with the Code of Conduct.**
- 7. The Certificate of Designation cards shall include the following information:**
 - Name and date of birth of observer**
 - Identification number and expiration date**
 - Photograph and signature of observer**
 - Signature of Contracting Party authority**

Revocation of Certification

- 8. Certification shall be revoked by the Contracting Party Authorities when:**
 - a) An observer has not performed the duties outlined in Annex D for a period of ? years**
 - b) An observer has breached the Code of Conduct**
- 9. Upon revocation, the Certificate of Designation card shall be reclaimed by the Contracting Party.**

Annex D Duties of Observer

Objectives of Observer Program

1. The objectives of the observer program are:

- a) to monitor compliance with the Conservation and Enforcement measures in force, and
- b) to collect catch and effort data, other scientific data and additional information related to the fishery in the Regulatory Area.

2. The duties of observers are *described in detail in an Operations Manual (to be developed)* and shall comprise the following:

- a) monitor the vessel's compliance with the Conservation and Enforcement Measures adopted by the Fisheries Commission and in force. In particular, they shall
 - (i) broad estimate of the total catch held on board on entry into the Regulatory Area;
 - (ii) record the fishing activities of the vessel and verify the position of the vessel engaged in fishing;
 - (iii) observe and estimate catches with a view to identifying catch composition and depth and monitoring discards, by-catches and undersized fish;
 - (iv) record gear type, mesh size and attachments deployed (*measure gear and attachments and record results*);
 - (v) verify the entries made in the logbook;
 - (vi) monitor the functioning of, and report on any tampering with, the Satellite tracking system;
 - (vii) be available to inspectors during at sea inspections;
 - (viii) upon request from the relevant inspection authorities, be available for a debriefing when the vessel enters into port;
 - (ix) if the observer considers it appropriate, signal any observations on possible violations to the captain
 - (x) report, using established codes, suspected serious infringements identified by the observer to an inspection vessel, which should report it to the Executive Secretary.
- b) carry out scientific work as requested by the Fisheries Commission based on advice by the Scientific Council. In particular, they shall
 - (i) record details of the vessel's partition of time between searching, fishing and transit;
 - (ii) take samples of catches and record the biological data of species caught;
 - (iii) collect catch and effort data on a haul by haul basis. This data shall include location, depth, time of the net on the bottom, catch composition, discards, by-catches and undersized fish;
 - (iv) collect data, including location, on fishing gear loss and waste disposal.

Annex E**Observer-Reported Apparent Infringement Form
(To be completed by Contracting Party authorities)**

Vessel/Master Name:	Reference Number:
Trip Dates:	Apparent Infringement:
Observer:	NCEM Chapter/Article:
Details: 	
Contracting Party Response: 	
Final Disposition of Apparent Infringement: 	
Signature:	Date:

Annex F

Code of Conduct for Fishery Observers

General

1. Observers shall conduct themselves at all times in a professional manner.
2. Observers shall avoid any behavior that could adversely affect the integrity of the observer program. They are expected to conduct themselves in an honest and businesslike manner in all situations and shall refrain from engaging in any activities that would negatively affect their person or role.
3. Observers shall comply with all requirements established in laws and regulations of the Contracting Party to the vessel to which the observer is assigned insofar as such requirements are not incompatible with the Conservation and Enforcement Measures adopted by the Contracting Party and in force;
4. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program.
5. An Observer shall report objectively any apparent infringements observed and submit an authentic verifiable data package and trip report.

Gratuities/Bribes

6. Observers shall not accept any gratuity in the form of an object or a consideration that may place the observer in a compromising position. Gratuities include, but are not limited to money, fish products, free trips and alcoholic beverages.
7. Any offer of a gratuity/bribe shall be reported immediately to Contracting Party authorities.

Conflict of Interest

8. An Observer shall disclose any conflicts of interest to Contracting Party authorities in writing as soon as the Observer becomes aware of the conflict.
9. An Observer shall not:
 - hold a commercial fishing licence and/ or act as a crewmember on any fishing vessel.
 - be involved in the purchase of fish for the purpose of resale.
 - be an owner, operator or manager of an enterprise that catches, cultures, process or transports fish.
10. An Observer shall not accept a deployment to a vessel owned or operated by the Observer's immediate family.

Confidentiality of Information

11. All collected data, photographs and literature shall be turned over to the Contracting Party Authority at the completion of a deployment.
12. In performing their duties, observers shall treat as confidential all information with respect to the fishing operations of the vessels and of the owners of the vessels and accept this requirement in writing as a condition for placement;

Observer Identification Cards

13. An Observer shall return the Certificate of Designation card to the Contracting Party authority upon request.

Annex G-1
Observer Report Formats

(Summary report to be completed by the observer and submitted at least 30 hours in advance of the vessel's entry into port)

Vessel name _____ Call Sign _____ Flag State _____ Observer _____ Trip Period _____

Date	Div.	Fishing Gear		Bycatch		Discards		Undersize		Logbooks		Production			Hails		Samples		App. Infr.		VMS System	
		Type	Mesh	Spec ¹	Quant. ²	Spec ¹	Quant. ²	Spec ¹	Quant. ²	Yes	No	Whole	HG	Fillets	Yes	No	Yes	No	Yes	No	Yes	No

By marking "yes" in the "Logbook" column, the observer approves of the entries made by the captain for the trip.
 By marking "yes" in the "Hails" column, the observer confirms that hails made by the captain for the trip are correct.
 By marking "yes" in the "Samples" column, the observer confirms that (s)he has taken samples of the catch for scientific purposes.
 By marking "yes" in the "App. Infr." column, the inspector indicates that an apparent infringement was observed during the trip. Details in Comment Section.
 By marking "yes" in the "VMS" column, the observer confirms that the vessel's VMS system is functioning properly and without interference.

Comments:

¹ By FAO Codes
² Quantity in Tons

ANNEX G-2

(Trip-end report to be completed by the observer and submitted to Contracting Party Authorities)

(To be developed and proposed by Canada)

Annex H
Disposition of Observer-reported Apparent Infringements
Revised STACTIC Form A and B
 (To be submitted to NAFO Secretariat by Contracting Parties)

ANNUAL RETURN OF INSPECTIONS, CATCH RECORD DISCREPANCIES, INFRINGEMENTS, AND/OR APPARENT INFRINGEMENTS

Contracting Party Reporting: _____ Year: _____

Contracting Party of Inspected Vessels: _____

SUMMARY OF INSPECTIONS, CATCH RECORD DISCREPANCIES, **INFRINGEMENTS**, AND/OR APPARENT INFRINGEMENTS

Total Number of Inspections: _____ **Total Number of Infringements:** _____

Total Number of Apparent Infringements: _____ Total Number of Catch Record Discrepancies: _____

DETAILS OF CATCH RECORD DISCREPANCIES, INFRINGEMENTS, AND/OR APPARENT INFRINGEMENTS

Name of Vessel Inspected or Observed and Side Number	Date of Inspection or Observation	Location at time of Inspection or Observation (NAFO Division or name of port)	Details of infringements , apparent infringements and/or catch record discrepancies (Indicate Applicable Chapter/Article of NAFO Conservation and Enforcement Measures)

Date of Return: _____
 STACTIC Form A

ANNUAL RETURN OF DISPOSITION OF CATCH RECORD DISCREPANCIES, INFRINGEMENTS, AND/OR APPARENT INFRINGEMENTS

DETAILS OF CATCH RECORD DISCREPANCIES, INFRINGEMENTS, AND/OR APPARENT INFRINGEMENTS

Name of Vessel Inspected or Observed and Side Number	Date of Inspection or Observation	Details of infringements , apparent infringements and/or catch record discrepancies (indicate applicable Chapter/Article of NAFO Conservation and Enforcement Measures)	Disposition of infringement(s) , apparent infringement(s) and/or catch record discrepancies

Date of Return: _____
 STACTIC Form B

Annex I

Revisions to Annex XIII, NCEM - Port Inspection Report

B. Information to be inserted in the report

6.0 VMS Verification

VMS Data Verified

Yes	No
-----	----

Contracting Party (or Flag State) Statement Attached

Yes	No
-----	----

Comments

--

Source Document**Article 2- Definitions**

NEW (Draft 1)

Article 13 - Authorization to Fish

1.0	WP 03/17
2.0	WP 03/17
3.0	CURRENT

Article 18 Product Marking/ Identification Requirement (New Title)

NEW

Article 22 - Communication of Catches

4. a) b) c) d)	WP 03/17
5 a)	WP 03/17
5. b) i.	WP 03/17
5 b) ii.	WP 03/12
5. b) iii.	WP 03/12
5. c)	WP 03/17

