

Northwest Atlantic Fisheries Organization (NAFO)



Meeting Proceedings of the General Council and Fisheries Commission for 2007/2008

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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 2007 (between 1 September 2007 and 31 August 2008). This follows a NAFO cycle of meetings starting with an Annual Meeting rather than by calendar year.

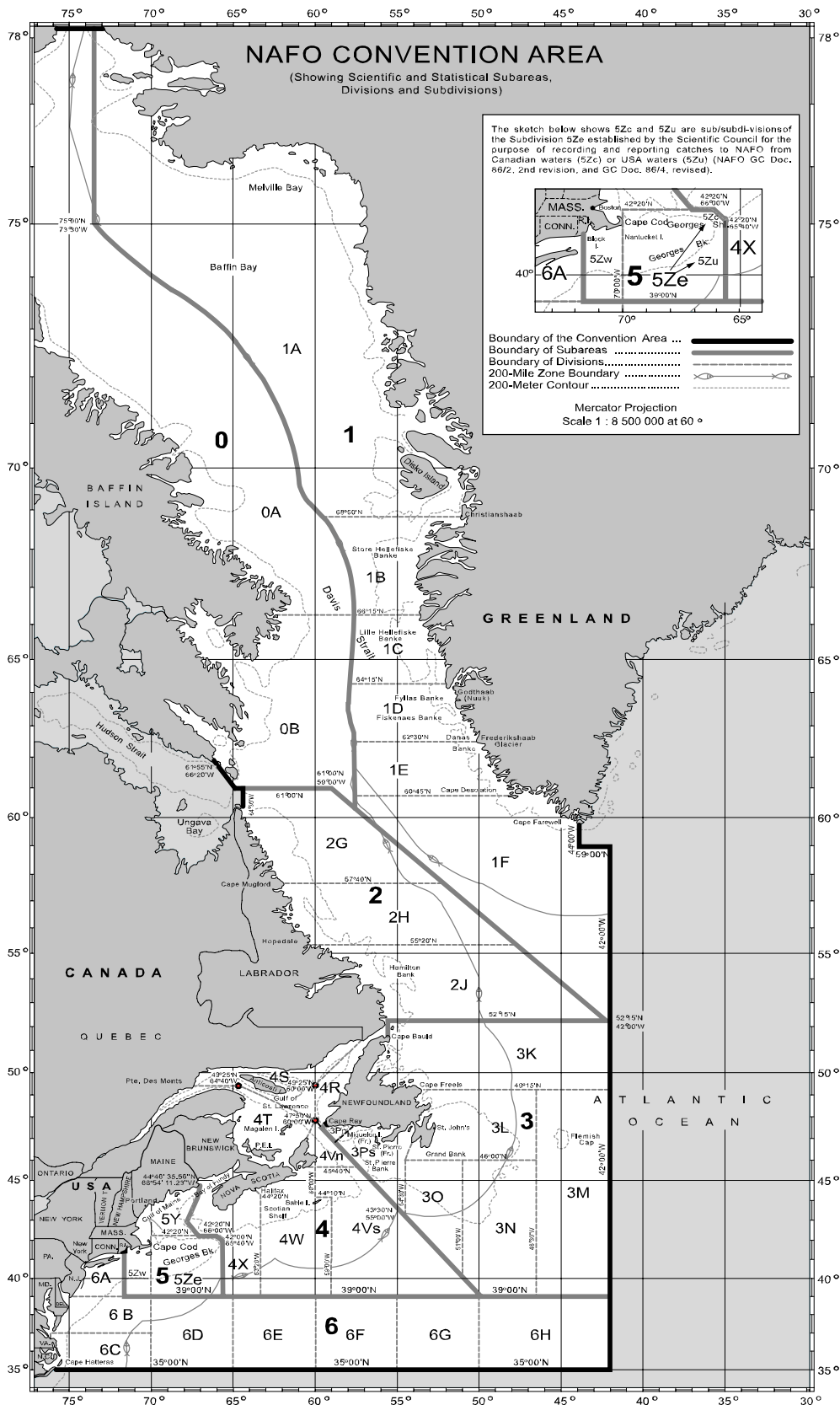
This present 2007/2008 issue is comprised of the following sections:

SECTION I contains the Report of the General Council including subsidiary bodies reports (STACFAD) 29th Annual Meeting, 24-28 September 2007, Lisbon, Portugal.

SECTION II contains the Report of the Fisheries Commission including subsidiary bodies reports (STACTIC), 29th Annual Meeting, 24-28 September 2007, Lisbon, Portugal.

SECTION III contains the Report of the Fisheries Commission Intersessional Meeting, 30 April – 07 May 2008, Montreal, Quebec, Canada.

SECTION IV contains the Report of the Standing Committee on International Control (STACTIC), 1-3 July 2008, Nuuk, Greenland.



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**Structure of the Northwest Atlantic Fisheries Organization (NAFO)
(as at 15 July 2008)**

Contracting Parties

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

President

T. Lobach (Norway)

Constituent Bodies

| | | |
|----------------------|---|---|
| General Council | Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and USA. | <i>Chair</i> – T. Lobach (Norway) <i>Vice-Chair</i> – vacant |
| Scientific Council | Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and USA. | <i>Chair</i> – D. Power (Canada) <i>Vice-Chair</i> – R. Alpoim (EU-Portugal) |
| Fisheries Commission | Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and USA. | <i>Chair</i> – V. Shibanov (Russia) <i>Vice-Chair</i> – Kate Sanderson (Denmark in respect of the Faroe Islands & Greenland) |

Standing Committees

| | | |
|----------------------|---|--|
| General Council | Standing Committee on Finance and Administration (STACFAD) | <i>Chair</i> – vacant <i>Vice-Chair</i> – B. Steinbock (Canada) |
| Scientific Council | Standing Committee on Fishery Science (STACFIS) Standing Committee on Research and Coordination (STACREC) Standing Committee on Publications (STACPUB) Standing Committee on Fisheries Environment (STACFEN) | <i>Chair</i> – M. Kingsley (Denmark in respect of the Faroe Islands & Greenland) <i>Chair</i> – R. Alpoim (EU-Portugal) <i>Chair</i> – M. Stein (EU-Germany) <i>Chair</i> – G. Maillet (Canada) |
| Fisheries Commission | Standing Committee on International Control (STACTIC) | <i>Chair</i> – M. Nedergaard (Denmark in respect of the Faroe Islands & Greenland) <i>Vice-Chair</i> – Gene Martin (USA) |

Secretariat

| | |
|--|-------------------|
| Executive Secretary | Johanne Fischer |
| Fisheries Commission Coordinator | Ricardo Federizon |
| Scientific Council Coordinator | Anthony Thompson |
| Senior Finance & Staff Administrator | Stan Goodick |
| Senior Personal Assistant to the Executive Secretary | Bev McLoon |
| Senior Publication Manager | Barry Crawford |
| Information Manager | Barb Marshall |
| Fisheries Information Manager | Cindy Kerr |
| IT Manager | George Campanis |
| Office Manager | Lisa Pelzmann |
| Data Input Clerk | Natalia Alonso |

Headquarters Location

2 Morris Drive, Dartmouth, Nova Scotia, Canada

SECTION I
(pages 1 to 78)

**Report of the General Council and its Subsidiary Body
(STACFAD), 29th Annual Meeting
24-28 September 2007
Lisbon, Portugal**

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PART I

Report of the General Council

(GC Doc. 07/5)

29th Annual Meeting, September 24-28, 2007 Lisbon, Portugal

I. Opening Procedure (*Agenda items 1-6*)

1. Opening by the Chair

The Meeting was opened by the Chair of the General Council, David Bevan (Canada). (Annex 1). His Excellency, the Minister for Agriculture, Rural Development and Fisheries of Portugal, Jaime Silva, welcomed participants to Lisbon (Annex 2).

The Representatives of twelve Contracting Parties were present: Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland, DFG), the European Union, France (in respect of St. Pierre et Miquelon, SPM), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and the United States of America (Annex 3).

Representatives from the European Union, Canada, DFG, USA, and Japan addressed the General Council with their opening statements (Annexes 4-8).

2. Appointment of Rapporteur

The Executive Secretary of NAFO, Johanne Fischer, was appointed as Rapporteur whose duties included maintaining a record of decisions agreed upon by the General Council (Annex 9).

3. Adoption of Agenda

The adopted agenda is attached in Annex 10.

4. Admission of Observers

The Executive Secretary reported that invitations had been transmitted to the Food and Agriculture Organization of the United Nations (FAO), Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Comisión Permanente del Pacífico Sur (CPPS), International Commission for the Conservation of Atlantic Tunas (ICCAT), International Council for the Exploration of the Sea (ICES), North Atlantic Marine Mammal Commission (NAMMCO), North Atlantic Salmon Conservation Organization (NASCO), North East Atlantic Fisheries Commission (NEAFC), North Pacific Anadromous Fish Commission (NPAFC) and North Pacific Marine Science Organization (PICES). In response to these invitations, FAO was represented by Mr. Hiromoto Watanabe (Fishery Liaison Officer-International Fisheries, Fisheries and Aquaculture Department), CCAMLR and SEAFO by the European Union, CPPS by Mr. Gonzalo Pereira (Executive Secretary), NAMMCO by Ms. Kate Sanderson (Denmark in respect of Faroe Islands and Greenland), ICCAT by Mr. Driss Meski (Executive Secretary) and NEAFC by Mr. Joao Neves (IT Manager and VMS Administrator). Statements to the General Council by the observers from FAO and CPPS are attached (Annexes 11-12).

Applications for observer status were received from the World Wildlife Fund (WWF) and from the Ecology Action Centre (EAC) which were both granted pursuant to Rule 9 of the Rules of Procedure. The WWF was represented by Dr. Robert Rangely and Mr. Marty King and the EAC was represented by Ms. Susanna Fuller, Mr. Matt Gianni and Ms. Monica Verbeek. Both NGOs gave a statement at the beginning and the end of the meeting. (Annexes 13-15)

5. Publicity

Participants agreed 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 (Annex 17). The NAFO Media Policy foresees that the opening and closing sessions of NAFO bodies are public as well as additional sessions designated by participants at the meeting. Journalists from a TV station in St. Pierre et Miquelon were accredited to this meeting.

6. Guidance to STACFAD necessary for them to complete their work

STACFAD was asked to proceed with their deliberations as outlined in their agenda.

II. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs (*Agenda items 7-9*)

7. Review of Membership

The membership of the General Council, Fisheries Commission and Scientific Council is currently twelve (12) Contracting Parties. The Executive Secretary informed the meeting that the Ukraine had lost its voting rights.

8. Reform of NAFO

Ninety days prior to the Annual Meeting the EU had submitted a proposal to amend the NAFO Convention (GC Working Paper 07/14) pursuant to Article XXI paragraph 1 of the said Convention. This proposal was the result of a process involving all Contracting Parties that had started in 2005 and culminated in an extraordinary session of the General Council in Montreal from 19 - 20 April 2007 and a Technical Editing Working Group in Brussels from 22-23 May 2007.

This proposal was in general welcomed by Contracting Parties. After some discussion, the following proposals to amend Article 3 of the EU proposal were made:

DFG proposed changes to Article I, paragraphs (d) and (i) (GC Working Paper 07/18) to address concerns voiced by Russia with regard to allowing “entities” to join NAFO as Contracting Parties. DFG also suggested lowering the ceiling for contributions for Contracting Parties with low population numbers from 15% to 12% (Article IX d – GC Working Paper 07/16). Both proposals were agreeable by General Council noting, however, reservations voiced by the Russian representative who explained that Russia would transmit its final position on these matters within the next several weeks to the Executive Secretary.

It was understood that the calculation of the annual contributions specified in Article IX were to be based on the list of species agreed upon during the inter-sessional meeting of the General Council in Montreal in 2007 and that this list will be incorporated into the Financial Regulations.

Canada submitted a proposal to amend Article VI of the EC proposal (GC Working Paper 07/17). Japan reiterated its position that the compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction, stipulated in Article VII of UNFSA, were very important and that this principle should be consistent in the NAFO Convention, and expressed the disagreement of this part of the Convention. Despite the reservation made by Japan, with no parties eventually blocking, the Canadian proposal was agreeable to all Parties and Canada thanked all Delegates for the spirit of cooperation regarding this proposal.

The EU suggested simplifying the procedures for the implementation of decisions described under Article XIV. The EU representative held the view that this process was unduly complicated, entailing *inter alia* in some cases two successive non binding *ad hoc* panels. He was therefore of the view that the process in Article XIV required a further review before adoption. The position of the EU was not supported by other delegations.

Regarding Article XII, paragraph 2, Japan requested that the term “shall” should be replaced with “may”, taking into account ongoing discussions on port State duties in other RFMOs and international organizations as well as Article XII of UNFSA, which stipulates the compatibility of conservation and management measures established for the high seas with those adopted for areas under national jurisdiction. Also, Japan found it

would be appropriate to include “to the extent possible” in the same paragraph, based on the position that obligatory measures could be implemented within the extent of national jurisdictions. The suggestion by Japan was not supported by other Delegations. Japan reserved its position.

The Chair concluded that the EC proposal to amend the NAFO Convention, as amended following proposals by DFG and Canada (Annex 17), had obtained a sufficient majority as required under the Convention and was therefore formally adopted.

He congratulated Parties for this remarkable achievement and encouraged the Contracting Parties to initiate the necessary process of ratification through their parliaments.

9. Administrative Report of the Executive Secretary

The Executive Secretary briefly introduced the Administrative Report and Financial Report (GC Doc 07/3), highlighting the requirement to elect new officers for General Council and Scientific Council, the incompleteness of fishery statistical data for the NAFO Convention Area, hiring of new employees in the Secretariat, the high number of visitors received by the NAFO public web pages, the change in VMS service provider, the continuing low and stable NAFO annual budget and the lack of timely payment of contributions by a significant number of Parties which jeopardizes the reliable functioning of the Secretariat.

III. Coordination of External Affairs (*Agenda items 10-11*)

10. Report of the Executive Secretary on External Meetings

The Executive Secretary briefly reported that she had attended 11 external meetings (see Administrative Report, GC Doc. 07/3) and drew attention to the Secretariat’s active involvement in CWP and FIRMS. She announced that NAFO will host the next meeting of these two groups and that the CWP will specifically look into new data sources (VMS) and new data requirements (e.g. EAF), two topics of great interest to NAFO.

11. NAFO Response to United Nations General Assembly Sustainable Fisheries Resolution 2006

Participants agreed that many of the initiatives taken by NAFO in recent years including the amendments to the NAFO Convention adopted at this meeting, addressed most requirements in the 2006 UN Resolution with regard to an ecosystem approach to fisheries management, sustainable management, sea turtle protection, cooperation with other RFMOs, transparency, closure of sensitive habitats to fisheries, etc. It was noted that the Fisheries Commission adopted interim measures to prevent significant adverse impacts on vulnerable marine ecosystems and established a Coral Protection Zone in a large area in Division 3O which will be closed to all fishing activity involving bottom contact gear during 2008 to 2012. The intersessional meeting of the Fisheries Commission which is due to take place in early May 2008, will examine a proposal regarding additional protection of vulnerable marine ecosystems. A performance review of NAFO will be addressed in the future when the amended Convention is implemented.

IV. Finance (*Agenda items 12-13*)

12. Report of STACFAD at the Annual Meeting and decision on actions

STACFAD Chair Fred Kingston (EU) presented the recommendations of this Committee to the General Council:

STACFAD recommended that the 2006 Auditors’ Report be adopted.

- a) Regarding fishery statistics, concerns were again expressed regarding the timeliness and accuracy of submissions of catch reports that are needed, not only for the scientific assessment of fisheries activities, but also in the calculation of Contracting Party contributions. Delegates were again urged to convey this message to their respective authorities and ensure future compliance with this NAFO requirement and the Secretariat was also requested to convey this message to NAFO Contracting Parties.
- b) STACFAD strongly urged the Contracting Parties to take immediate action to meet their financial obligations and bring financial stability to the Organization.

- c) STACFAD recommended that the outstanding contribution from Ukraine (\$30,735) for the year 2006 be deemed uncollectible at the end of the current fiscal year if payment is not received by 31 December 2007 and that this amount be applied against the accumulated surplus.
- d) STACFAD again was of the opinion that the current cash flow situation be considered an emergency in accordance with Rule 4.4 of the Financial Regulations. As a consequence, STACFAD recommended that an amount representing 20% of the proposed 2008 budget, namely \$305,800, be maintained as the minimum balance in the Accumulated Surplus Account. STACFAD stresses that this extraordinary recommendation be considered as an interim measure pending the resolution of the current financial situation.
- e) STACFAD also recommended that the Secretariat bill Contracting Parties in two installments to encourage part of the contributions to be paid earlier and thus enable the Secretariat to have sufficient cash flow to operate in early 2008.
- f) STACFAD recommended that the staff rules regarding severance pay and repatriation grant (i.e. Staff Rules 9.5 and 9.6) be amended in accordance with STACFAD WP 07/13 revised. The Committee noted that, in the longer term, these measures will result in net savings to the Organization.
- g) STACFAD recommended the adoption of an amendment to the Secretariat's HR classification system to include a new category level PM-05 in the Senior Publications Manager category.
- h) STACFAD recommended the adoption of the reclassification of two staff members to take effect 1 January 2008.
- i) STACFAD recommended that the budget for 2008 of \$1,529,000 be adopted.
- j) STACFAD recommended that General Council re-appoint the three nominees for the Staff Committee (Bill Brodie, Jim Baird, Fred Kingston).
- k) STACFAD recommended that the dates of the 2010 Annual Meeting (to be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) are as follows:

| | | |
|----------------------|---|-------------------|
| Scientific Council | - | 20 – 24 September |
| General Council | - | 20 – 24 September |
| Fisheries Commission | - | 20 – 24 September |

13. Adoption of Budget and STACFAD Recommendations for 2008

The proposed budget for 2008 was accepted.

General Council adopted all STACFAD recommendations. Contracting Parties agreed that, following best practice, the auditors should be replaced in 2008 after having served for four years. Regarding STACFAD recommendation 8 the EU, supported by Canada, found the procedure unusual. Regarding recommendation 11, the EU noted a lack of gender equality in the composition of the Staff Committee.

V. Closing Procedure (*Agenda items 14-18*)

14. Election of Chair and Vice-Chair

The current Vice Chair, Mr. Terje Lobach (Norway) was elected Chair of General Council. Election of a new Vice-Chair was postponed to the next Annual Meeting. Delegates thanked Mr. David Bevan for his excellent services as Chair of the General Council during the eventful and important last four years.

15. Time and Place of the Next Annual Meeting

The 30th Annual Meeting will be held in Vigo, Spain, European Union, at the following dates:

| | | |
|----------------------|---|----------------------|
| Scientific Council | - | 22-26 September 2008 |
| General Council | - | 22-26 September 2008 |
| Fisheries Commission | - | 22-26 September 2008 |

16. Other Business

No other business was discussed.

17. Press Release

With input from some interested Contracting Parties the Executive Secretary drafted a Press Release that was posted on the NAFO website and circulated to a wide list of contacts three hours after conclusion of the meeting (Annex 16).

18. Adjournment

The meeting adjourned at 17:00, September 28, 2007.

Annex 1. Opening Statement by the Chair (David Bevan – Canada)

Distinguished delegates, ladies and gentlemen,

It is an honour and a pleasure for me to serve as your Chair at this year's annual meeting.

I wish to thank the Executive Secretary and the Secretariat for the excellent arrangements for this meeting.

At the 2005 annual meeting, NAFO agreed to review and renew itself. NAFO adopted a reform strategy to begin the process of modernizing NAFO to incorporate the most recent international legal commitments such as the UN Fish Stocks Agreement, to strengthen and improve the current monitoring, control and surveillance regimes in NAFO, and to begin addressing fishing overcapacity in NAFO.

Advancing the reform of NAFO has been a major priority and NAFO members have made significant progress during the last year. In particular, concrete and major improvements to the NAFO Conservation and Enforcement Measures were achieved at the 2006 annual meeting related to enforcement issues. In addition, constructive discussions on Convention reform took place this year at the April special meeting of General Council followed by the Technical Editing Working Group meeting in May. In June, the European Union tabled a proposal for amendments to the NAFO Convention which was a reflection of the progress to date.

At this time, three outstanding issues remain to be resolved:

- 1) the area of application of the NAFO Commission's conservation and management decisions;
- 2) a revision to the financial contribution formula; and
- 3) the ability of non-State entities to fully participate as members of NAFO.

I understand that NAFO members have been consulting with each other in an effort to resolve these issues. I am hopeful that with close cooperation, Contracting Parties will resolve these issues to their mutual satisfaction and continue the momentum towards reform that has built over the last year.

NAFO, as other regional fisheries management organizations, needs to strengthen its management and governance structure to manage the ocean resources of the NAFO Regulatory Area in a sustainable way. Progress so far puts NAFO on the path to becoming a most effective RFMO. I am confident that NAFO will demonstrate to the international community its continued relevance in undertaking these responsibilities.

NAFO members will need to continue their close cooperation and collaboration to achieve our shared objectives of stock recovery, conservation and sustainable development for present and future generations. These objectives are imperative given the interdependent reality of our world.

Before closing, I wish to remind everyone that in the interests of having a more effective meeting with greater transparency of decision-making, the Chairs of the NAFO bodies will again seek to adhere to a rigorous schedule this week. We will aim to avoid a late night session on Thursday evening. The cooperation of all NAFO bodies will help achieve this goal.

Thank you. I would now like to open the floor for opening statements.

Annex 2. Opening Speech by His Excellency, the Minister for Agriculture, Rural Development and Fisheries of Portugal, Jaime Silva

Mr. President, distinguished Delegates, Ladies and Gentlemen,

It is a real pleasure for me to be able to host this 29th Annual meeting of NAFO, particularly as it coincides with the Portuguese Presidency of the EC. It is now nine years since you were last in Lisbon so I invite you to take the opportunity to look around the city and see some of the many changes that have taken place in that time.

Whatever the changes, Lisbon remains Portugal's seaboard capital that looks out both southwards and westwards across the Atlantic and to the North-West, the NAFO area. Portugal's membership from the very beginning of NAFO and its predecessor, the International Commission of the Northwest Atlantic Fisheries, is the logical continuation of a long-standing seafaring tradition with historic records of Portugal fishing cod off the Newfoundland Coast as early as 1502-03.

It is in this context that I am particularly pleased that this Annual Meeting will have the job of completing the reform of the NAFO Convention, enabling NAFO to update its rules and actions, bringing it into line with the recent developments in regional fisheries organisations and the United Nations Convention on the Law of the Sea. This revised Convention will provide the framework to allow NAFO to continue to address the issues of conservation, management and co-operation in the year and years ahead. I know there are certain points still to be resolved in order to achieve this revision, but I am confident that with a little imagination solutions can be found to them to the satisfaction of all.

One of the main challenges we face is to continue our efforts on conservation. Sometimes this can seem like a struggle where we make progress only then somehow to fall back and have to start again. However, I remain optimistic and believe that with a long-term approach shared and owned by all parties we can make solid and consistent progress. The long-term recovery plan for Greenland halibut is a primary example of this. It takes a multiannual and holistic approach to a valuable stock while building in flexibility to adapt to developing circumstances.

Greenland halibut is also a litmus test of our commitment to control and our ability to implement that commitment. We need to stick at it building on the reforms to control we made last year. It will be hard work but we can make progress. From the EC side, we now have the added help of the new EC Fisheries Control Agency whose inclusion of NAFO among its priority actions for its first year of operations shows the importance attached to this area and at the same time is a recognition of the difficulties sometimes faced in control.

Within the framework of the Agency's activities, the Member States of the European Union will take over from 2008 a larger share of the responsibility for control in the NAFO area. The Community participation in the scheme of control for NAFO will integrate inspectors and naval vessels, including from Portugal.

Despite some of the difficulties NAFO faces in terms of the conservation of certain stocks, NAFO remains at the forefront of fisheries management world-wide. It brings together countries from all corners of the globe, including my own, to work together with the four coastal states. It has shown itself to be innovative and forward-looking. At the same time history teaches us that life can often be a case of back to the future. As talk of the opening up of the 'North-West Passage' hums the air-waves and sea-waves, the world's spotlight will once again fall on this North-western corner of the Atlantic. With the renewed momentum we have gained from the reform of control and with a modernised Convention, I am confident that we in NAFO have a sound basis in place to face the challenges that lie ahead and that Portugal will continue to play its part in this process.

I thank you for your attention and, Mr. President, I now declare the 29th Annual Meeting open.