Article 23 -Observer Program

1.0	NEW
2.0	WP 03/17
3.0	WP 03/17
4.0	WP 03/17
5.0	WP 03/17
6.0	WP 03/17
7.0	WP 03/17 + 18 COMBINED
8.0	WP 03/17
9.0	WP 03/17
10.0	WP 03/17 + NEW
11.0	WP 03/17
12.0	WP 03/17
13.0	WP 03/17
14.0	WP 03/17
15.0	WP 03/17
16.0	WP 03/17
17.0	WP 03/17
18.0	WP 03/18 + NEW (Draft 1)

19.0	WP 03/18 + NEW (Draft 1)
20.0	WP 03/18 + NEW (Draft 1)
21.0	WP 03/18
22.0	WP 03/17
23.0	WP 03/17 + 18 COMBINED
24.0	WP 03/17
25.0	WP 03/17
26.0	WP 03/17
27.0	WP 03/17
28.0	WP 03/18
29.0	WP 03/17
30.0	WP 03/17

Chapter V - Inspections in Port

Article 37 - General Provisions (NEW OPENING ARTICLE)

1.0	CURRENT + WP 03/12 + NEW (Draft 1)
2.0	CURRENT
3.0	WP 03/17 + 18 + NEW (Draft 1)
4.0	WP 03/17
5.0	WP 03/17
6.0	WP 03/17
7.0	WP 03/17
8.0	WP 03/12 + NEW
9.0	WP 03/12 + 17 (Moved from Article 21)

Article 38- Port Inspection Procedures

1.0	WP 03/12
2.0 a)	CURRENT
2.0 b)	CURRENT
2.0 c)	CURRENT
2.0 d)	CURRENT + NEW (Draft 1)
2.0 e)	WP 03/12
2.0 f)	NEW (Draft 1)

Article 39- Port Inspection Reports (New Title)

1.0	CURRENT
2.0	CURRENT
3.0	CURRENT
4.0	CURRENT

Annex C - Recruitment, Training and Certification Guidelines for Observers

1.0 a) b) c) d) e) f)	WP 03/17
2.0	WP 03/18
3.0	WP 03/18
4.0	WP 03/18
5.0	WP 03/18
6.0	WP 03/18
7.0	WP 03/18
8.0	WP 03/18
9.0	WP 03/18

STACTIC WP 03-12/17/18**DISCUSSION PAPER**

This document presents the articles, paragraphs and sections from the combined papers that require further discussion and possible revision before they can be incorporated into the final document.

In some instances, passages require clarification by the author and can be returned to the original document quickly. Other issues are reflective of a lack of consensus on approach in some areas.

The four main points requiring further discussion center on the following:

1. Scope

The scope of observer coverage has been an issue at NAFO meetings in recent years. Comments on the scope are provided by Iceland, the EU and Canada.

2. Infringement

A proposal has been made to provide distinct definitions of infringement and apparent infringement to differentiate between the findings of inspectors and information received from other monitoring sources.

3. Port Inspection

The proposed port inspection protocol for all vessels landing fish from the NRA has received extensive comments from Iceland and the EU.

4. Web Based Possibilities

It is proposed for discussion that consideration be given to exploring the possibilities of posting reporting data to a secure web site for access by inspecting authorities.

1. SCOPE

Article 23 - Observer Program

Scope

1.0[Observer coverage levels shall be established in accordance with guidelines outlined in Annex B (to be developed by Canada for consideration)]

ICELAND:

As often has been mentioned, Iceland has suggested reduced observer coverage and our first proposal was with 20%. Now there is Pilot Project running with 50% coverage and I believe that Iceland will be unwilling to increase it again. So instead of 60-40-20 percent, I suggest 40-30-20. This is my compromised proposal, and I refresh that in last annual NAFO meeting in September 2003, Iceland wanted 20% coverage.

EU:

General Comments: The EC considers all elements falling under this exercise as being a package. In general terms, we reiterate our position that any modifications of substantial nature must be compensated by a substantial reduction of the observer coverage. We find it surprising that in submitting this document, there is no consideration given to this vital theme.

Article 23: As stated above, the scope remains an essential issue for the EC. We will refrain from detailed comments until Annex B is made available.

2.0 [Each Contracting Party shall during 2004 require that 100% of its vessels fishing in the Regulatory Area at any one time, carry at least one observer on board the vessel. This coverage shall be reduced to 60% from 1 January 2005, to 40% from 1 January 2006 and to 20% from 1 January 2007.]

DENMARK (FAROES AND DENMARK (FAROES AND GREENLAND)):

Is this to be understood as if DENMARK (FAROES AND GREENLAND) in the year of 2006 has two vessels in NRA it is enough with observer on one of the vessels? What if the vessel with observer onboard leaves 1 week before the vessel without observer? This could be some very complicated calculation.

If a CP does not know in advance how many fishing-days total the CP is going to fish in NRA it is going to be difficult to plan the observer coverage.

2. INFRINGEMENT

Article 2 - Definitions

"Infringement" means any activity or omission of a fishing vessel which gives grounds for suspecting that a violation of the applicable provisions of the CEM has occurred and which has been identified pursuant to Chapter IV or V of the CEM.

"Apparent Infringement" means any activity or omission of a fishing vessel which gives grounds for suspecting that a violation of the applicable provisions of the CEM has occurred and which has been identified pursuant to Chapter III of the CEM.

ICELAND:

Is the only difference between "Infringement" and "Apparent Infringement" in reference to Chapters, the former to IV and V but the latter to III? Is one supposed to be more serious than the other, or are they equally serious? And is "Serious Infringement" the third and most serious one?

EU:

Article 2: The EC can support the first definition proposed by Canada. We are not in favour of a definition of infringement which refers to findings pursuant to chapter III of the CEM since such a definition would blur the necessary distinction between inspection findings and monitoring tools, such as observer data. The latter category may not, per se, constitute evidence of infringements but rather is intended to feed into inspection activities at sea or in port.

It should be clarified that the EC by no means is opposed to the concept of using monitoring data for follow-up action, which we understand is the concern of Canada. We believe however that this concern is being catered for in various other suggested provisions, in particular Article 12 paragraph 3.0, but also in the revised observer programme and port inspection scheme.

DENMARK (FAROES AND DENMARK (FAROES AND GREENLAND)):

It should be clarified which articles in chapter IV, III or V the definitions of 'Apparent infringement' and 'Infringement' refers to.

DENMARK (FAROES AND GREENLAND) suggests instead of the definition "Infringement means any activity or omission of a fishing vessel which gives ground for suspecting..." this definition: "... which gives clear ground for suspecting..."

DENMARK (FAROES AND GREENLAND) suggests an addition to the definition so instead of "Apparent infringement means any activity or omission of a fishing vessel which gives grounds for..." the following phrase is suggested: "Apparent infringement means any activity or omission of a fishing vessel which gives reasonable grounds for..."

We also finds it is important to have the definition of "Serious infringement" here in article 2 as well (Article 32).

3. PORT INSPECTION**Article 37 - General Provisions**

- 1.0 When, in the port of a Contracting Party, a port call is made by a vessel which has been engaged in fishing for stocks subject to the Conservation and Enforcement Measures, that Contracting Party shall ensure that its inspector is present, and that, on each occasion where catch is offloaded, an inspection takes place to verify the species and quantity caught. *Contracting Parties shall ensure that the offloading is monitored in accordance with the procedures in Article 38.*

DENMARK (FAROES AND DENMARK (FAROES AND GREENLAND)):

Does this paragraph mean that a CP must carry out a port Inspection every time a CP vessel is offloading catch taken in the RA? We suggest that the port inspection is carried out when a vessel has been cited for a apparent infringement or other irregularities.

- 2.0 The Contracting Party shall ensure that the interference in the offloading activity is minimized and that the quality of the catch is not adversely affected.
- 3.0 Upon receipt of the information *contained in the Advance Landing report* and where applicable, of the summary report submitted by the observer in accordance with Article 22, the relevant port authorities shall compare the data contained therein as well as data derived from VMS reports and inspection reports.
- 4.0 The landing of the catch shall not be permitted until this process has been finalised, unless in cases of force majeure there is a special authorisation from the Flag State authorities.
- 5.0 If the relevant vessel is flying another flag than the flag of the port State, port state and flag states authorities shall co-operate to compile and make available all data necessary for port inspection.
- 6.0 The port authorities shall, without delay, transmit all data received to the Flag State for verification by comparison with data derived from VMS reports. The Flag State shall provide the port State with a statement determining if the data corresponds to VMS data and other data available to the flag state.
- 7.0 The port authorities shall attach the statement of the Flag State to the port inspection report.

ICELAND:

As I previously said there should be a consideration on what reports types should be used. Too many report types with the same information increases the possibility of unintentionally discrepancy between reports (typing errors, human mistakes, etc). This of course can effect port inspections.