Annex 3. List of Participants

CANADA

Head of Delegation

David Bevan, Assistant Deputy Minister, Fisheries and Aquaculture Management, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 990 9864 – Fax: +613 990 9557 – bevand@dfo-mpo.gc.ca

Alternate (General Council)

Guy Beaupré, Director General, International Affairs Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 993 1873 – Fax: +613 993 5995 – E-mail: beaupreg@dfo-mpo.gc.ca

Representatives

David Bevan (see address above)

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

Phone: +709 576 7276 - Fax: +709 576 1962 – E-mail: emccurdy@ffaw.nfld.net

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

Advisers

Andrea Asbil, Communications Advisor, Communications Branch, Fisheries and Oceans Canada, 200 Kent St., 13th Fl., Ottawa, Ontario K1A 0E6

Phone: +613 991-3305 – Fax: +613 990 1866 – E-mail: asbila@dfo-mpo.gc.ca

Jim Baird, Associate Regional Director General, Newfoundland and Labrador Region, Fisheries and Oceans Canada, P. O. Box 5667, St John's, NL A1C 5X1

Phone: +709 772 2420 - Fax: +709 772 2387 – E-mail: bairdj@dfo-mpo.gc.ca

Richard Ballhorn, Deputy Legal Adviser and Director General, Bureau of Legal Affairs, Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: + 1 613 992 2728 – Fax: +1 613 992 6483 – E-mail: richard.ballhorn@international.gc.ca

Bill Brodie, Senior Science Coordinator / Advisor, NAFO, Newfoundland and Labrador Region, Science Br., 80 East White Hills Rd., 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

Russ Carrigan, Fishery Products International, 70 O'Leary Ave., P. O. Box 550, St. John's, Newfoundland & Labrador A1C 5L1

Phone: +709 570 0130 – Fax: +709 570 0479 – E-mail: rcarrigan@fpil.com

Bruce Chapman, Executive Director, Groundfish Enterprise Allocation Council, 1362 Revell Drive, Manotick, Ontario K4M 1K8

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

Eugene Colbourne, Science Br., DFO, Newfoundland & Labrador Region, P. O. Box 5667, St. John's, NL A1C 5X1

Phone: +709 772 6106 - Fax: +709 772 4105 - E-mail: colbourn@dfo-mpo.gc.ca

Tom Dooley, Director, Resource Policy, Dept. of Fisheries and Aquaculture, P. O. Box 8700, St. John's, NL A1B 4J6

Phone: +709 729 0335 – Fax: +709 729 1117 – E-mail: tdooley@gov.nl.ca

Bob Fagan, Communications Officer, Northwest Atlantic Fisheries Center, 1 East White Hills Road, P. O. Box 5667, St. John's, NL A1C 5X1

Phone: +709 772 6369 – Fax: +709 772 4880 – E-mail: faganr@dfo-mpo.gc.ca

Wayne Follett, Regional Director General, Newfoundland and Labrador (NL) Region, Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1
 Phone: +709 772 4417 – Fax: +709 772 6306 – E-mail: follett@df-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, Fisheries & Oceans Canada, 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

Morley Knight, Director, Conservation and Protection Div., Fisheries Management, Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1
 Phone: +709 772 4494 – Fax: +709 772 5983 – E-mail: knightm@df-mpo.gc.ca

Sylvie Lapointe, Director, International Fisheries, Fisheries and Oceans Canada, 200 Kent St., Ottawa, Ontario K1A 0E6
 Phone: +613 993 6853 – Fax: +613 993 5995 – E-mail: lapointesy@df-mpo.gc.ca

Brian Lester, Senior Resource Advisor, Fisheries and Oceans Canada, 200 Kent Street (Stn. 135026), Ottawa, Ontario K1A 0E6
 Phone: +613 990 0090 – Fax: +613 990 7051 – E-mail: lesterb@df-mpo.gc.ca

Keith Lewis, Oceans Law Section (JLOA), Oceans and Environmental Law, Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
 Phone: +613 944 3077 – Fax : +613 992 6483 – E-mail : keith.lewis@international.gc.ca

Brian McNamara, 90 O'Leary Ave., St. John's, NL
 Phone: +709 579 7676 – E-mail: nrl@nfld.com

Brent Napier, Staff Officer, International Fisheries Enforcement, Fisheries and Oceans Canada, 8E-234, 200 Kent St., Ottawa, Ontario K1A 0E6
 Phone: +613 998 3805 – Fax: +613 990 9557 – E-mail: napierb@df-mpo.gc.ca

Alastair O'Rielly, Deputy Minister, Government of Newfoundland and Labrador, Fisheries and Aquaculture, P. O. Box 8700, St. John's, NL A1B 4J6
 Phone: +709 729 3707 – Fax: +709 729 4219 – E-mail: aorielly@gov.nl.ca

Dave Orr, Research Biologist, Shrimp, Shellfish Section, Aquatic Resources Div., Science Br., Fisheries and Oceans Canada, Newfoundland & Labrador Region, 80 East White Hills Rd., P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 7343 – Fax: +709 772 4105 – E-mail: orrd@df-mpo.gc.ca

Rosalind Perry, Executive Director, Northern Coalition, P. O. Box 6421, 189 Water St., Suite 301, St. John's, Newfoundland & Labrador
 Phone: +709 722 4404 – Fax: +709 722 4454 – E-mail: rwalsh@nfld.net

Don Power, Science Br., Fisheries and Oceans Canada, Newfoundland & Labrador Region, 80 East White Hills Rd., P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1
 Phone: +709 772 4935 – Fax: +709 772 4105 – E-mail: powerd@df-mpo.gc.ca

Kym Purchase, Director, Parliamentary Affairs, Office of the Minister, Fisheries and Oceans, 200 Kent St., 15th Fl, Ottawa, Ontario K1A 0E6
 Phone: +613 992 3474 – Fax: +613 947 7082 – E-mail: purchasek@df-mpo.gc.ca

Lori Ridgeway, Director General, International Policy and Integration, Fisheries and Oceans Canada, 200 Kent St., 14th Floor, Ottawa, Ontario K1A 0E6
 Phone: +613 993 1914 – Fax: +613 990 9574 – E-mail: ridgewayl@df-mpo.gc.ca

Marie-Eve Rouleau, Adviser, International Fisheries Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 990 9387 – Fax: +613 993 5995 – E-mail: rouleau@df-mpo.gc.ca

Beverly Sheppard, Manager, Harbour Grace Shrimp Co. Ltd., P. O. Box 580, Harbour Grace, NL A0A 2M0
 Phone: +709 596 8000 – Fax: +709 596 8002 – E-mail: bsheppard@hgsc.ca

Paul Steele, Director-General, Conservation and Protection, Fisheries Management, Fisheries and Oceans, Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 990 0109 – Fax +613 941 2718 – E-mail: steelep@df-mpo.gc.ca

Bob Steinbock, Deputy Director, International Fisheries Directorate, Fisheries & Aquaculture Management, Fisheries and Oceans Canada, 200 Kent St., Ottawa, Ontario K1A 0E6
 Phone: +613 993 1836 – Fax: +613 993 5995 – E-mail: steinbob@df-mpo.gc.ca

Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Fisheries & Oceans Canada, 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

Loyola Sullivan, Ambassador for Fisheries Conservation, Suite 210, 354 Water Street, St. John's, NL A1C 5W8

Phone: +709 772 8176 – Fax: +709 772 8178 – E-mail: Loyola.Sullivan@international.gc.ca

Caterina Ventura, Deputy Director, Oceans Law Section (JLOA), Oceans and Environmental Law Div., Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: +613 996 2643 – Fax : +613 992 6483 – E-mail : caterina.ventura@international.gc.ca

Jerry Walsh, Chief, NAFO Compliance/Offshore Operations, Fisheries & Aquaculture Management Br., Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1

Phone: +709 772 4864 – Fax: +709 772 4327 – E-mail: walshje@dfo-mpo.gc.ca

Michele Tomlinson-Wells, Senior Advisor, Office of the Ambassador for Fisheries Conservation (JLX), Suite 210, 354 Water Street, St. John's, NL A1C 5W8

Phone: +709 772 8176 – Fax: +709 772 8178 – E-mail: Michele.Tomlinson-Wells@international.gc.ca

David Wells, Senior Policy Adviser, Office of the Minister Fisheries and Oceans

Phone: (St. John's): +709 772 7272 – Fax: +709 772-5244 : Phone: (Ottawa) +613 992 3474; Fax: +613 947 7081 –

E-mail: wellsd@dfo-mpo.gc.ca

CUBA

Head of Delegation

Martha Torres Soroa, International Relations, Ministry of the Fishing Industry, 5^{ta} Ave. y 246, Playa, Ciudad Habana

Phone: + 53 7 209 2034 – E-mail: mtorres@mip.telemar.cu

Adviser

Gerardo Duncan Palomino, Dragnets, Avenida del Puerto y Atares, 5/N Muelle Osvaldo Sanches, C. Habana

Phone: + 861 9674 - E-mail: dragnets@pespor.telemar.cu

DENMARK (IN RESPECT OF FAROES AND GREENLAND)

Head of Delegation

Kate Sanderson, Counsellor, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: + 298 35 32 47 - Fax: +298 35 30 37 - E-mail: kate@fisk.fo

Alternate

Jeanette Holding, Deputy Head, Department of Fisheries, Dept. of Fisheries and Hunting, Greenland Home Rule, P. O. Box 269, DK-3900, Nuuk, Greenland

Phone: +299 345222 - Fax: +299 324704 - E-mail: jeanette@gh.gl

Advisers

Jens Bisgaard, Fleet and Production Manager, Royal Greenland A/S, Qasapi 4, P. O. Box 1035, 3900 Nuuk, Greenland

Phone: +299 32 44 22 – Fax: +299 32 33 49 – E-mail: jebi@royalgreenland.com

Meinhard Gaardlykke, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, FO-110 Torshavn, Faroe Islands

Phone: +298 588016 – E-mail: meinhardg@fve.fo

Helle I. Ø. Jørgensbye Hansen, Head of Section, Gronlands Fiskerilicenskontrol, Greenland Home Rule, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345000 – Fax: +299 324704 – E-mail: hhan@gh.gl

Jóhan Joensen, Faroe Shipowners Association, Gongin 10, P.O. Box 361, FO-110 Torshavn, Faroe Islands

Phone: +298 311800 – Fax: +298 320380 – E-mail: shipown@post.olivant.fo

Michael Kingsley, Greenland Institute of Natural Resources. P. O. Box 570, DK-3900 Nuuk

Phone: +299 36 1200 – Fax: +299 39 1212 – E-mail: mcsk@natur.gl

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: martink@fve.fo

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

Frederik Schmidt, Head of Section, Department of Fisheries and Hunting, Greenland Home Rule, P. O. Box 269, DK -3900, Nuuk, Greenland

Phone: +299 345329 - Fax: +299 324704 - E-mail: frsc@gh.gl

Ulla S. Wang, Special Adviser, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: + 298 35 32 42 - Fax: +298 35 30 37 - E-mail: ullaw@fisk.fo

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@ec.europa.eu

Alternate

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@ec.europa.eu

Advisers

(EU Commission)

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@ec.europa.eu

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

Phone: +32 2 296 0706 – Fax: +32 2 296 2338 – E-mail: jose.mesquita@ec.europa.eu

Cristina Olivos, Unité ‘Questions juridiques’ Fisheries Directorate General, European Commission, Rue de la Loi 200, B-1049 Brussels, Belgium

Phone: +32 2 296 5614 – Fax: +32 2 295 1942 – E-mail: cristina.olivos@ec.europa.eu

Alan Gray, Senior Administrative Assistant, International and Regional Agreements, European Commission, Directorate General for Fisheries and Maritime Affairs, Rue Joseph II, 99, BE-1000 Brussels, Belgium

Phone: +32 2 299 0077 – Fax: +32 2 295 5700 – E-mail: alan.gray@ec.europa.eu

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@ec.europa.eu

(EU Council)

Mariano Abad Menendez, Principal Administrator, Council of the European Union, General Secretariat, DG-BIII -Fisheries, Rue de la Loi 175, B-1048 Brussels, Belgium

Phone: +32 2 285 5093 – Fax: 32 2 285 6910 - E-mail: mariano.abad@consilium.eu.int

(EU Parliament)

Pedro Guerreiro, Commission de la Peche, Parlement Europeen, Direction Générale des Commissions et Délégations, B-1047 Brussels

Phone: +32 2 284 3675 – Fax: +32 2 284 4909 – E-mail: pedro.guerreiro@europarl.europa.eu

Jesus Manuel Pardo, Commission de la Peche, Parlement Europeen, Direction Générale des Commissions et Délégations, B-1047 Brussels

Phone: +32 2 284 3675 – Fax: +32 2 284 4909 – E-mail: jesus.pardo@europarl.europa.eu

(EU - Portugal)

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@dgpa.min-agricultura.pt

Helena Figueiredo, Sub-Director, Direcçao-Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon
Phone: +351 21 303 5889 - Fax: +351 21 303 5965 - E-mail: hfigueiredo@dgpa.min-agricultura.pt

Emilia Batista, Directora de Servicos, Departamento dos Recursos, Direcçao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon

Phone: +351 213 035 850 - Fax: +351 213 035 922 - E-mail: ebatista@dgpa.min-agriculture.pt

Vitor Costa, Director de Servicos de Fiscalizacão de Pesca, Direcçao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1400-038 Lisbon

Phone: +351 213 025 174 Fax: +351 213 025 101 E-mail: vitorcosta@ip.dgpa.min-agricultura.pt

Ricardo Alpoim, Instituto Nacional de Investigacão Agrária e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon

Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: ralpoim@ipimar.pt

Antonio Avila de Melo, Instituto Nacional de Investigacão Agraria e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon

Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: amelo@ipimar.pt

Antonio Schiappa Cabral, Secretario-Geral, A.D.A.P.I., Rua General Gomes d’Araujo, Edificio Vasco da Gama, 1399-005 Lisbon

Phone: +351 21 397 2094 – Fax: +351 21 397 2090 – E-mail: adapi.pescas@mail.telepac.pt

Jose Taveira da Mota, A.D.A.P.I., Rua General Gomes d’Araujo, Edificio Vasco da Gama, 1399-005, Lisbon

Phone: +351 21 397 2094 – Fax: +351 21 397 2090 – E-mail: adapi.pescas@mail.telepac.pt

Luis Vaz Pais, A.D.A.P.I., Rua General Gomes d’Araujo, Edificio Vasco da Gama, 1399-005 Lisbon

Phone: +351 21 397 2094 – Fax: +351 21 397 2090 – E-mail: adapi.pescas@mail.telepac.pt

Anibal Machado Paiao, Director, A.D.A.P.I.-Associacão dos Armadores das Pescas Industriais, Docapesca, Edificio da Gama, Bloco-C, Piso 1, Rua General Gomes d’Araujo, Alcantara-Mar, 1399-005 Lisbon

Phone: +351 21397 2094 - Fax: +351 21397 2090 - E-mail: adapi.pescas@mail.telepac.pt.

(EU – Estonia)

Meit Grosmann, Ministry of the Environment, Narva mnt 7a, 13172 Tallinn

Phone: +37 269 62218 – Fax: +37 269 62237 – E-mail: meit.grosmann@kki.ee

Kaire Martin, Fishery Resources Dept., Ministry of the Environment, Narva mnt 7a, 13172 Tallinn

Phone: +372 626 0718 - Fax: +372 626 0710 - E-mail: kaire.martin.@ekm.envir.ee

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

Phone: +372 6718 901 – Fax: +372 6718 900 – E-mail: tsaat@sea.ee

Silver Sirp, Head of Observers Working Group, Estonian Marine Institute, University of Tartu, 10A Maealuse St., 12618, Tallinn

Phone: +372 529 5396 – E-mail: silver.sirp@ut.ee

Toomas Tamme, Attorney-at-Law, Alvin, Rödl & Partner, Advokaadibüroo Roosikrantsi 2, 10119 Tallinn

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

Lauri Vaarja, Ministry of the Environment, Narva mnt 7a, 15172 Tallinn

Phone: +372 626 2895 – Fax: + 372 626 2801 – E-mail: laurivaarja@hot.ee

Hjalmar Vilhjalmsson, Managing Director, Reyktal AS, Sidumuli 34 (4th Floor) 39, 15-108 Reykjavik, Iceland

Phone: +354 588 7666 – Fax: +354 588 7635 – E-mail: hjalmar@iec.is

(EU – France)

Jean-Marc Guyau, Direction des pêches maritimes et d’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 1 49 55 82 00 – E-mail: jean-marc.guyau@agriculture.gouv.fr

Jean-Claude Mahé, IFREMER, Station de Lorient, 8, rue Francois Toullec, 56100 Lorient

Phone: +33 2 9787 3818 – Fax: +33 2 9787 3801 – E-mail: jcmahe@ifremer.fr

Ludovic Schultz, Direction des pêches maritimes et d’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 1 49 55 82 00 – E-mail: ludovic.schultz@agriculture.gouv.fr

(EU – Germany)

Hermann Pott, Bundesministerium für Verbraucherschutz, Ernährung und Landwirtschaft, Rochusstr. 1, 53123 Bonn

Phone: +49 228 529 4124 - Fax: +49 228 529 4410 – Email: Hermann.Pott@bmelv.bund.de

Eckart Riediger, Geschäftsführer, Doggerbank Seefischerei GmbH, Gronlandstrabe 1, D-27572 Bremerhaven

Phone: +49 471 9 265 00 – Fax: +49 471 9 265 02 30 – E-mail: e.riediger@doggerbank.de

(EU – Latvia)

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

Janis Stepanovs, Senior Officer of the Fisheries and Fish Resources Division, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV -1010 Riga

Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: janis.stepanovs@vzp.gov.lv

Maris Vitins, Director, Latvian Fish Resources Agency, Ministry of Agriculture, Republic of Latvia State Agency, Daugavgrivas 8, Riga 1048

Phone: +371 676 16946 – Fax: +371 676 16946 – E-mail: maris.vitins@lzra.gov.lv

(EU – Lithuania)

Aidas Adomaitis, Director General, Fisheries Dept. under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius

Phone: +370 253 71174 – Fax: +370 5 239 1176 – E-mail: aidasa@zum.lt

Algirdas Rusakevicius, Deputy Director General, Fisheries Department under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius

Phone: +370 5 239 1186 – Fax: +370 5 239 1176 – E-mail: algirdasr@zum.lt

Genadijus Babcionis, Head of Atlantic Fisheries Control and Monitoring Div., 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: genadijusb@zum.lt

Rasuole Jusiute-Daukante, Lawyer, “Norgertus”, Nemuno str. 139, LT 93262 Klaipeda

Phone: +370 37 370656 – Fax: +370 37370664– E-mail: marestana@zebra.lt

Saulius Staskus, Owner, JSC “Norgertus”, Nemuno str. 139, LT 93262 Klaipeda

Phone: +370 37 370656 – Fax: +370 37370664– E-mail: s.staskusa@zebra.lt

Virginija Staskiene, Director of Finances, JSC “Norgertus”, Nemuno str. 139, LT 93262 Klaipeda

Phone/Fax: +370 46 340043 – Fax: +370 37370664– E-mail: norgertus@norgertus.w3.lt

Alexandro Alvarez Rivas, Director

(EU – Poland)

Leszek Dybiec, Deputy Director, Ministry of Maritime Economy, Fisheries Department, 42 ul. Meynarska, Warsaw

Phone: +48 22 385 5770 - Fax: +48 22 385 5774 - E-mail: leszek.dybiec@mgm.gov.pl

Barbara Olszewska, Fishery Department, Ministry of Maritime Economy, ul. Meynarska 42, Warsaw

Phone: + - Fax: + - E-mail: bolszewska@mgm.gov.pl

Marcin Runski, Polish Permanent Representation to the EU, Av. De Tervuren 282-284, B1150 Brussels, Belgium

(EU – Spain)

Fernando Curcio Ruigomez, Director General de Recursos Pesqueros, Secretariat General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid

Phone: +34 91 347 6030 – Fax: +34 91 347 6032 – E-mail: fcurcior@mapya.es

Rafael Centenera, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 6040 – Fax: +34 91 347 6042 – E-mail: rcentera@mapya.es

Margarita Mancebo, Jefe de Area, Subdireccion General de Relaciones Pesqueras Internacionales, Direccion General de Recursos Pesqueros, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 61 29 - Fax: +34 91 347 60 42 – E-mail: cmancebo@mapya.es

Samuel J. Juarez, Counselor for Agriculture, 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: info@mapausa.org

Cesareo Goicoechea, Conselheiro de Agricultura, Pescas e Alimentacao, Embassy of Spain, Rua do Salitre 1, Lisbon

Phone: +351 213472234 – Fax: +351 213420717 – E-mail: capa@mail.telepac.pt

Javier Del Hierro, Subdirección General de Inspeccion Pesquera, Secretaria General de Pesca Maritima, c/Castellana 112, 5ª Plto, 28071 Madrid, Spain

Phone: +3491 3471645 – Fax: + 3491 3471512 – E-mail: jdellhier@mapya.es

Antonio Garcia Elorriaga, Director Xeral de Recursos Marinos, Xunta de Galicia, Conselleria de Pesca e Asuntos Maritimos, Rue do Valino, 15703 Santiago de Compostela

Phone: +34 981 544007 – Fax: +34 981 545025 – E-mail: xoan.perez.pazo@xunta.es

Juan Perez Pazo, Direccion Xeral Recursos Marinos-Conseueria de Pesca-Xuna de Galicia, Rua do Valino, 63, 15703 Santiago de Compostela

Phone: +34 981 545020 – Fax: +34 981 545025 – E-mail: xoan.perez.pazo@xunta.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

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

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

Alfonso Magan Pereira, c/Jacinto Benavente no. 29, Vigo
 Phone: +34 986 471621 – Fax: +34 986 471621 – E-mail: amagan@goupapereira.com

Javier Garat Perez, Secretario General, Confederacion Espanola de Pesca, c/Comandante Zorita, 12, Escalera 4-1D, 28020 Madrid
 Phone: +34 91 534 5484 – Fax: +34 91 534 3718 – E-mail: javiergarat@cepasca.es

Jose Fuertes Gamundi, Director Gerente, Cooperativa de Armadores de Pesca del Puerto de Vigo, S. Coop. Ltda., Puerto Pesquero, Apartado 1.078, 36200 Vigo
 Phone: +34 986 433844 - Fax: +34 986 439218 – E-mail: direccion@arvi.org

Miguel Iriondo, Apartado de Correos n88, Pasaia
 Phone: +34 94 33 54177 – Fax: +34 94 33 53993 – Langa99@teleline.es

Juan Manuel Liria, Presidente, Federación Española de Organizaciones Pesqueras (FEOPE), C/Comandante Zorita, 12, Escalera 4-1D, 28020 Madrid
 Phone: +34 91 534 5484 – Fax: +34 91 534 3718- E-mail: feope@feope.com

Juan Manuel Oya Perez, Shipowner, Heroya, Calle San Francisco 57-1° y 2, 36202 Vigo
 Phone: +986 447 484 – Fax: +986 439 229 – E-mail: info@oyaperez.es

Monica DoCampo, Heroya, S.A., Calle San Francisco, 57-1, 36202 Vigo, Spain
 Phone: +34 986 44 74 84 – Fax: #34 986 43 92 29 – E-mail: monica@oyaperez.es

Eloy Carramal, Director Financiero, Heroya, Calle San Francisco 57-1° y 2°, 36202 Vigo, Galicia, Spain
 Phone: +34 986 44 74 84 – Fax: #34 986 43 92 29 – E-mail: info@oyaperez.es

Marino Paz Pineiro, Freiremar S.A., Avd. Beiramar, no. 83, 36208 Vigo Pontevedra
 Phone: +986 216500 – Fax: +986 216510 – E-mail: mpaz@freiremar.es

Juan Manuel Barreiro Hermelo, Moradina S.A., Salgueiron No. 7, 36940 Pontevedra
 Phone: +34 986 392021 – Fax: +34 986 392688 – Juan@moradina.com

Juan Manuel Barreiro Nunez, Moradina S.A., Salgueiron No. 7, 36940 Pontevedra
 Phone: +34 986 392021 – Fax: +34 986 392688 – Juan@moradina.com

D. Cesar Real Rodriguez., Director General de Area, Pescanova, Rua Jose Fernandez Lopez, sin, 36202 Vigo Pontevedra
 Phone: + - Fax: + - E-mail: casar.real@pescanova.es

Joaquin Gandon Sotelo, Managing Director, Hermanos Gandon, S.A., Salgueiron, 9, 36940 Cangas
 Phone: +34 986 39 20 20 – Fax: +34 986 39 25 25 – E-mail: Joaquin@hermanosgandon.com

(EU – United Kingdom)

Mike Rimmer, Sea Fisheries Conservation Div., Dept. For Environment, Food and Rural Affairs, Area D, 2nd Floor, Nobel House, London SW1P 3JR
 Phone: +44 (0)20 7238 4656 – Fax: +44 (0)7238 4699 – E-mail: mike.rimmer@defra.gsi.gov.uk

Julie Fitton, Fisheries Policy Advisor, Fisheries Management and Control Enforcement Policy, Dept. For Environment, Food and Rural Affairs, Area D, 2nd Floor, Nobel House, London SW1P 3JR
 Phone: +44(0)20 7238 4435– E-mail: julie.fitton@defra.gsi.gov.uk

Philip Large, Centre for Fisheries & Aquaculture Science (CEFAS) Fisheries Laboratory, Pakefield Rd., Lowestoft (Suffolk), England NR33 0HT
 Phone: +44 502 524491 – E-mail: p.a.large@cefasc.co.uk

FRANCE (in respect of St. Pierre et Miquelon)

Head of Delegation

Stéphane Artano, President du Conseil General de Saint-Pierre-et-Miquelon, B.P. 4208, Place Monseigneur-Maurer 97500 Saint Pierre et Miquelon
 Phone: + 06 32 384378 – Fax: + 508 41 04 79 – E-mail: president@cg975.fr

Alternate

Annie Parmentier, Ministry of Overseas Territories, 27, rue Oudinot, 75358 Paris
 Phone: +53 69 23 85 - Fax: +53 69 20 60 – E-mail: annie.parmentier@outre-mer.gouv.fr

Advisers

Bruno Detcheverry, Directeur General, Interpeche S.A., Société des Pêches de Archipel, Quai du MôleFrigorifique, 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 Massa, Administrateur principal des affaires maritimes, Chef du service, 1, rue Gloanec, B.P. 4206, 97500 Saint -Pierre-et-Miquelon