The co-operation between flag state and port state seems to be a bit complicated. I think that every CP wants to have good co-operation but in my opinion the proposal as it is in 5.0-7.0 will only increase the bureaucracy and therefore increase the cost. We should consider it carefully to give CPs access to data derived from VMS reports. Then could all CPs get the information they need whenever they need. NAFO should be modern and use all technology available.

- 8.0 Contracting Parties shall facilitate a third party review system by permitting authorities from other Contracting Parties to observe all aspects of their port inspection process. The results of these reviews shall be reported annually to **STACTIC/ NAFO Secretariat?**

EU:

Paragraph 8.0: The EC considers that the current NAFO rules on access of third country inspectors to observe port inspections strikes an appropriate balance of interests. It should be recalled that the port inspection scheme refers to inspections taking place on the territory of Contracting parties outside the Convention Area of NAFO. The current wording of this paragraph would allow government officials to conduct official business on the territory of another country without the consent of local authorities and is therefore excessive.

USA:

Report should go to the Secretariat for use in annual compliance review

9.0 Vessels operating in the Regulatory Area shall, at least 48 hours in advance of seeking access to port for the purpose of landing catch, provide the relevant port/inspection authorities and, if the port state is not the flag state, its flag State authorities, with the following information in the format outlined in Annex A-2:

- a) a copy of their authorisation to fish;
- b) details of their fishing trip including:
 - i. areas fished and quantities of fish therein by species they intend to land.
 - ii. the amount of product onboard, and the amount to be offloaded by species and product type
 - iii. the amount of product onboard, by species and product type, that was harvested in the RA
- c) a copy of the inspection reports in case the vessel has been inspected at sea.

ICELAND:

A Landing Report with at least 48 hours in advance is too long notice and I would like to explore the possibilities of shorter one, maybe 24 hours.

In 5.0 there are some information that has to be provided to port authorities. Should this information be sent by fax? What is the purpose of sending a copy of the licence, for an example, licence for Icelandic vessels are in Icelandic? The Secretariat should rather provide a list of authorised vessels on the NAFO website.

Are inspections reports also to be sent by fax? Could it be enough to keep a list on the website with information on vessels that have been inspected? On that list could be information on the result (was all OK?, yes/no) and relevant port authorities would then know if they should read the inspection report carefully onboard and check on some "infringements" or not.

Alternatively, port authorities should only be provided with a copy of "negative" reports, but not "positive".

EU:

There seem also to be some overlap between the three sub-items under point 9.0 b).

DENMARK (FAROES AND DENMARK (FAROES AND GREENLAND)):

10.0a) It should not be necessary to have a copy of the vessels if the secretariat has a list of notified vessels.

11.0b) These points should be rephrased since there seems to be some overlap.

Article 38.0

1.0 When catch is to be offloaded in a Contracting Party port, Contracting Parties will, based on analyses of the data as outlined in Articles 21 and 37, pre select vessels for Level 1 or 2 offloading inspections as follows:

a) Level 1

Level 1 inspections shall be carried out on vessels which have a good compliance record and for which the data for the current trip indicates that there are no catch discrepancies onboard the vessel. Level 1 will involve a routine enumeration of product coming off the vessel, according to the procedures outlined for an Enumeration Inspection, as outlined in Part XX of NAFO Doc XX.

b) Level 2

Level 2 inspections will be carried out when catch discrepancies are identified in the course of a Level 1 inspection, or in the following circumstances:

- The vessel has been cited for an infringement of the CEM
- The observer has reported an apparent infringement, or a discrepancy exists between the observer's and master's catch report.
- Information from other sources, including VMS and air surveillance, indicates that the vessel may have engaged in illegal fishing activity or misreporting of the product onboard the vessel.

Level 2 will involve an enhanced inspection, incorporating compositional and/or compliance sampling (as described in Part XX of NAFO Doc XX) of product onboard as required.

2.0 Inspectors shall, in the course of port inspections:

- a) verify species and quantities of fish onboard
- b) verify any information from inspections under Chapter IV
- c) verify mesh size of nets on board
- d) verify size of fish for those species with minimum fish size requirements retained onboard
- e) verify VMS data from the vessel (through the Flag State as necessary)
- f) confirm the presence onboard of the vessel's Authorization to fish

ICELAND:

My first reaction regarding port inspection is that the procedures are too detailed and complicated. While selecting Level 1 (L1) or Level 2 (L2), who should determine what is a good compliance record? Can Iceland decide unilateral which vessels from Latvia have good compliance record?

The comments to article 13 are relevant here: "When data is cross checked, a question arises about accuracy. How much deviation should be allowed? If a captain reports 500 tons catch but when the catch is weighed it is 520 tons? Is that OK? This is especially crucial with reference to port inspection." The question could be, if there is just a tiny discrepancy should L2 take place?

The phrase "vessel may have engaged in illegal fishing" is inaccurate. All vessels may have engaged in illegal fishing, port inspection is just one part in checking out compliance. One could think that L2 should always take place. I think that continuous choose between L1 and L2 complicates inspections. For instance, if discrepancy is discovered at the very end of L1, should L2 take place?

The proposed text in 2.0, does it apply to both L1 and L2? I notice that in f) inspectors shall confirm the presence of vessel's authorisation (licence) to fish. In article 21 5.0 it is proposed that vessels send a copy of there authorisation to port state, so I ask again, is that necessary?

As I said earlier I think that proposed port inspection procedures are too detailed and complicated. They leave nothing left for CPs to use their own procedures and methods. As I understand the proposal, port inspections has to be done in exact order and not in any other way. That means that CPs, at least Iceland, will have two types of port inspections procedures, one for NAFO and one with "our methods".

In my opinion proposed port inspection will increase cost because there will always have to be two inspectors available and rather big portion of catches is checked. And because that rather big portion is always inspected I have doubt how that can not affect products quality. I think there is a great risk affecting product quality if rather big portion of catches is always inspected.

Instead of having rather detailed and a bit complicated port inspection procedures, we could use sudden and unexpected inspections. I think that each CP should carry out such inspections in a way that suit them best. However, NAFO could of course accept some provisions on minimum percentage of vessel's landings inspected

(sudden inspection) and requirement of such inspections.

Our experience in Iceland is that sudden and unexpected inspections can be just as effective. If every vessel/captain know that he can be detailed inspected at all time, the odds are very high that he will comply with regulations. I think it is too expensive to inspect every landing of all vessels in details.

EU:

Article 38: The EC is open to discuss any amendments of the port inspection scheme in this direction provided that it leads to an equal treatment of vessels. Procedures will in any case have to be feasible in practise and take into account inter alia the size of the intended landings.

DENMARK (FAROES AND GREENLAND):

1 b) The first arrow mentions vessels that have been cited for an infringement of the CEM. It is important to define what kind of infringement that makes it necessary to have an inspection of level 2.

2 f) This paragraph mentions that the inspector shall confirm the presence onboard of the vessel's authorisation to fish in the course of port inspection. But is it not the Flag States responsibility that the vessel has an authorisation to fish and then it should be enough that a CP has notified the vessel to NAFO.

4. WEB BASED POSSIBILITIES

CANADA:

Canada proposes a discussion on the potential for the application of web based reporting for all NAFO monitoring functions. Specific recommendations are included for some of the measures in this document; however, it is felt that many other components of the NAFO Monitoring Scheme could be significantly enhanced through the use of web based electronic reporting.

5. OTHER MEASURES REQUIRING DISCUSSION AND/OR CLARIFICATION

Article 13 - Authorization to Fish

- 3.0 Flag State Contracting Parties shall establish a validation system comprising in particular cross checks and verification of all data resulting from applicable measures adopted under the NAFO convention. The flag state shall notify any discrepancies following such cross checks to the captain and require an explanation.

ICELAND:

When data is cross-checked, a question arises about accuracy. How much discrepancy should be allowed? If a captain reports 500 tons catch but when the catch is weighed it is 520 tons. Is that OK? This is especially crucial with reference to port inspection.

But of course, I acknowledge the importance of cross checks. That is something that should be done.

DENMARK (FAROES AND GREENLAND):

1.0 d) DENMARK (FAROES AND GREENLAND) finds it necessary to discuss what the following phrases means: ‘Sufficient evidence’ and ‘All relevant facts’.

1.0 e) This point is not very clear. Does this point mean that a vessel owner should not be allowed to own one vessel with a license to fish in international waters and at the same time own a vessel which is not allowed to fish in international waters?

1.0 e) + f) This is important to include in the discussions regarding the implementation of a NCP scheme like NEAFC.

2.0 First sentence:

DENMARK (FAROES AND GREENLAND) finds it necessary to discuss the meaning of the phrase ‘Particular cross checks’. If the phrase does not have some particular cross checks in mind it should only say ‘Cross checks’ and maybe define what type of data should be crosschecked. A suggestion could be to cross check information from port inspection and catch reports.