Phone: +508 41 15 36 – Fax: +508 41 48 34 – E-mail: charles.massa@equipement.gouv.fr

Florence Paillard, Chargée de mission, Ministère de l’agriculture et de la pêche, Direction des pêches maritimes et de l’aquaculture, Bureau du contrôle des pêches, 3 place de Fontenoy, 75007 Paris 07 SP

Phone: +33 49 55 60 43 – Fax: +33 1 49 55 82 00 – E-mail: Florence.paillard@agriculture.gouv.fr

ICELAND**Head of Delegation**

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

Phone: +354 545 8300 – E-mail: kolbeinn.arnason@utn.stjr.is

Advisers

Gylfi Geirsson, Commander, Icelandic Coast Guard, Skogarhlid 14, 105 Reykjavik

Phone: +354 545 2071 – Fax: +354 545 2040 – E-mail: gylfi@lhg.is

Hjörtur Gíslason, Ögurvik, Fishing Export Co. Ltd., Týsgata 1 – 101 Reykjavik

Phone : +354 552 5466 – Fax : +354 552 8863 – E-mail : hjortur@ogunvik.is

Kristjan Freyr Helgason, Deputy Head of Department, Quota Allocations, Directorate of Fisheries, Dalshraun 1, 220 Hafnarfiordur

Phone: +354 569 7900 – Fax: +354 569 7990 – E-mail: kristjan@fiskistofa.is

Hrefna Karlsdóttir, Adviser of International Affairs, Ministry of Fisheries, Skulagata 4, 150 Reykjavik

Phone: +354 545 8300 – Fax: +354 562 1853 – E-mail: hrefna.karlsdottir@sjr.stjr.is

JAPAN**Head of Delegation**

Kiyoshi Katsuyama, Director for International Negotiation, International Affairs Div., Japan Fisheries Agency, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3502 8460 – Fax: +81 3 3502 0571

Advisers

Kiyomi Hyoe, Fishery Division, Economic Affairs Bureau, Ministry of Foreign Affairs, 2-2-1 Kasumigaseki, Chiyoda -ku, Tokyo 100-8919

Phone: +81 3 5501 8000 ext. 2886 – Fax: + 81 3 5501 8332 – E-mail: kiyomi.hyoe@mofa.go.jp

Kazuhiko Suzuki, International Affairs Div., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda -ku, Tokyo 100-8907

Phone: +81 3 3591 1086 – Fax: +81 3 3502 0571- E-mail: kazuhiko_suzuki@nm.maff.go.jp

Taro Ichii, Section Chief, National Research Institute of Far Seas Fisheries, 2-12-4 Fukunya, Kanasawa-ward, Yokohama-city 236-8648

Phone: +81 45 788 7503 – Fax: +81 45 788 5004 – E-mail: ichii@affrc.go.jp

Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F Kanda Ogawa -cho, Chiyoda-ku, 170kio 101-0052

Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: ntakagi@jdsta.or.jp

REPUBLIC OF KOREA

Head of Delegation

Ho Sub Yang, Deputy Director, Distant Water Fisheries, Ministry of Maritime Affairs and Fisheries, 140-2 Gye-Dong Jongno-Gu, Seoul 110-793

Phone: +82 2 3674 6992 – Fax: +82 2 3674 6985 – E-mail: gkseok@momaf.go.kr

Advisers

Yang Sik Cho, Manager, Korea Deep Sea Fisheries Association, Trawl Fishery Dept., 6fl Samho Center Bldg. A, 275-1, Yangjae-Dong, Cho-Ku, Seoul

Phone: +82 2 589 1618 – Fax: +82 2 589 1630 – E-mail: mild@kodefa.or.kr

Soo-Jeong Choi, Senior Researcher, Policy and Market Analysis Div., Korea Maritime Institute, #1027-4, Bangbae3-Dong, Seocho-Gu, Seoul, 137-851

Phone: +82 2 2105 2853 – Fax: +82 2 2105 2759 – E-mail: sjchoi@kmi.re.kr

NORWAY

Head of Delegation

Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen

Phone: +47 55 23 80 00 / 8139; Fax: +47 55 23 80 90; E-mail: terje.lobach@fiskeridir.no

Alternate

Stein-Aage Johnsen, Senior Legal Adviser, Resource Management Dept., Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen

Phone: +47 55 23 80 00 / 8124 – Fax: +47 55 23 80 90 – E-mail: stein-age.johnsen@fiskeridir.no

Advisers

Gunnstein Bakke, Senior Adviser, Control Section, Directorate of Fisheries, Strandgaten 229, Postboks 2009 Nordnes, NO-5817 Bergen

Phone: +47 99 10 54 52 – Fax : +47 55 23 80 90 – E-mail : gunnstein.bakke@fiskeridir.no

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@fiskebat.no

Jan-Pieter Groenhof, Adviser, Norwegian Ministry of Fisheries, Dept. of Marine Resources and Environment, P. O. Box 8118 Dep., NO-0032 Oslo

Phone: +47 22 24 64 44 – Fax: +47 22 24 95 85 – E-mail: jan-pieter.groenhof@fkf.dep.no

Ingrid Kvalvik, N-9037 Tromsø

Phone: +47 99 04 65 17 – E-mail: kvalvik@sv.uit.no

Odd Gunnar Skagestad, Deputy Director General Department for Trade Policy, Natural Resources and Environmental Affairs (Special Adviser Marine Resources), Ministry of Foreign Affairs, P. O. Box 8114 Dep. N0032 Oslo

Phone: +47 22 24 36 00/3615 – Fax: +47 22 24 95 80 – E-mail: ogs@mfa.no

RUSSIA

Head of Delegation

Alexander Okhanov, Head of Department, Aquatic Bioresources and Fisheries Management, Federal Agency for Fisheries, Rozhdestvensky blvd. 12, Moscow 107996

Phone/Fax: +7095 928 7644 – E-mail: okhanovaa@fishcom.ru

Representative

Alexander Okhanov (see address above)

Advisers

Vadim Agalakov, Principal Specialist-Expert on Fisheries, Murmansk Dept. of Rosselkhoznadzor, str. Tralovaya 12A, 183038 Murmansk

Phone: +7 815 2 687 302 – Fax: +7 815 2 687 321 – E-mail: info@rsn51.ru

Vladimir K. Babayan, Head, Laboratory for Systems Analysis of Fishery Resources, Russian Federal Research Institute of Fisheries and Oceanography, 17, V. Krasnoselskaya, Moscow 107140

Phone/Fax: +8 499 264 8974 – Fax: +8 499 264 8974 – vbabayan@vniro.ru

Valentin Balashov, St. Lenina 68-33, Murmansk 183039

Phone: +7 911 319 3255 – E-mail: terminal@teletoria.ru

Kamil Bekyashev, Advisor of Director of Federal Agency for Fisheries of the Russian Federation, 17 V. Krasnoselskaya, Moscow, 107140

Phone: + 621-38-40; 264-93-87- Fax: +264-91-87 - E-mail:

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

Phone: + 7 8152 4 5 05 68 – Fax: + 7 8152 47 33 31 – E-mail: gorch@pinro.ru

Vasily Mishin, First Deputy Director, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6, Knipovich Street, Murmansk 183038

Phone: +7 8152 47 36 66 – Fax: +7 8152 47 33 31 – E-mail: mishin@pinro.ru

Igor Sedov, Rosselkhoznadzor, Orlikov str. 11/1, Moscow

Phone: +495 975 1956 – Fax: +495 975 1956 – E-mail: i.sedov@svfk.mcx.ru

Vladimir Shibanov, Head of Division of Department of Fisheries of Ministry of Agriculture of the Russian Federation, Orlikov per., 1/11, 107139 Moscow

Phone: +7 495 975 4665 – E-mail: v.shibanov@drp.mcx.ru

Ekaterina Volkovinskaia, Interpreter, Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk 183763

Phone: + 7 8152 473461 – Fax: + 7 8152 473331 – E-mail: katerina@pinro.ru / inter@pinro.ru

Victor Volkov, Chief Engineer, Murmansk Regional Centre of the Branch Monitoring System, Russian FMC, 43, Tralovaia av., P. O. Box 183950, Murmansk

Phone: +7 8152 474641 – Fax: +7 8152 474852 – E-mail: volkov@mrcm.ru

UKRAINE**Head of Delegation**

Vasyl Chernik, Deputy Chairman of the State Committee for Fisheries of Ukraine, 45A Artema str., Kyiv 04053

Phone/Fax: +38 044 226 2405 – E-mail: chvg46@users.ukrsat.com ; chvg46@gmail.com

Advisers

Petro Morozov, Senior Expert of the Division of International Policy of the Department for Fisheries Policy and Science, State Committee for Fisheries of Ukraine, 45A Artema str., Kyiv 04053

Phone: +38 044 258 2727 - Fax: +38 044 482 0984 – E-mail: petia.morozov@gmail.com

Sergey Rebik, Head of the Division for Fisheries Resources of the World Ocean, Southern Scientific Research Institute of Marine Fisheries and Oceanography (YugNIRO), 2 Sverdlov Str., Kerch 98300

Phone: +380 6561 21012 – Fax: +380 6561 61627 – E-mail: rebikst@mail.ru

UNITED STATES OF AMERICA**Head of Delegation**

Dean Swanson, Chief, International Fisheries Affairs Div., F/IA1, 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

Representative

Dean Swanson (see above)

James Salisbury, US Commissioner, New England Fishery Management Council, 21 Howard St., Portland, Maine 04101

Phone: 207 879 1935 – E-mail: jwsalisbury@m.ar.com

Margaret Raymond, US Commissioner, Director, Associated Fisheries

Advisers

Elizabeth Etrie, Knauss Sea Grant Fellow, Office of Marine Conservation, United States Department of State, 2201 C Street NW, Washington, D.C. 20520

Phone: +202 647 3464 – Fax: +202 736 7550 – E-mail: etrieem@state.gov

Sonja Fordham, Shark Program Director, Shark Alliance/Ocean Conservancy, Rue Montoyer, 39, 1000 Brussels, Belgium

Phone: +32 495101468 – E-mail: sonja@oceanconservancy.org

Deirdre Warner-Kramer, Senior Atlantic Affairs Officer, Office of Marine Conservation, United States Department of State (Rm 2758), 2201 C Street NW, Washington, D.C. 20520-7878

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

Allison McHale, Fishery Policy Analyst, Sustainable Fisheries Div., US Dept. of Commerce, NOAA, National Marine Fisheries Service, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +978 281 9103 – Fax: +978 281 9135 – E-mail: allison.mchale@noaa.gov

E. J. Marohn, CDR, Fisheries Enforcement, First Coast Guard District (dre), 408 Atlantic Avenue, Boston, MA 02110-3350

Phone: +617 223 8685 – Fax: +617 223 8074 – E-mail: Edward.J.Marohn@uscg.mil

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

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

Patrick Moran, Foreign Affairs Analyst, Office of International Affairs, F/IA-2, 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., 5 Yeamans Road, Charleston, SC 29407

Phone: +857 222 6664 – E-mail: mayflower@mindspring.com

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

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

OBSERVERS**FAO**

Hiromoto Watanabe, Fishery Liaison Officer, International Institutions and Liaison Service, Fisheries and Aquaculture Economics and Policy Division, Fisheries and Aquaculture Department, Food and Agriculture Organization of the United Nations (FAO), Viale delle Terme di Caracalla, 00153 Rome, Italy

Phone: +39 06 5705 5252 – Fax: +39 06 5705 6500 – E-mail: hiromoto.watanabe@fao.org

CCAMLR

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@ec.europa.eu

CPPS

Gonzalo Pereira Puchy, Secretary General, Permanent Commission for the South Pacific (CPPS), Complejo Alban Borja, Classic 2nd floor, Guayaquil, Ecuador
Phone: +593 4 2221202 - Fax: + - E-mail: gpereira@cpps-int.org

EAC

Susanna Fuller, Marine Conservation Coordinator, Ecology Action Centre (EAC), 2705 Fern Lane, Halifax, Nova Scotia, Canada
Phone: +1 902 442 0199 – Fax: +902 405 3716 – E-mail: marine@ecologyaction.ca
Matthew Gianni, Independent Advisor, Fisheries, Oceans, Biodiversity Cliostraat29-2, 1077 KB Amsterdam, Netherlands
Phone: +31 20 670 1666 – E-mail: matthewgianni@netscape.net
Monica Verbeek, Policy Officer (Fisheries & Biodiversity), Seas at Risk, Boulevard de Waterloo 34, 1000 Brussels, Belgium
Phone: +351 21 4647255 – Fax: 32 2 289 1099 – E-mail: mverbeek@seas-at-risk.org

ICCAT

Driss Meski, Executive Secretary, International Commission for the Conservation of Atlantic Tuna (ICCAT), c/Corazon de Maria, 8-7^o, 28002 Madrid, Spain
Phone: +34 91 4165600 – Fax: +34 91 4152612 – E-mail: driss.meski@iccat.es

NAMMCO

Kate Sanderson, Counsellor, Ministry of Fisheries and Maritime Affairs, Heyksvegur 6, P. O. Box 347, FO-100 Torshavn, Faroe Islands
Phone: + 298 35 32 47 - Fax: +298 35 30 37 - E-mail: kate@fisk.fo

NEAFC

Joao Neves, IT Manager and VMS Administrator, North-East Atlantic Fisheries Commission (NEAFC), 22 Berners Street, London W1T 3DY UK
Phone: +44 7990508051 - Fax: +44 20 7636 9225 – E-mail: joao@neafc.org

SEAFO

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@ec.europa.eu

WWF

Robert Rangeley, Vice-President, Atlantic Region, WWF-Canada, 5251 Duke Street, Suite 1202, Halifax, Nova Scotia, Canada B3J 1P3
Phone: +1 902 482 1105, ext. 23 – Fax: +1 902 482 1107 – E-mail: rrangeley@wwfcanada.org
Marty King, Director, North Atlantic Bycatch Campaign, WWF-Canada, Atlantic Region, 5251 Duke Street, Suite 1202, Halifax, Nova Scotia, Canada B3J 1P3
Phone: +1 902 482 1105, ext. 29 – Fax: +1 902 482 1107 – E-mail: mking@wwfcanada.org

SECRETARIAT

Johanne Fischer, Executive Secretary
Ricardo Federizon, Fisheries Commission Coordinator
Anthony Thompson, Scientific Council Coordinator
Stan Goodick, Senior Finance and Staff Administrator
Bev McLoon, Senior Personal Assistant to the Executive Secretary
Barry Crawford, Senior Publications Manager
Barb Marshall, Information Manager
Cindy Kerr, Fisheries Information Manager
George Campanis, IT Manager
Lisa Pelzmann, Office Manager

SECRETARIAT ASSISTANCE

Dulce Filipe, Direccao-Geral das Pescas e Aquicultura, Lisbon
Paula Fabiani, Direccao-Geral das Pescas e Aquicultura, Lisbon
Fatima Barbosa, Direccao-Geral das Pescas e Aquicultura, Lisbon

Annex 4. Opening Statement by the Representative of the European Union

Thank you Chair and good morning to you all.

On behalf of the European Union, Portugal in particular, we want to welcome you all here to Lisbon. We've got an excellent facility at our disposal during this week and we are in a wonderful, historic and beautiful town. All the ingredients are there in our view for a good and productive meeting and also having a little bit of enjoyment on the side, so to speak, in the restaurants and bars of the town and also other cultural events.

Chair, as you correctly indicated, we have a very heavy agenda so I don't intend to make a formal opening speech. I would say simply that it is beholding on this Organization to finalize the work on the Convention text. We had major progress last year in terms of the reform and the comprehensive package on control and enforcement measures and we must build on that progress here by getting closure on the revision of the Convention.

We have of course our responsibility vis-à-vis the conservation, sustainability of the resources in terms of management measures and thirdly, we also require to modernize our measures in terms of the follow-up to the UN General Assembly Resolution of November 2006 in relation to the protection of sensitive marine habitants. As you correctly said NAFO is an organization which has put in place a range of modern instruments to monitor the fisheries, to gather science and to give advice on the stocks, and we think that we now need to widen the scope of NAFO to take into account its more broader responsibilities on the conservation and management of resources but also in relation to the marine environment.

So, we look forward to working with other delegations in narrowing any gaps that there may be between our respective positions. By definition it requires flexibility to be demonstrated by all Parties and we would hope that we do not get into a situation where there are questions of principle which cause individual delegations difficulties in accepting what would otherwise be a consensus view on most of the issues confronting us.

Once again welcome to Lisbon and we look forward to working with you all.

Thank-you

Annex 5. Opening Statement by the Representative of Canada

Mr. Chairman, Minister Silva, distinguished Representatives, Ladies and Gentlemen,

It is a pleasure for Canada to participate in this twenty-ninth annual meeting of NAFO in Lisbon. I would like to thank the Portuguese authorities and congratulate them for the excellent organization.

Mr. Chairman, as a coastal State, the issue of fisheries conservation is very important to Canada's new Government. It is of such importance that earlier this year, I was appointed as Ambassador for Fisheries Conservation reporting to both the Minister of Foreign Affairs and the Minister of Fisheries and Oceans.

Canada is working through many international organizations and instruments to strengthen measures to protect the marine environment, including global fish stocks. The significant steps that we are currently taking within NAFO are a key component of Canada's international efforts to improve international fisheries and oceans governance. Canada believes that NAFO can play an important international leadership role in ensuring appropriate measures are in place to protect and maintain healthy straddling stocks. NAFO should strive to be a model for other RFMOs regarding fisheries and oceans governance.

Canada appreciates the significant progress that has been achieved over the last year and half in reforming NAFO and, in particular, the substantial improvements to the NAFO measures in its monitoring, control and surveillance regime.

Canada is looking forward to advance discussions on reform of the NAFO Convention this week and to resolve the outstanding issues. An important issue for Canada will be to ensure that the area of application of the Convention does not impact on Canada's sovereignty within its Exclusive Economic Zone.

Another key element of this meeting will be to discuss the ongoing threats to specific fish stocks and their ecosystems and how to remedy their continuing decline. Canada believes that it is crucial that scientific advice be followed. We need to ensure that our decisions for managing fisheries are based on sound science, and that they integrate eco-system and precautionary approaches.

Mr. Chairman, NAFO like other RFMOs must also implement measures to protect vulnerable marine ecosystems in response to the United Nations General Assembly Resolution of December 2006. Canada's proposals to protect corals would complement NAFO's prior measures to protect seamounts and help ensure a positive review by the UNGA at its fall 2009 meeting.

Mr. Chairman, Canada expects strong action to ensure fisheries conservation.

We look forward to working with all of you in this regard. We wish you well in your deliberations.

Thank you.

**Annex 6. Opening Statement by the Representative of Denmark
(in respect of the Faroe Islands and Greenland)**

Mr Chairman, distinguished delegates and observers,

The Faroes and Greenland are pleased to be attending the 29th Annual Meeting of NAFO. We would like to express our sincere thanks to the Government of Portugal for hosting us and giving us a very welcome opportunity to experience the very beautiful and colourful city of Lisbon.

Reform is still the key issue on our agenda this year, as it was last year. Let it not be the main issue again next year, or this will reflect very badly on our ability to modernise our work and move forward. We hope this process can be finalised without too much further ado. We have had three substantial extraordinary meetings since the process was initiated at the 2005 Annual Meeting, as well as last year's Annual Meeting, to negotiate amendments to our Convention in great detail, resulting in the proposal that is now before us. Although there are some important outstanding issues, including ones of particular importance to our delegation, we look forward to cooperation with other Contracting Parties to resolve these during this week. I will outline our specific views in more detail when we come to the Reform item on our agenda.

The main priority for our delegation in the Reform process has been to provide NAFO with a modern mandate to propose joint management measures that also take account of ecosystem considerations, an important part of all responsible fisheries management today. We have already started to do this, and we look forward to further discussions on ecosystem related issues, clearly within the context of fisheries management. Our over all aim in reforming the Convention has been to improve and strengthen the framework for our decision-making to ensure sustainable conservation and management of our shared fisheries resources. This must remain our primary focus.

A stronger formal framework is only worth the paper it is written on, however, without the necessary political will to cooperate and resolve issues in practice, through an equitable and transparent multilateral approach, with attention to all views and interests around the table. Unfortunately, Mr Chairman, I am again this year – for the third year in a row - obliged to express our delegation's sincere regret and concern that Canadian ports continue to be closed to all vessels from the Faroes and Greenland due to our legitimate objection to the division of 3L shrimp. Many Parties around this table, including Canada, have acknowledged that the division of 3L shrimp was a poor management decision that needs fixing. And even though there may be some signs of a will to correct the mistake, I am sorry to say that continued port closures will for my delegation continue to be a serious political obstacle to meaningful dialogue.

With regard to other conservation and management issues on our agenda, we will seek to work with all delegations to find responsible and workable solutions based on the best possible scientific advice, including the need for further measures for Greenland halibut. With a relatively small share of some few stocks at present, in addition to shrimp, our interest is in ensuring that the actions of the major players in these fisheries do not undermine our ability to make the most of our modest allocations.

Finally, on behalf of all members of our delegation, we look forward as always to working constructively with other delegations, also in STACTIC and STACFAD, during what will no doubt be a very busy week for us all.

Annex 7. Opening Statement by the Representative of the United States of America

Mr. Chairman, distinguished delegates, observers, ladies and gentlemen:

The United States is pleased to join our colleagues once again here in beautiful Lisbon, Portugal for the 29th NAFO Annual Meeting. We look forward to an interesting exchange of views this week on a broad number of topics.

The United States remains particularly concerned that inequities remain in the draft revised NAFO Convention text relative to both the NAFO dues assessment procedure and the NAFO allocation practice. Regarding dues assessments, we remain flexible and can accept the compromise developed in Montreal to reform this procedure. We sense that there is general support for such a change and hope to see it reflected in the revised Convention once it is adopted. Regarding the current allocation practice, and as a coastal state, we must emphasize that we will be unable to concur with the draft revised NAFO Convention text until this matter is addressed satisfactorily. As we have noted in the past, the United States has expressed these concerns since the commencement of reform negotiations, and U.S. domestic support for either adoption or ratification of a revised NAFO Convention hinges on whether these concerns are addressed adequately. As a coastal state, we are very interested in finding appropriate language to describe the competencies of the new Commission in the Convention Area. Thus, it is our hope that further discussions at the annual meeting will resolve all of these issues before the revised Convention is considered for adoption.

There are a number of other issues that are of keen interest to the United States for the upcoming meeting. Regarding Greenland halibut, it is our hope that NAFO will set one or more TACs under the rebuilding plan that ensure conservation and management measures are consistent with the scientific advice for this stock. The United States is also committed to the adoption by NAFO of measures consistent with the United Nations General Assembly Fisheries Resolution relating to bottom fishing and vulnerable marine ecosystems. We are working with other NAFO Parties to develop such language and look forward to discussions of this issue at the annual meeting. Additionally, the United States would like to engage in discussions regarding the mechanism currently in place in NAFO relating to adoption of NEAFC measures for pelagic redfish. Finally, we are developing a proposal relating to elasmobranch conservation and management by NAFO for the consideration of Contracting Parties at this annual meeting.

We are looking forward to the 2007 NAFO Annual Meeting and a productive dialogue on these and many other issues in the coming week.

Thank you Mr. Chairman.

Annex 8. Opening Statement by the Representative of Japan

Mr. Chairman, distinguished delegates and observers,

It is a pleasure for Japan to be attending the twenty-ninth Annual Meeting of NAFO in this beautiful city of Lisbon. On behalf of Japanese Delegates, I wish to thank the Government of Portugal and the European Union for hosting this important meeting in this place as same as ten years ago.

Since the annual meeting last year, the organization has made a remarkable progress in developing the new and more effective Convention text, which accommodates modern standards of regional fisheries organizations. Japan greatly appreciates the significant effort made by every member of NAFO. Although there still remain several areas of disagreements, I believe that a series of discussion in this meeting will solve the problems, and that the new Convention of NAFO will begin its voyage from the historic port of Lisbon.

Despite the fisheries management efforts of NAFO in the past, many commercial fish stocks in the area have been remaining in low levels or decreasing. Since the decision making in 2003, Japan has reduced the number of fishing vessel operating in the area from two to one and has cooperated to the Recovery Plan on the Greenland Halibut with responsible management, but the results of Scientific Council in this year indicated that the stock condition had not improved and requested more reduction of actual catch. Japan would like to express our disappointment and strong concern about the reason of failure on the recovery of the fish stocks. Of course Japan would like to cooperate continuously to work for rebuilding those stocks with the full participation of all member countries. It is essential to re-examine and improve the existing Greenland Halibut Recovery Plan in this meeting to ensure sustainable fisheries.

The delegation of Japan looks forward to working with all the participants here for successful results of this meeting.

Thank you, Mr. Chairman.