2.0 Second sentence:

DENMARK (FAROES AND GREENLAND) suggests that not all discrepancies are notified but only the more serious discrepancies are notified and for vessels with a history also smaller discrepancies.

3.0 DENMARK (FAROES AND GREENLAND) would like to an explanation of the purpose of this paragraph.

Article 18- Product Marking/Identification Requirement (New Title)

All fish harvested in the NAFO Regulatory Area and frozen at sea shall be packaged and marked/identified with the species/ product type/NAFO Division and date.

ICELAND:

It is very important that all products are well and clearly marked. However, we have to keep in mind that catches from different fishing divisions can, in some cases, be packed together (in boxes/pallets).

EU:

Article 18: While the EC would be open to discuss amendments aimed at facilitating inspections at sea or in port, we don’t necessarily see a need to introduce such an obligation for all species fished in the NAFO Area.

DENMARK (FAROES AND GREENLAND):

This article suggests that all fish harvested in the NRA and frozen at sea shall be packaged and marked with the species, product type, NRA division and date.

DENMARK (FAROES AND GREENLAND) suggest an addition: “..or any other marking, which could in similar way give same identification. The master must provide a list of codes used”.

DENMARK (FAROES AND GREENLAND) has the opinion that for control purposes it should be enough with a stowage-plan, which could include different types of product, NRA division, species and date. There should be an exception if all products are the same species, product type and NRA division.

Article 22 Communication of Catches

- 4.a) As of 1 January 2005, the master shall complete, every two weeks, a report by division on aggregate catches by species retained on board, discards and undersized fish as recorded in the logbook. The VMS template described in Annex A-1 shall be used.
- b) The reports shall be transmitted by Monday 24:00 UTC for the proceeding **two** weeks ending Sunday midnight. If the electronic means for transmitting these reports to and from the FMC is not functioning, the master shall notify the FMC of this failure and transmit the report by any other means of communication available, keep a written log of these transmissions on board and make them available to inspectors if requested.
- c) Contracting Parties shall ensure that technical facilities on board their vessels necessary to send electronic catch reports have been tested with the Secretariat. The testing of this exchange shall be deemed successful once data exchanges have been completed with all recipients at a 100% reliability rate.
- d) The Executive Secretary shall notify the Contracting Party of any vessel from which no reports have been received for 4 consecutive weeks without justification, and copy this notification to Contracting Parties with an inspection presence in the Regulatory Area.

ICELAND:

It is difficult to understand how Contracting Parties can have control over catches of vessels on a real time basis, if captains only report catches every two weeks. I think that catch-reports with more frequency should be used, even daily (as in the Pilot Project).

EU:

Article 22: All Reports envisaged under this Article should preferably be in the North Atlantic Format.

DENMARK (FAROES AND GREENLAND):

4 b) This should be harmonized with the rules in NEAFC where the reports have to be transmitted every week.

4 c) This paragraph should be deleted. The catch report should be communicated to the NAFO Secretariat via the Flag State.

4. d) DENMARK (FAROES AND GREENLAND) has the opinion the time limit should be much shorter.

CANADA:

Consideration should be given to the exploration of web based possibilities for posting information relevant to catch communication as well as other measures. For example some of the data necessary for the port inspection process could be posted to a secure web site.

Article 23- Observer Program

2.0[Each Contracting Party shall during 2004 require that 100% of its vessels fishing in the Regulatory Area at any one time, carry at least one observer on board the vessel. This coverage shall be reduced to 60% from 1 January 2005, to 40% from 1 January 2006 and to 20% from 1 January 2007.]

ICELAND:

It is my opinion that "X% of its vessels fishing in the RA at any one time" is unacceptable. Provision like that can lead to complicated coverage control and increased cost. We could, for an example, have 10 vessels fishing in the RA and 6 without observer onboard, i.e. 40% coverage. Now, if the other 4 vessels finish their fishing earlier and leave the RA, we only have 6 vessels left and none of them with observer onboard. How can we put observers onboard these vessels? In some cases an observer can "jump" between vessels at sea but sometimes not. Are we supposed to fly observers onboard with helicopters?

I suggest that the provision shall be something like this: "X% of total time that all vessels of a CP are present in the RA". On a year basis the coverage has to be at least X% but can be higher or lower for shorter periods. Segments 11.0 and 12.0 are very important and should be part of this measure. According to these segments CP has to keep balance between vessels and different types of fisheries but a balance within the year should also be included.

DENMARK (FAROES AND GREENLAND):

Is this to be understood as if DENMARK (FAROES AND GREENLAND) in the year of 2006 has two vessels in NRA it is enough with observer on one of the vessels? What if the vessel with observer onboard leaves 1 week before the vessel without observer? This could be some very complicated calculation.

If a CP does not know in advance how many fishing-days total the CP is going to fish in NRA it is going to be difficult to plan the observer coverage.

3.0 Contracting Parties shall immediately place an observer on board any vessel flying their flag that is cited for a serious infringement as described in Article X, unless the vessel is re-routed in accordance with Article X. Contracting Parties with an inspection presence in the Regulatory Area shall have their inspectors confirm their vessels' infringements before the observer is placed on board.

DENMARK (FAROES AND GREENLAND):

DENMARK (FAROES AND GREENLAND) suggests to replace the word 'Shall' in the last sentence with 'Can'.

5.0 Contracting Parties shall recruit, designate and place observers on board vessels flying their flag as well as on vessels of non-Contracting Parties that so agree. While on board, observers shall remain under the responsibility of the Contracting Party that designated them and respond to the relevant authorities thereof.

6.0 Contracting Parties shall not later than 1 January 2006 further ensure that designated observers have completed the technical training required by the guidelines laid down in Annex X prior to any placement on vessels. This training shall last at least X weeks and shall include a certification process.

Or, alternatively:

7.0 Contracting Parties shall ensure that the observers they recruit and designate have the qualifications, training and certification outlined in Annex C.

ICELAND:

Iceland has previously stated that some standard (minimum) qualification, knowledge and skills that an observer has to have can be accepted. However, Iceland has problem accepting minimum time of training and it had been stressed that X days of learning do not guarantee acceptable qualification. It also seems to me that the guidelines (or annex) for training is a part of the measure and all CPs have to follow the guidelines but can not use their own methods. That seems unacceptable.

DENMARK (FAROES AND GREENLAND):

6.0 The training of observers should not be defined as a number of weeks because it is not a guarantee for the standard of the training.

EU:

Paragraph 7.0: It is not clear to us what the alternative is. If the intention is that paragraph 7.0 is an alternative to paragraphs 5.0 and 6.0, the latter paragraphs seem more complete. In any case, a transitional period to allow Parties to introduce a training and certification process seems needed.

12.0 Contracting Parties shall ensure that an observer be on board the vessels referred to in point **2.0** at all times while fishing in the Regulatory Area.

DENMARK (FAROES AND GREENLAND):

This must refer only to when the observer coverage must to 100%?

11.0 When selecting the vessels on board of which observers are to be placed, Contracting Parties shall take into account inter alia the history of compliance of individual vessels, as well as that of their owners and/or operators.

DENMARK (FAROES AND GREENLAND):

It could be a problem to define whether a vessel is non-compliant and consequently there could be some disagreement among the CP.

14.0 Contracting Parties shall provide the observer with a portable computer and other means necessary to fulfil their tasks relating, in particular, to the drafting and transmission of reports by electronic means, as well as a standardised equipment kit including certified mesh gauges, scales and sampling equipment.

ICELAND:

It is necessary that observers have good equipment but we have to have in mind that it can increase cost, especially means to send electronic reports. Captains are obliged to give observers full access to equipment onboard.

CANADA:

In addition to the kit equipment indicated in 14.0, observers should also be issued digital cameras to record photographic evidence from the vessels that could be submitted with the trip report.

15.0 Contracting Parties shall before 1 January 2006 create a computerised data base where all **relevant** data contained in observer reports in accordance with this programme are collected.

DENMARK (FAROES AND GREENLAND):

Is this to be a database or is it only necessary to register the data electronically? If it is a database there must be a time-limit for implementation of this demand.

17.0 Contracting Parties shall from 2006 onward ensure that vessels with catch on board when entering the Regulatory Area and that do not carry observers are available for inspection at a pre-arranged checkpoint. Guidelines shall be established at the 2004 Annual Meeting

EU:

Paragraph 17.0: If ever the concept of checkpoints be agreed upon, refinement will be necessary to strike an appropriate balance.

18.0 Each Contracting Party shall designate an individual responsible for coordination of their observer program. Names of these designated officials shall be submitted to the NAFO Secretariat before November 30, 2004.

EU:

Paragraph 18.0: We don't understand what the benefit of this provision is.

DENMARK (FAROES AND GREENLAND):

DENMARK (FAROES AND GREENLAND) suggests that a certain department is responsible for the observer program instead of a certain person

19.0 The designated authority for each Contracting Parties shall ensure that when apparent infringements are identified by observers, the form in Annex E is completed.

EU:

Paragraph 19.0: The purpose of this provision is unclear as well as how the information in the proposed annex E is going to be used.

CANADA:

This provision is proposed as a means to track and follow up on apparent infringements reported by observers. Annex E is intended as a template for use by Contracting Parties to track the follow up process to apparent infringements reported by observers and to report annually on the disposition of these apparent infringements.

20.0 Contracting Parties shall report annually to STACTIC on their compliance with the observer coverage level requirements. This report shall specify by vessel, the number of fishing days in the NRA, the number of those days that were observed and the disposition of apparent infringements identified by observers.

EU:

Paragraph 20.0: The need for this paragraph is unclear. In any case, the reference to disposition of observer findings must be deleted. For reasons set out above, observer findings by no means can be treated on the same level as inspection findings in terms on enforcement.

25.0 In carrying out his/her duties, observers shall establish the following reports in an electronic format:

- a) a **summary report** at the end of the assignment. The VMS template described in Annex G-1 shall be used. This report should include observations on instances of possible serious violations, if any, including

instances where fishing activities in the Regulatory Area are being declared as having been taken outside this Area.

The summary report shall be transmitted to the Contracting Party of the vessel as well as directly to the inspection authorities of the port of landing at least 30 hours in advance of the vessel's entry into port. A copy of this report shall be made available to the captain of the vessel.

- b) a final report within 5 days after the end of the assignment. This report shall include daily totals of catch by species and division. The final report shall be transmitted to the Executive Secretary and the Contracting Party of the vessel.

ICELAND:

Reports from observers need some consideration. Should they send daily reports or only summary report? Information in summary report seems to be the same as in daily reports and therefore summary reports could be unnecessary. There is also the possibility that all reports will be made available on the NAFO website so all CPs could simply choose the vessel they want to look at before inspection.

I can't really see the need for a final report and would like to see the rationale for the purpose of that report. I think that we should avoid drowning us all in many types of reports and rather use fewer and effective ones.

CANADA:

Observers reports should not be made available to the master while the observer is onboard the vessel.

DENMARK (FAROES AND GREENLAND):

25 b) The summary report in Annex G-1 includes check of logbooks entries. If the observer confirms the entries in the vessels logbook it should not be mandatory to send this report.

28.0 The Executive Secretary shall report annually to STACTIC on the number and type of infringements and apparent infringements identified in the observer summary reports, trip reports and interview forms. The format outlined in Annex H shall be used to make this report.

EU:

General Comments: The EC further reiterates its view that a clear distinction must be maintained between inspection findings, and monitoring and other data. In particular, we do not consider it appropriate or desirable that, in relation to fisheries conducted in international waters, to accord observer findings the same status as inspection findings.

Paragraph 28.0: This provision to be deleted for the reasons set out above.

CANADA:

The Executive Secretary should also report annually to STACTIC on observer coverage levels by Contracting Parties

DENMARK (FAROES AND GREENLAND)

DENMARK (FAROES AND GREENLAND) has to state that we are not in the favour of using fishery observers as scientific observers but we can accept the fishery observer collects minor samples after instructions.

Annex C
Recruitment, Training and Certification Guidelines for Observers

Recruitment

1. Contracting Parties shall ensure that the observers they designate have the following qualifications:
 - a) sufficient experience to identify species and fishing gear;
 - b) satisfactory knowledge of the relevant Conservation and Enforcement Measures;
 - c) the ability to carry out scientific tasks or to observe and record fishing activities accurately;
 - d) satisfactory knowledge of the language of the flag State of the vessel onboard which they carry out their duties;
 - e) computer skills relevant for the exercise of their **duties**;
 - f) general nautical skills.

Training and Trainers

2. Trainers shall deliver a program that is certified by the Contracting Party and includes a course training standard designed to train individuals to complete the duties outlined in Annex D.
3. The trainers shall ensure that observer candidates complete an examination on conclusion of the training program.
4. The Trainers shall maintain appropriate records and issue documents of successful completion.

Certification

5. The observer candidate shall obtain an acceptable grade as determined by the Contracting Party authorities. In addition to an acceptable grade, the observer candidate must also sign undertaking to comply with the Code of Conduct.
6. The Contracting Party authorities shall issue a Certificate of Designation to the observer candidate who has successfully completed the training program and signed undertaking to comply with the Code of Conduct.
7. The Certificate of Designation cards shall include the following information:
 - Name and date of birth of observer
 - Identification number and expiration date
 - Photograph and signature of observer
 - Signature of Contracting Party authority

Revocation of Certification

8. Certification shall be revoked when:
 - a) An observer has not performed the duties outlined in Annex D for a period of ? years
 - b) An observer has breached the Code of Conduct
9. Upon revocation, the Certificate of Designation card shall be reclaimed by the Contracting Party.

EU:

Annex C: The point of the provisions in this Annex is, in our view, missed. The main objective should be to establish what sort of training candidates should undergo in order to be certified observers so as to provide a relatively similar competence of observers. There is no point in providing detailed provisions regarding the design of certification cards etc if the competence of observers are comparable.

DENMARK (FAROES AND GREENLAND):

1 c) DENMARK (FAROES AND GREENLAND) finds it necessary to point out that the observers are not scientific observers and should therefore not have qualifications to carry out scientific tasks.

1 d) It should be enough that the observer can speak a language that is understood by the Flag State of the vessel where they carry out their obligations.

1 e) Please clarify what kinds of duties are considered here?

5 What kind of grade is referred to?

Duties of Observer

Objectives of Observer Program

1. The objectives of the observer program are:

- a) to monitor compliance with the Conservation and Enforcement measures in force, and
- b) to collect catch and effort data, other scientific data and additional information related to the fishery in the Regulatory Area.

2. The **duties** of observers are *described in detail in an Operations Manual (to be developed)* and shall comprise the following:

- a) monitor the vessel's compliance with the Conservation and Enforcement Measures adopted by the Fisheries Commission and in force. In particular, they shall
 - (i) broad estimate of the total catch held on board on entry into the Regulatory Area;
 - (ii) record the fishing activities of the vessel and verify the position of the vessel engaged in fishing;
 - (iii) observe and estimate catches with a view to identifying catch composition and depth and monitoring discards, by-catches and undersized fish;
 - (iv) record gear type, mesh size and attachments deployed (*measure gear and attachments and record results*);
 - (v) verify the entries made in the logbook;
 - (vi) monitor the functioning of, and report on any tampering with, the Satellite tracking system;
 - (vii) be available to inspectors during at sea inspections;
 - (viii) upon request from the relevant inspection authorities, be available for a debriefing when the vessel enters into port;
 - (ix) if the observer considers it appropriate, signal any observations on possible violations to the captain
 - (x) report, using established codes, suspected serious infringements identified by the observer to an inspection vessel, which should report it to the Executive Secretary.
- b) carry out scientific work as requested by the Fisheries Commission based on advice by the Scientific Council. In particular, they shall
 - (i) record details of the vessel's partition of time between searching, fishing and transit;
 - (ii) take samples of catches and record the biological data of species caught;
 - (iii) collect catch and effort data on a haul by haul basis. This data shall include location, depth, time of the net on the bottom, catch composition, discards, by-catches and undersized fish;
 - (iv) collect data, including location, on fishing gear loss and waste disposal.

DENMARK (FAROES AND GREENLAND)

1.0 b) Greenland does not agree in the observers duties should be collecting scientific data since the observer is a fishery observer and not a scientific observer. They can however collect minor samples after instructions.

2.0 b) Greenland cannot agree on this paragraph since the observers are not to be scientific observers see for example (ii).

Annex F
Code of Conduct for Fishery Observers

General

1. Observers shall conduct themselves at all times in a professional manner.
2. Observers shall avoid any behavior that could adversely affect the integrity of the observer program. They are expected to conduct themselves in an honest and businesslike manner in all situations and shall refrain from engaging in any activities that would negatively affect their person or role.
3. Observers shall comply with all requirements established in laws and regulations of the Contracting Party to the vessel to which the observer is assigned insofar as such requirements are not incompatible with the Conservation and Enforcement Measures adopted by the Contracting Party and in force;
4. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program.
5. An Observer shall report objectively any apparent infringements observed and submit an authentic verifiable data package and trip report.

Gratuities/Bribes

6. Observers shall not accept any gratuity in the form of an object or a consideration that may place the observer in a compromising position. Gratuities include, but are not limited to money, fish products, free trips and alcoholic beverages.
7. Any offer of a gratuity/bribe shall be reported immediately to Contracting Party authorities.