Annex 9. List of Actions and Agreed Decisions of General Council

| Agenda item: | Action/Decision: |
|--------------|---|
| Item 8 | General Council adopted the EU proposal to amend the NAFO Convention including proposals put forth by Canada (GC WP 07/17) and DFG (GC WP 07/18 and GC WP 07/16). |
| Item 13 | General Council adopted the proposed budget for 2008 (\$1,529,000). |
| Item 13 | General Council acknowledged the concerns expressed regarding the timeliness and accuracy of submissions of catch reports and STACFAD's urgent appeal to Delegates to convey this message to their respective authorities and ensure future compliance with this NAFO requirement. The Secretariat was also requested to convey this message to NAFO Contracting Parties. |
| Item 13 | General Council agreed to strongly urge the Contracting Parties to take immediate action to meet their financial obligations and bring financial stability to the Organization and adopted the STACFAD recommendation that the outstanding contribution from Ukraine (\$30,735) for the year 2006 be deemed uncollectible at the end of the current fiscal year if payment is not received by 31 December 2007 and that this amount be applied against the accumulated surplus. |
| Item 13 | In view of the financial emergency situation, General Council adopted the STACFAD recommendation to maintain an amount representing 20% of the proposed 2008 budget (namely, \$305,800) as the minimum balance in the Accumulated Surplus Account and agreed to the STACFAD recommendation that the Secretariat bill Contracting Parties in two instalments in 2008. |
| Item 13 | General Council adopted the STACFAD recommendation that Staff Rules 9.5 and 9.6 be amended in accordance with STACFAD WP 07/13 revised. |
| Item 13 | General Council adopted the recommendation by STACFAD regarding a new classification category in the Secretariat and the reclassification of two staff members. |
| Item 13 | General Council appointed Bill Brodie, Jim Baird and Fred Kingston as members of the Staff Committee. |
| Item 13 | General Council agreed to the dates for the 2010 Annual Meeting (20 – 24 September 2010). |
| Item 15 | General Council elected Mr. Terje Lobach (Norway) as its Chair for the next two years. Election of Vice Chair is outstanding. |

Annex 10. Agenda

I. Opening Procedure

1. Opening by the Chair, David Bevan (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity
6. Guidance to STACFAD necessary for them to complete their work (Monday)

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

7. Review of Membership of the General Council and Fisheries Commission
8. Report of NAFO
9. Administrative Report (by the Executive Secretary)

III. Coordination of External Affairs

10. Report of Executive Secretary on external meetings
11. NAFO Response to UN General Assembly Sustainable Fisheries Resolution

IV. Finance

12. Report of STACFAD at the Annual Meeting
13. Adoption of the Budget and STACFAD recommendations for 2008

V. Closing Procedure

14. Election of Chair and Vice-Chair
15. Time and Place of Next Annual Meeting
16. Other Business
17. Press Release
18. Adjournment

Annex 11. FAO Statement to the 29th Annual Meeting of NAFO

Lisbon, Portugal
24 September 2007

Mr. Chairperson, distinguished delegates and observers:

FAO is very grateful for the invitation extended by the Secretariat of the Northwest Atlantic Fisheries Organization (NAFO), to observe its Twenty-ninth Annual Meeting held in this beautiful city of Lisbon. FAO also wishes to express its gratitude for the warm hospitality provided by the Government of Portugal. FAO has been keeping a close and effective working relationship with NAFO and desires to continue such collaboration.

Regional Fisheries Management Organizations (RFMOs) play a unique role in facilitating international cooperation for the conservation and management of fish stocks. RFMOs represent the only realistic means of governing fish stocks that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas, or exclusively on the high seas. Therefore, to strengthen RFMOs in order to conserve and manage fish stocks more effectively remains the major challenge facing international fisheries governance. The Twenty-seventh Session of the FAO Committee on Fisheries (COFI 27) held last March in Rome discussed this matter, as a stand-alone Agenda item for the first time in the history of COFI. The Committee was informed about the joint meeting of the 2007 Tuna RFMOs Meeting held in Japan and many members supported the idea of additional joint meetings of non-tuna RFMOs. Members emphasized the importance of performance reviews of RFMOs in a transparent manner. Many Members requested that FAO continue supporting RFMOs and continue its work on issues of concern such as overcapacity, improvement of fleet statistics and the issues of countries and vessels that undermine the effectiveness of RFMOs.

Immediately after the session of COFI, the First Meeting of Regional Fishery Body Secretariats Network (RSN-1) was also held in Rome, which was in fact the fifth such meeting of Regional Fishery Bodies (RFBs) since 1999. It reviewed the decisions of COFI 27 and reconfirmed the global perception that RFBs have a significant role to play in implementing the Code of Conduct for Responsible Fisheries. It also fully noted the recommendation made by the 2006 Review Conference of the UN Fish Stocks Agreement. Among other things, the meeting noted and discussed the priorities and increasing success in combating IUU fishing, such as integrated Monitoring, Control and Surveillance (MCS) packages, blacklisting procedures, port State measures and catch documentation schemes. A number of RFBs also reported their efforts based on an ecosystem approach to fisheries (EAF) and noted that incorporating ecosystem consideration into RFB decision-making remains under development and is essentially work in progress.

Many distinguished delegates will be aware that COFI, acknowledging the urgent need for a comprehensive suite of port State measures, agreed to proceed with the development of a legally-binding agreement on port State measures based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing. I am pleased to advise the meeting that this initiative is progressing well and that an FAO Expert Consultation to Draft a Legally-binding Instrument on Port State Measures was held in Washington D.C., USA, from 4 to 8 September 2007. The Consultation elaborated a draft Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. This document will form the basis for work of the Technical Consultation on Port State Measures to be held at FAO Headquarters from 23 to 27 June 2008. The report of the Technical Consultation will, in turn, be forwarded to the Twenty-eighth Session of COFI in March 2009 for consideration and further appropriate action.

In relation to the EAF, one of the decisions made during COFI 27 is that FAO should convene an expert consultation to prepare draft technical guidelines including standards for the management of deep-sea fisheries in the high seas. The Expert Consultation on International Guidelines for the Management of Deepwater High Seas Bottom Fisheries was held in Bangkok, Thailand, from 11 to 14 September 2007, in order to review the first draft of the guidelines prepared by the FAO Secretariat based on the discussion made during the Expert Consultation on Deep-sea Fisheries in the High Seas held in November 2006. The draft guidelines are now being revised based on the second expert consultation just concluded and to be discussed in the Technical Consultation scheduled to be held in February 2008.

I would also like to advise the meeting that other FAO Expert Consultations planned for 2008 include the Expert Consultation on the Comprehensive Global Record of Fishing Vessels to be held at FAO Headquarters, Rome, Italy, from 25 to 28 February 2008 and an expert consultation on flag State responsibilities at a place and time to be determined.

Since NAFO is one of the world's leading RFMOs, having a long history and much experience in the sustainable management of fisheries in the Northwest Atlantic Ocean, and one of the RFMOs that initiated the reforming process at the earliest stage, it is highly expected that NAFO will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management, as agreed and recommended during COFI 27 and RSN-1.

Mr. Chairperson,

I will sincerely observe the proceedings of this meeting with much interest and report back to the management of FAO's Fisheries and Aquaculture Department.

Let me conclude, Mr Chairperson, by saying that I bring to the meeting greetings from FAO's Assistant Director-General for Fisheries and Aquaculture, Mr Ichiro Nomura. He wishes the meeting every success in its deliberations.

Thank you very much, Mr. Chairperson, for the opportunity to make this statement on behalf of FAO.

**Annex 12. Speech by the General Secretary of the CPPS at the Annual Meeting of NAFO
Lisbon, September 24th, 2007**

In representation of the General Secretariat of the Permanent Commission for the South Pacific (CPPS) I would like to thank the Executive Secretary of NAFO for having invited us to participate as observers at its 29th Annual Meeting.

The CPPS is a Regional Maritime Agency established in 1952 and comprised by Colombia, Ecuador, Peru, Chile and Panama. Oceanography, marine environment and Fisheries are among the various matters under the responsibility of the CPPS. In the Fisheries area, we coordinate policies; promote cooperation, capacity building and consulting activities.

Our Organization and its Member countries have worked intensively during over 55 years to ensure the sustainable development of fisheries activities in the Eastern South Pacific, both in its jurisdictional waters and in the adjacent sea.

In the conduct of our work, we have established cooperation links with FAO, through its Fisheries Department, and other regional fisheries agencies, such as the Inter American Tropical Tuna Commission (CIAT – IATTC) and the Latin American Organization for Fisheries Development (OLDEPESCA).

In view of the above, we express our interest in establishing working relationships with NAFO, in order to learn about the Organization's experience in the various areas of fisheries management in international waters, bearing in mind that our member countries participate in the current negotiation process for the establishment of a New Regional Fisheries Management Organization for the High Seas in the South Pacific.

We have already taken the first step towards this direction during the present year, with the participation of the Executive Secretary of NAFO, Dr. Johanne Fischer, in the Workshop organized by the CPPS on Allocation Rights in Regional Fisheries Management Agencies.

Finally, I would like to wish you success in the development and results of this meeting.

Annex 13. Opening Remarks from WWF at the 29th NAFO Annual Meeting September 24, 2007

WWF would like to thank Portugal and NAFO – including the General Council, Fisheries Commission, Scientific Council, and Secretariat – for welcoming us at the 29th Annual Meeting.

WWF is here because we are concerned about the status of several specific NAFO-managed stocks and more generally about the overall degradation of Northwest Atlantic ecosystems. We are eager to work with NAFO to restore ecosystem health, rebuild stocks, and ensure fisheries are sustainable.

In our view, the top conservation priorities at this meeting are:

- Finalizing the NAFO Reform process;
- Adopting an effective southern Grand Banks cod recovery plan that includes measures to immediately reduce bycatch; and
- Protecting coldwater corals and other VMEs.

Addressing cod recovery and coral protection will require specific changes on the water that would represent significant progress towards rebuilding depleted stocks, implementing the ecosystem approach, and meeting international obligations, such as the 2006 UNGA Resolution on Sustainable Fisheries.

Finally, WWF would like to invite everyone to our reception this evening – beginning at 6pm in the Europa Room – where we will outline our global fisheries program and our conservation expectations for this meeting in more detail.

**Annex 14. Ecology Action Centre Opening Statement to the NAFO General Council,
September 24, 2007**

Distinguished Chair, Delegates and Observers,

The Ecology Action Centre is pleased to be attending this years NAFO meeting as an observer. We look forward to progress this year towards protecting and restoring fish and

The Ecology Action Centre, particularly in our capacity as a member of the Deep Sea Conservation Coalition, hopes to see significant progress towards implementing the UN GA Sustainable Fisheries Resolution, and protecting vulnerable marine ecosystems in the North West Atlantic.

We are pleased to see the work done to date on modernizing the NAFO Convention to include the basic principles of the UN Fish Stocks Agreement, particularly those of precaution and the ecosystem approach.

We hope the decisions taken this week will lead to action on the water, and action that will help ensure restoration and conservation of the natural resources of the Northwest Atlantic, from which we have all benefited for centuries, and hope to benefit in the centuries to come.

Thank you.

Annex 15. WWF Closing Statement: 29th NAFO Annual Meeting September 2007

WWF would like to thank Portugal for its gracious hospitality and NAFO for welcoming us to the 29th Annual Meeting. Our closing statement focuses on convention reform, 3NO cod recovery, and coral/vulnerable marine ecosystem (VME) protection, which we identified as top priorities for the meeting and progressing on recent commitments.

NAFO Convention Reform

Completion of the convention reform process represents an important step in modernizing fisheries management in the regulatory area because it enables the application of the ecosystem and precautionary approaches. We urge all contracting parties to ratify the new convention and work together to immediately implement these new management approaches.

3NO Cod Recovery

WWF views the Division 3NO cod recovery strategy as a positive step toward rebuilding this severely depleted population. Successful recovery will only occur if bycatch is immediately reduced. Thus, the 40% bycatch reduction target for 2008 is a critically important component of the recovery strategy. WWF urges NAFO contracting parties to work together to achieve this target. If it is not met through existing bycatch reduction measures by 2008, NAFO must quickly implement additional management measures, such as spatial and/or temporal closures, separator grates, and strict bycatch limits. We encourage the Scientific Council to identify and evaluate these and other cod bycatch reduction measures. WWF will work to inform and contribute to this process.

Coral/VME Protection

WWF is encouraged by NAFO's commitment to implement the United Nations General Assembly (UNGA) Resolution 61/05, which calls on regional fisheries management organizations to assess the impacts of bottom fishing and identify and protect VMEs by December 2008. We feel the level of attention this issue was given at the Annual Meeting illustrates a growing commitment to building ecosystem considerations into fisheries management. We are, however, concerned with the inability of NAFO to agree on a clear process and timeline for meeting the December 2008 deadline. The Division 3O closed area is a positive interim protection measure for a potentially sensitive area but a broader deep-sea closure would have been a practical precautionary measure that would have helped freeze the footprint of bottom fishing throughout the regulatory area. NAFO must act quickly through the appropriate working groups and the May 2008 intersessional meeting to assess the impacts of fishing and identify VMEs based on the best available science so informed management decisions can be made at the 2008 Annual Meeting.

Beyond our immediate conservation priorities, WWF would like to express our concern with some of the stock specific decisions made at the Annual Meeting. Of most concern were the decisions to maintain total allowable catches (TACs) for Division 3NO white hake, Division 3LNO thorny skate, and Division 3O redfish at levels considerably higher than advised by the Scientific Council. Given the uncertainty with the status of these stocks, these decisions clearly contradict the precautionary approach, which is a key component of the new convention. We are also troubled by the lack of transparency in decision making at the meeting.