Conflict of Interest

8. An Observer shall disclose any conflicts of interest to Contracting Party authorities in writing as soon as the Observer becomes aware of the conflict.
9. An Observer shall not:
 - hold a commercial fishing licence and/ or act as a crewmember on any fishing vessel.
 - be involved in the purchase of fish for the purpose of resale.
 - be an owner, operator or manager of an enterprise that catches, cultures, process or transports fish.
10. An Observer shall not accept a deployment to a vessel owned or operated by the Observer's immediate family.

Confidentiality of Information

11. All collected data, photographs and literature shall be turned over to the Contracting Party Authority at the completion of a deployment.
12. In performing their duties, observers shall treat as confidential all information with respect to the fishing operations of the vessels and of the owners of the vessels and accept this requirement in writing as a condition for placement;

Observer Identification Cards

13. An Observer shall return the Certificate of Designation card to the Contracting Party authority upon request.

DENMARK (FAROES AND GREENLAND):

DENMARK (FAROES AND GREENLAND) suggests that instead of the phrase: “An observer shall disclose any conflicts of interest...” Is replaced with: “An observer shall disclose any conflicts between the observer and the crew onboard of the vessel of interest...”.

Annex 7. Text to Enhance Compliance by Contracting Parties with NAFO Measures
(STACFAC/STACTIC Working Paper 04/5)

(These amendments are intended to follow Article 35 of Chapter IV)

Article 35.1
Establishment of CP “Problem Vessel” List

1. Each year, STACTIC shall examine the reports submitted pursuant to Article 35, together with any other information received, and any other information provided to it during its meeting.
2. STACTIC shall review the information referred to in paragraph 1 and shall identify those vessels in respect of which no effective action has been taken in response to infringements that have been notified.
3. Following this review, STACTIC shall submit to Fisheries Commission for approval a proposed CP “Problem Vessel” List (hereinafter “CPPV List”).
4. On approval of the CPPV list, Fisheries Commission shall request Contracting Parties whose vessels appear thereon to take effective action in respect of these vessels, including:
 - a) immediately and fully investigating the infringement and reporting back to STACTIC on the progress and outcome of the investigation;
 - b) where applicable, prosecuting and imposing sanctions adequate in severity to be effective in securing compliance and depriving the offending vessel of the benefits accruing from its non-compliant behaviour;
 - c) where applicable, seizure of illegal catch and/or gear; and,
 - d) where applicable, withdrawing or suspending the vessel’s fishing license.
5. The Secretariat shall place the CPPV List on a secure section of the NAFO website. The list shall include the name and flag state of the vessel and the radio call sign.

Article 35.2
Annual Review of the CPPV List

1. STACTIC shall undertake a review of the existing CPPV List each year and, as appropriate, recommend to the Fisheries Commission that vessels are maintained thereon or removed. STACTIC shall recommend that the Fisheries Commission remove a vessel from the CPPV List if:
 - a) the flag state of the vessel concerned provides satisfactory information to establish that:
 - i) it has taken effective action pursuant to paragraph 4 of Article 35.1;
 - ii) the vessel has changed ownership and the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it and the flag state is satisfied that the new owner will not engage in non-compliant fishing activity; or,
 - iii) the vessel did not commit the infringement reported pursuant to Article 35; or,
 - b) STACTIC otherwise determines that the vessel should be recommended for removal.
2. The Fisheries Commission shall review the recommendations made by STACTIC pursuant to this Article and shall amend the composition of the CPPV List as appropriate.

Article 35.3
Actions vis-a-vis Flag States

1. Fisheries Commission identify, at subsequent annual meetings, as appropriate, those Contracting Parties that have repeatedly not taken effective action in respect of their vessels on the CPPV List.
2. Fisheries Commission may, in respect of those Contracting Parties whose vessels are identified pursuant to paragraph 2, recommend any other measures to ensure that effective action is taken.
3. Where Fisheries Commission determines that no effective action has been taken, and the Flag State has received notice of the consequences of its failure to take such action, Fisheries Commission may recommend that Contracting Parties adopt trade restrictive measures against the Flag State in question, consistent with their international obligations.
4. STACTIC shall review each year all trade restrictive measures that have been adopted and, where circumstances warrant, submit for the approval of Fisheries Commission, recommendations for the lifting of the measures.
5. This Article shall be interpreted in a manner consistent with international law, including the principles, rights, and obligations in WTO agreements, and be implemented in a fair and transparent manner.

Article 35.4
Additional Measures by Contracting Parties

Nothing in Articles 35.1 to 35.3 shall affect the sovereign rights of Contracting Parties to impose additional measures in accordance with international law.

**Annex 8. Proposal by Canada for Modifications to the
NCEM to illustrate and describe Toggle Chains**

EXPLANATORY MEMORANDUM

This paper proposes the creation of an annex to describe and illustrate toggle chains. Vessels fishing for 3L shrimp are required by Article 10, paragraph 7 of the NAFO Conservation and Enforcement Measures to use toggle chains that are at least 72 cm in length. This provision is in place to reduce the capture of unwanted groundfish bycatch by requiring a minimum spacing between the footrope and the fishing line of at least 72 cm. The proposed revision to Article 10, paragraph 7 is as follows:

7. Vessels fishing for shrimp in Division 3L or 3M shall use sorting grids or grates with a maximum bar spacing of 22 mm. Vessels fishing for shrimp in Division 3L shall also be equipped with toggle chains of a minimum 72 cm in length, **as described in Annex XXII.**

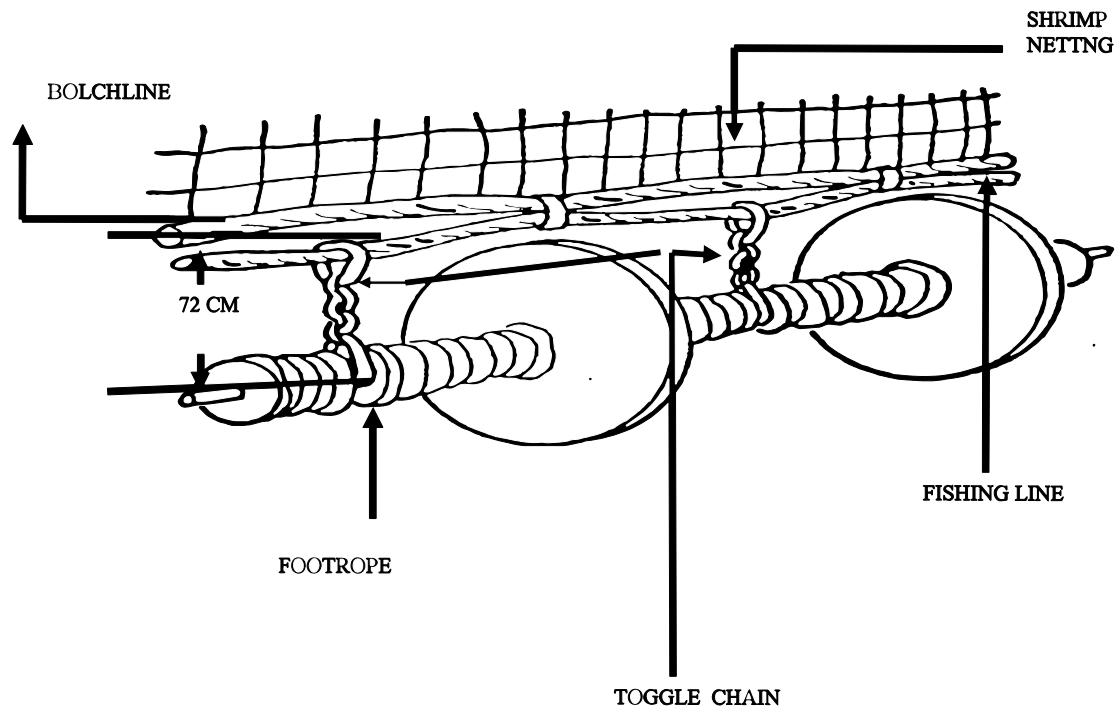
Annex XXII**Shrimp Trawl Toggle Chains**

Toggle chains are chains, ropes, or a combination of both, which attach the footrope to the fishing line or bolchline at varying intervals.

The terms "fishing line" and "bolchline" are interchangeable. Some vessels use one line only; others use both a fishing line and a bolchline as shown in the sketch.

The toggle chain length should be measured from the center of the toggle hole, which is attached to the footrope to the top of the chain, which is attached to the fishing line or the bolchline.

Attached is a sketch, which shows how to measure the toggle and chain length.



Annex 9. Proposal presented by Iceland, Denmark (in respect of Faroe Islands and Greenland) and Norway to harmonize the VMS message format and reports by fishing vessels consistent with the formats used in NEAFC
(STACTIC Working Paper 04/3-Revised)

Background:

At the STACTIC meeting in June 2003 it was agreed to establish an informal working group to compare the message system in NAFO and NEAFC and locate possible differences between the two systems. A report on the findings was presented during the Annual meeting in September 2003 and is available in STACTIC Working Paper 03/14.

Some of the findings have been taken into the latest version of the CEM (NAFO/FC Doc. 04/1) but there are still some items that need to be corrected and inserted.

The following proposal deals with the VMS message format in Annex IX and the format for communication of catches and reports by fishing vessels in Annex X. Additionally a new Annex is proposed for clarification of the message system.

The proposed changes and amendments are based on harmonization, in order to make the messages and reports short and compact and for reasons of clarity.

**Annex IX
VMS Data Format**

The current template is only able to accept automatic VMS position reports. Following the recent changes to the message system where the Entry report was renamed as Catch on Entry and Exit as to Catch on Exit and the first positions detected either inside or outside the Regulatory Area transmitted as Entry and Exit accordingly, these could be taken into the same message template. Additionally, manual position reports could also be dealt with in the same template.

This can be achieved by giving option for different codes for type of message and two different formats for latitude and longitude, one for decimal degrees and the other for degrees and minutes.

The following changes are proposed:

1. Sequence Number (SQ) to be set as mandatory with a footnote (1) making it optional in case of a VMS message. By this, manual position report from vessels with a defective satellite tracking system will be sequentially numbered as other messages.
2. As it is proposed to use this template for other messages, the Type of Message is proposed to have a footnote (4) where the other types of messages are listed:

Position	=	POS
Entry	=	ENT
Exit	=	EXI
Manual position	=	MAN

3. In the current template, the data element Vessel Name and External Registration Number are set as mandatory. It is proposed to change these to optional. There is no need to transmit these every time a position is forwarded since this information is already registered in the databases by the notification message (NOT).
4. It is proposed to include the two existing data elements for position in the template. The LT/LG (decimal degree) to be used for automatic VMS messages (footnote 3). LA/LO (degrees and minutes) to be used for manual messages (footnote 2).

Current template includes the data elements Record Date (RD), Record Time (RT) and Record Number (RN). These elements are not found in the templates for communication of catches in Annex X. These are relevant there as well.

The data elements RD, RT and RN are the, date, time and sequence number from the relevant Contracting Party and are to be inserted into the messages and reports received from fishing vessels. It will therefore be proposed to list and describe these separately together with general information on the message format in a new Annex. (See # XX)

New Annex IX

The following template and notes are proposed for the VMS Data Format:

Data Element:	Field Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
From	FR	M	Message Detail; address of the transmitting party
Address	AD	M	Message detail; destination; "XNW" for NAFO
Sequence Number	SQ	M ¹	Message detail; message serial number in current year
Type of Message	TM ⁴	M	Message detail; message type, "POS" as Position report/message to be communicated by VMS or other means by vessels with a defective satellite tracking device
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	M	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail. Unique Contracting Party vessel number as ISO-3 flag state code followed by number
External Registration Number	XR	M	Vessel registration detail; the side number of the vessel
Latitude	LA	M ²	Activity detail; position at time of transmission
Longitude	LO	M ²	Activity detail; position at time of transmission
Latitude (decimal)	LT	M ³	Activity detail; position at time of transmission
Longitude (decimal)	LG	M ³	Activity detail; position at time of transmission
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

¹ Optional in case of a VMS message

² Mandatory for manual messages

³ Mandatory for VMS messages

⁴ Type of message shall be "ENT" for the first VMS message from the Regulatory Area as detected by the FMC of the Contracting Party.

Type of message shall be "EXI" for the first VMS message from outside the Regulatory Area as detected by the FMC of the Contracting Party, and the values for latitude and longitude are, in this type of message, optional. Type of message shall be "MAN" for reports communicated by vessels with a defective satellite tracking device in accordance with Article 21 (5).

Annex X
Format for communication of catches and reports by fishing vessels

Following changes are proposed to Annex X

ENTRY report

5. Delete template 2) “ENTRY” report and use the template in Annex IX instead. At the same time the data elements Vessel Name (NA) and External Registration Number (XR) will be optional (see point 3)

TRANSHIPMENT report

6. Change heading for 3) “TRANSHIPMENT” report to read as:
 - 2) “TRANSHIPMENT” report
7. Change data element Master Name (MA) in the Transshipment report to be optional. This information is already being transmitted in the Catch on Entry (COE) report.
8. Make the data elements Latitude (LA) and Longitude (LO) optional by a footnote; Optional in the vessel is subject to satellite tracking in accordance with Article 21 (1).

Catch on EXIT report

9. Change the heading for “Catch on EXIT” report to read as:
 - 3) “Catch on EXIT” report
10. Make the data element Master Name (MA) as optional. [alternatively it could be deleted]
11. Make the data elements Latitude (LA) and Longitude (LO) optional by a footnote; Optional if the vessel is subject to satellite tracking in accordance with Article 21 (1)
12. In the remarks column for the data element Catch (CA) is a reference to the last Catch report. Since there is no template for Catch report in the CEM except for the one in the Pilot Project, this has probably no relevance and therefore the words “or last Catch report” should be deleted.
13. In this template is a data element “Days Fished” (DF). This looks to be new and probably taken directly from the NEAFC system. There is no reference to this data element in older NAFO document. There is no real use for this data element since the number of days in the area will automatically be calculated from the day of entry, this should either be made optional or simply deleted.

EXIT report

14. Delete template 5) “EXIT” report and use the template in Annex X instead. At the same time the data elements Vessel Name (NA) and External Registration Number (XR) will be optional (see point 3).

New Annex

15. It is proposed to add a new Annex to list “**Data Exchange Format and Protocols**”. The purpose of this Annex is to explain the structure of the data exchange format and to list or make reference to agreed communication protocols. Show template for Return messages (RET) with its error codes and list all data elements from the North Atlantic Format which are used in reports and messages in the NAFO Regulatory Area with explanation on the content and size of each.

Annex
Data Exchange Format and Protocols

A. Data transmission format

Each data transmission is structured as follows:

1. Data characters in accordance with ISO 8859.1
2. Each data transmission is structured as follows:
 - double slash (“//”) and the characters “SR” indicate the start of a message;
 - a double slash (“//”) and field code indicate the start of a data element;
 - a single slash (“/”) separates the field code and the data;
 - pairs of data are separated by space;
 - the characters “ER” and a double slash (“//”) at the end indicates the end of a record.

B. Data exchange protocols

Authorised data exchange protocols for electronic transmission of reports and messages between Contracting Parties and the Secretary shall be in accordance with Annex XX, Rules on Confidentiality.

New Annex...

**Format for electronic exchange of fisheries monitoring information
(The North Atlantic Format)**

Category	Data Element	Field code	Type	Contents	Definitions
System	Start Record	SR			Indicates start of the record
Details	End Record	ER			Indicates end of the record
	Return Status	RS	Char*3	Codes	ACK / NAC = Acknowledged / Not Acknowledged
	Return Error Number	RE	Num*3	001 – 999	Codes indicating errors as received at operation centre, see Annex D2
Message	Address destination	AD	Char*3	ISO-3166 Address	Address of the party receiving the message, "XNW" for NAFO
Details	From	FR	Char*3	ISO-3166 Address	Address of the transmitting party, (Contracting Party)
	Type of Message	TM	Char*3	Code	Code for the message type as
	Sequence Number	SQ	Num*6	NNNNNN	Message serial number
	Record Number	RN	Num*6	NNNNNN	Serial number of the record in the relevant year
	Record Date	RD	Num*8	YYYYMMDD	Year, month and date
	Record Time	RT	Num*4	HHMM	Hours and minutes in UTC
	Date	DA	Num*8	YYYYMMDD	Year, month and date
	Time	TI	Num*4	HHMM	Hours and minutes in UTC
Vessel	Radio Call Sign	RC	Char*7	IRCS Code	International Radio Call Sign of the vessel
Registration	Vessel name	NA	Char*30		Name of the vessel
Details	Ext. registration	XR	Char*14		Side Number of the vessel
	Flag State	FS	Char*3	ISO-3166	State of registration
	Contracting Party internal ref. number	IR	Char*3 Num*9	ISO-3166 +max. 9N	Unique vessel number attributed by the flag State pursuant to registration
	Port Name	PO	Char*20		Port of registration of the vessel/homeport
	Vessel Owner	VO	Char*60		Name and address of the vessel owner
	Vessel Charterer	VC	Char*60		Name and address of the vessel charterer
Vessel Character. Details	Vessel capacity unit	VT	Char*2 Num*4	"OC"/"LC" Tonnage	According to: "OC" OSLO 1947 Convention /"LC" LONDON ICTM-69 Capacity of the vessel in metric tons
	Vessel Power unit	VP	Char*2 Num*5	0-99999	Indication of which measurement unit applies "HP" or "KW" Total main engine power
	Vessel Length	VL	Char*2 Num*3	"OA"/"PP" Length in meters	Unit "OA" length overall, "PP" length between perpendiculars Total length of the vessel in meters, rounded to the nearest whole meter
	Vessel Type	TP	Char*3	Code	As listed in Annex V.A.
	Fishing Gear	GE	Char&3	FAO Code	International Standard Statistical Classification of the Fishing Gear as Annex VI
	Limited Authorization	LU	Char*3	Yes or No	Yes or No to indicate whether a limited authorization is valid or not

Category	Data Element	Field code	Type	Contents	Definitions
Activity Details	Latitude	LA	Char*5	NDDMM *WGS-84)	e.g. //LA/N6235 = 62°35' North
	Longitude	LO	Char*6	E/WDDMM (WGS-84)	e.g. //LO/W02134 = 21°34' West
	Latitude (decimal)	LT	Char*7	+/-DD.ddd	Value negative if latitude is in the southern hemisphere ¹ (WGS84)
	Longitude (decimal)	LG	Char*8	+/-DDD.ddd	Value negative if longitude is in the western hemisphere ¹ (WGS84)
	Trip Number	TN	Num*3	001-999	Number of the fishing trip in current year
	Days Fished	DF	Num*3	1 – 365	Number of days the vessel spent in the Regulatory Area during the trip
	Catch Species Quantity	CA	Char*3 Num*7	FAO species code 0-9999999	The cumulative catch retained on board by species, in kilogram live weight rounded to the nearest 100 Kg since the vessel entered the R.A. or, in pairs as needed.
	Quantity onboard Species Quantity	OB	Char*3 Num*7	FAO species Codes 0-9999999	Quantity onboard the vessel by species in kilograms live weight rounded to the nearest 100 Kg, in pairs as needed
	Transferred species Species Quantity	KG	Char+3 Num*7	FAO species Codes 0-9999999	Information concerning the quantities transferred between vessels by species in kilograms live weight rounded to the nearest 100 Kg. whilst operating in the R.A.
	Relevant Area	RA	Char*6	ICES/NAFO Codes	Code for the relevant fishing area
	Directed Species	DS	Char*3	FAO species codes	Code for the species the vessel is targeting. Allow for several species, separated by a space. E.g. //DS/species species species//
	Transhipped From	TF	Char*7	IRCS Code	International Radio Call Sign of the donor vessel
	Transhipped To	TT	Char*7	IRCS Code	International Radio Call Sign of the receiving vessel
	Master Name	MA	Char*30		Name of the vessels master
Pilot Project	Apparent Infringement	AF	Char*1	Y or N	For onboard observer to report his observations
	Discard Species Quantity	RJ	Char*3 Num*7	FAO Species Code 0 - 9999999	Detailed information regarding discard in kilograms
	Undersize Species Quantity	US	Char*3 Num*7	FAO Species Code 0 - 9999999	Detailed information regarding undersize catch in kilograms
	Daily catch Species Quantity	CA	Char*3 Num*7	FAO species code 0-9999999	The cumulative catch retained on board by species, in kilogram live weight rounded to the nearest 100 Kg since the vessel entered the R.A. or, in pairs as needed.
	Mesh Size	ME	Num*3	0 – 999	Average mesh size in millimetres
	Production	PR	Char*3	Code	Code for the production Annex XXI (c)
	Log Book	LB	Char*1	Y or N	For onboard observer to approve the entries in the vessels log book
	Hails	HA	Char*1	Y or N	For onboard observer to approve the hails sent from the vessel
	Observer Name	ON	Char*30	Text	Name of the onboard observer
	Free Text	MS	Char		Activity detail; for further comments by observer

¹ The plus sign (+) does not need to be transmitted; leading zeros can be omitted.

D. 1) Structure of reports and messages as laid down in Annex IX and Annex X when forwarded by Contracting Parties to the Secretary.

Where appropriate, each Contracting Party shall retransmit to the Secretary reports and messages received from its vessels in accordance with Articles 21 and 22; subject to the following amendments:

- the address (AD) shall be replaced by the address of the Secretary (XNW)
- the data elements “record date” (RD), “record time” (RT), “record number” (RN) and “from” (FR) shall be inserted.

D. 2) Return messages.

The Secretary may send a return message every time an electronic transmission of a report or message is received from a Contracting Party if so requested and vice versa.

Return message format:

Data Element	Field Code	Mandatory/Optional	Remarks
Start Record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, Contracting Party sending the report
From	FR	M	Message detail; XNW is NAFO (who is sending the return message)
Type of message	TM	M	Message detail; message type RET for return message
Return Status	RS	M	Reporting detail; code showing whether the message is acknowledged or not (ACK or NAK)
Return error number	RE	O	Reporting detail; number showing the type of error: message unreadable (101), inconsistent data (102), sequence error (103)
Record number	RN	M	Reporting detail; record number of the message which is received
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of Record	ER	M	System detail; indicates end of the record

E. Types of reports and messages

Annex	Provisions	Code	Message / report	Remarks
IV. A	Article 15	NOT	Notification	Notification of authorised fishing vessels
IX	Article 21(1)	ENT POS EXI MAN	Entry Position Exit Manual position	VMS messages
	Article 21 (5)			Reports transmitted by fishing vessels with a defective satellite tracking device to the Contracting Party
X	Article 22 (1a)	COE	Catch on Entry	Report transmitted by fishing vessels, prior to entering the R.A.
	Article 22 (1c)	TRA	Transshipment	Report on quantities on-loaded or off-loaded in the R.A.,
	Article 22 (1b)	COX	Catch on Exit	Report transmitted by fishing vessels, prior to leaving the R.A.
	Article 21 (1) Article 22 (2)	RET	Return	Automatic electronic message pursuant to reception of records
XXI (a)	1	CAX	Catch	Daily Catch report in Pilot Project
	2	OBR	Observer	Daily Observer report in Pilot Project

In the message template in Annex XXI (a) for the Observer report is a data element “Production” and in the Remarks column “code for the production”. There is no reference to where the codes are to be found. Therefore the following addition to Annex XXI is proposed.

Annex XXI (c)

Product form codes

Code	Product form
A	Round – Frozen
B	Round – Frozen (Cooked)
C	Gutted Head on - Frozen
D	Gutted Head Off - Frozen
E	Gutted Head Off – Trimmed - Frozen
F	Skinless Fillets - Frozen
G	Skin on Fillets - Frozen
H	Salted Fish
I	Pickled Fish
J	Canned Products
K	Oil
L	Meal Produced from Round Fish
M	Meal Produced from Offal
N	Other (Specify)

**Annex 10. Update on 2003 Observer/VMS Pilot Project
presented by NAFO Secretariat
(STACTIC Working Paper 04/2)**

According to Article 45.3 of the NAFO CEM: "Contracting Parties shall notify the Executive Secretary of their intention to participate in the Pilot Project within 30 days following the adoption of the pilot project by the Fisheries Commission." The Secretariat received responses from five (5) Contracting Parties on their intention to participate in the Pilot Project on Observers, Satellite Tracking and Electronic Reporting:

- Iceland reported that it planned to have 16 vessels;
- Norway reported that it planned to have 10 vessels;
- Faroe Islands reported that it planned to have 2 vessels;
- Greenland reported that it would be unable to participate; and,
- European Union (EU) stated it would be participating, however, they were unable to provide the number of vessels at this time due to the accession of some Contracting Parties of NAFO to the EU effective 01 May 2004.

Currently there are three (3) vessels participating in the pilot project: one (1) from Iceland and two (2) from Norway. The Secretariat is receiving the daily "CAX" and/or "OBR" reports very 24 hours and are forwarding them to the two Contracting Parties with inspection presence (Canada, EU), as well as sending the weekly compilation of catch rates, by-catch percentages and discard rates.

Information on the Pilot Project participation is updated on the NAFO website under the Members Pages/Fisheries Commission/Vessels/Pilot Project.

**Annex 11. Extract from the Report of the Standing Committee on Research
Coordination (STACREC), June 2004**

2. Review of Previous Recommendations

a) From June 2003 Meeting

.....

NAFO Observer Program. STACREC **recommended** *the observer data be collected and archived on a set by set basis in a format consistent with SCS Doc. 00/23, as adopted by the Fisheries Commission, including all identifiers but that the data be made available to users without any identification of vessel name or country. Rather a unique identifier will be associated with each vessel and country and the user will not have access to the key to this code.* The Secretariat reported that this recommendation had not been implemented. Unique identifiers had been allocated but the Secretariat did not have the resources to computerize the voluminous data. STACREC stressed once again it cannot use observer data unless it is on a set-by-set basis and thus Scientific Council is still not able to utilize these detailed data to respond to requests from the Fisheries Commission.