Finalizing the convention reform process, initiating a cod recovery strategy, and committing to VME protection represent important initial steps in the right direction for NAFO. However, to be meaningful for conservation, these commitments must be immediately translated to changes on the water. Practical, innovative, and precautionary management measures are needed to restore ecosystem health, rebuild depleted stocks, and ensure fisheries are sustainable over the long-term. WWF remains committed to working with NAFO and its members towards these ends.

Annex 16. 2007 Annual Meeting Press Release

NAFO Celebrates a Modern Convention

FOR IMMEDIATE RELEASE

LISBON, PORTUGAL - The Northwest Atlantic Fisheries Organization held its 29th Annual Meeting from the 24th to the 28th of September, 2007. The Ministry of Fisheries of Portugal hosted the meeting in Lisbon, Portugal. The meeting focused on the protection of the environment in the Northwest Atlantic and the establishment of stock management measures.

NAFO Modernizes its Convention

Outstanding NAFO reform issues have been successfully concluded and revisions to the NAFO Convention were adopted. They include an Ecosystem Approach to Fisheries Management, improvement of the decision making process and strengthening of the obligations and duties of NAFO Member States, Port States and Flag States. The timely conclusion of the NAFO Reform is regarded as a great success and will ensure that NAFO remains in the forefront of regional organizations managing international fish stocks.

NAFO Closes Vulnerable Marine Ecosystems (VME)

Further to the 2006 precautionary closure of four seamounts in international waters, this year NAFO decided to also close to bottom fisheries a large area on the Grand Banks for the next five years. During this time a coral monitoring and research program in this area will deliver much needed data to devise future strategies for the protection of corals.

NAFO also decided to hold an extraordinary meeting of the Fisheries Commission in Montreal, Canada, in Spring 2008 dedicated to a comprehensive consideration of strategies and measures to address vulnerable marine ecosystems particularly in the deep seas.

NAFO Expands Joint Actions Against IUU Vessels

NAFO has further expanded its IUU (illegal, unreported and unregulated) vessel list to include a number of other regional organizations managing straddling fish stocks in the Atlantic and Pacific oceans. The "black" list has already proven to be a useful tool since its introduction in 2006.

New NAFO Measures Against Over-fishing

NAFO has decided on a special catch communication and inspection scheme for vessels fishing Greenland halibut. This measure will strengthen the fight against over-fishing in the Northwest Atlantic.

NAFO Launches Grand Banks Cod Recovery Program

NAFO adopted a conservation plan and rebuilding strategy for Atlantic cod on the southern Grand Banks to promote recovery of this important species. Despite being under a fishing moratorium for over twelve years the status of cod is still of concern and it is hoped that the new measures which include by-catch limitations and separator grates will help the stock to rebound.

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Additional highlights of the meeting can be found in the attached backgrounder.

For more information contact: Barbara Marshall, NAFO Secretariat www.nafo.int
Tel: +1-902-468 8598
Email: bmarshall@nafo.int

2007 Annual Meeting Press Release

(24 – 28 September 2007)

Backgrounder

The 29th Annual Meeting was hosted by the Portuguese Ministry of Fisheries in Lisbon, Portugal. The 200 delegates from NAFO member countries came together to deliberate on management measures for the international fisheries of the Northwest Atlantic as well as to finalize the amendments to the 1979 NAFO Convention. The meeting was also attended by observers from seven other regional fisheries bodies; as well as from the Ecology Action Centre (EAC) and World Wildlife Fund Canada (WWF- Canada).

The **General Council** was chaired by David Bevan (Canada) and focused on the NAFO Reform that started in 2005 to take into account the UN Fish Stock Agreement and other international conventions related to fisheries and marine environments. The amended convention will include a commitment to an ecosystem approach to fisheries management and improve the decision-making process while making it harder for States to object against a NAFO measure. In addition, General Council also addressed administrative and financial matters.

The **Scientific Council** was chaired by Antonio Vázquez (EU) during its fish stock assessments over the last 12 months and who presented the scientific recommendations to the Fisheries Commission at the beginning of this week. Other matters reviewed by the NAFO scientists included the ocean climate summary, using vessel position reports to complement current assessment techniques and creating liaisons with other organizations to apply ecosystem considerations to monitor and assess fish stocks.

The Annual Meeting is followed by the international symposium on “Reproductive and Recruitment Processes of Exploited Marine Fish Stocks”. The objective of the symposium is to review the reproduction, early life history and recruitment in exploited fish.

The **Fisheries Commission** was chaired by Vladimir Shibanov (Russian Federation) and decided on Total Allowable Catches and other conservation measures for the international waters of the Northwest Atlantic. Because of the demanding agenda during this Annual Meeting, not all matters could be adequately discussed. Therefore, Fisheries Commission agreed to hold an extraordinary meeting in Montreal, Canada, in Spring 2008, to specifically address a new allocation for shrimp and a strategy for the protection of Vulnerable Marine Ecosystems.

Attached is the table of NAFO Total Allowable Catches (TAC) and quotas agreed at this session.

Meetings

Prior to the Annual Meeting, the following NAFO meetings were held during 2007: (1) General Council Intersessional (Montreal, Canada, 19-20 April); (2) Convention Technical Editing Working Group (Brussels, Belgium 22-23 May); (3) Standing Committee on International Control (STACTIC) (Gdynia, Poland, 5-7 Jun); (4) Scientific Council Regular Meeting (Dartmouth, Canada, 7-21 June).

The meeting was attended by over 200 delegates from twelve Contracting Parties – Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and United States of America.

NAFO Executive Secretary
28 September 2007, Lisbon, Portugal

For more information contact: Barbara Marshall, NAFO Secretariat www.nafo.int
Tel: +1-902-468 8598
Email: bmarshall@nafo.int

**CEM Annex I.A.
Annual Quota Table**

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2008 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 | | Yellowtail | Witch | |
|---------------------------------------|-----|-----------------|-----------------|-----------------|----------------------|-------|---|-----------------|-----------------|--------------------|-----------------|-----------------|
| | 3L | 3M | 3NO | 3LN | 3M | 3O | Sub-Area 2 and Div. 1F+3K | 3LNO | 3M | 3LNO | 3L | 3NO |
| Canada | | 0 | 0 | 0 | 500 | 6000 | 385 ^{2,4} | 0 | 0 | 15112 ⁵ | | 0 |
| Cuba | | 0 | - | 0 | 1750 | | 385 ^{2,4} | - | - | - | | - |
| Denmark (Faroe Islands and Greenland) | | 0 | - | - | 69 ¹⁹ | | 9627 ^{2,3} | - | - | - | | - |
| European Union | | 0 ¹¹ | 0 ¹¹ | 0 ¹¹ | 7813 ¹² | 7000 | 9627 ^{2,3} 2503 ^{2,15} | 0 | 0 ¹¹ | - | | 0 ¹¹ |
| France (St. Pierre et Miquelon) | | - | - | - | 69 ¹⁹ | | 385 ^{2,4} | - | - | 310 ⁵ | | - |
| Iceland | | - | - | - | - | | 9627 ^{2,3} | - | - | - | | - |
| Japan | | - | - | - | 400 | 150 | 385 ^{2,4} | - | - | - | | - |
| Korea | | - | - | - | 69 ¹⁹ | 100 | 385 ^{2,4} | - | - | - | | - |
| Norway | | 0 | - | - | - | | 9627 ^{2,3} | - | - | - | | - |
| Russia | | 0 | 0 | 0 | 9137 | 6500 | 9627 ^{2,3} | - | 0 | - | | 0 |
| Ukraine | | | | | | 150 | 385 ^{2,4} | | | | | |
| United States of America | | - | - | - | 69 ¹⁹ | | 385 ^{2,4} | - | - | - | | - |
| Others | | 0 | 0 | 0 | 124 | 100 | - | 0 | 0 | 78 ⁵ | | 0 |
| TOTAL ALLOWABLE CATCH | * | * | * ²⁰ | * | 8500 ^{8,16} | 20000 | 12516 ^{10,17} | * ¹⁶ | * | 15500 ⁹ | * ²⁰ | * |

| Species | White hake | Capelin | Skates | Greenland halibut | Squid (Illex) ¹ | Shrimp | |
|---------------------------------------|--------------------|-----------------|--------|--------------------|---|--------------------|-----|
| Division/Contracting Party | 3NO | 3NO | 3LNO | 3LMNO | Sub-areas 3+4 | 3L | 3NO |
| Canada | 2500 | 0 | 2250 | 1778 | N.S. ⁶ | 20824 | |
| Cuba | | 0 | | - | 510 | 278 | |
| Denmark (Faroe Islands and Greenland) | | - | | 206 | - | 278 | |
| European Union | 5000 | 0 ¹¹ | 8500 | 6951 ¹⁸ | <u>N.S.</u> ⁶ 611 ¹³ | 1392 ¹⁴ | |
| France (St. Pierre et Miquelon) | | - | | 194 | 453 | 278 | |
| Iceland | | - | | - | - | 278 | |
| Japan | | 0 | | 1215 | 510 | 278 | |
| Korea | | - | | - | 453 | 278 | |
| Norway | | 0 | | - | - | 278 | |
| Russia | 500 | 0 | 2250 | 1512 | 749 | 278 | |
| Ukraine | | | | | | 278 | |
| United States of America | | - | | - | 453 | 278 | |
| Others | 500 | - | 500 | 0 ⁷ | 794 | 0 | |
| TOTAL ALLOWABLE CATCH | 8500 ¹⁶ | *21 | 13500 | 11856 | 34000 | 25000 | * |

* Ban on fishing in force – The provisions of Article 11, paragraph 1.b) 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 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, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.

5. Contracting Parties shall inform the Executive Secretary before 01 December 2007 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. In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.
8. 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 4250 tons may be fished before 01 July 2008. 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.
9. The provisions of Article 11, paragraph 1.b) of the Conservation and Enforcement Measures shall apply.
10. In the case of the NEAFC decision which modifies the level of TAC in 2008 as compared with 2007, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.
11. Including fishing entitlements of Estonia, Latvia, and Lithuania following their accession to the European Union and in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7).
12. Including allocations of 1571 tonnes each for Estonia, Latvia and Lithuania out of a sharing of 20,000 tonnes, following their accession to the European Union.
13. Allocations of 128 tonnes each for Estonia, Latvia and Lithuania as well as 227 tonnes for Poland out of a TAC of 34,000 tonnes, following their accession to the European Union.
14. Including allocations of 278 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 25000 tonnes, following their accession to the European Union.
15. Allocation of 2234 tonnes for Lithuania and 269 tonnes to Latvia following their accession to the European Union.
16. Applicable to 2008 and 2009.
17. The quota shares in footnotes 4 and 15 can only be fished in the NAFO Regulatory Area. If an increase in the overall TAC as defined in footnote 10 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share referred to in footnote 4.
18. Including an allocation of 389 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.
19. Notwithstanding the provisions of footnote 8 and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties.
20. Applicable to 2008, 2009, and 2010.
21. Applicable until at least 2012.

CEM Annex I.B
Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2008

| CONTRACTING PARTY | NUMBER OF FISHING DAYS | NUMBER OF VESSELS |
|---|------------------------|-------------------|
| Canada | 456 | 16 |
| Cuba | 100 | 1 |
| Denmark | | |
| – Faroe Islands | 1606 | 8 |
| – Greenland | 515 | 14 |
| European Union | 3293 ¹ | 33 ¹ |
| France (in respect of St Pierre et Miquelon) | 100 | 1 |
| Iceland | N/A | N/A |
| Japan | 100 | 1 |
| Korea | 100 | 1 |
| Norway | 1985 | 32 |
| Russia | 2100 | N/A |
| Ukraine | 100 | 1 |
| USA | 100 | 1 |

¹ Including fishing entitlements transferred from Poland (100 fishing days with one vessel), Estonia (1667 fishing days with 8 vessels), Latvia (490 fishing days with 4 vessels) and Lithuania (579 fishing days with 7 vessels) following their accession to the European Union.

Annex 17. Amendment to the Convention on Future Multilateral Cooperation
(GC Doc. 07/4)

IMPORTANT NOTE

regarding GC Doc 07/4

***Amendment to the Convention on Future Multilateral Cooperation
in the Northwest Atlantic Fisheries***

On 28 September 2007, after a two-year process, NAFO adopted the attached *Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries*. This constitutes the first formal step towards a reformed Convention for NAFO. The adopted text now has to be ratified by at least three-fourths of the NAFO Contracting Parties to become legally binding. The complete process is described in the current NAFO Convention, Article XXI.

**Convention on Future Multilateral Cooperation
in the Northwest Atlantic Fisheries**

Article XXI

1. Any Contracting Party may propose amendments to this Convention to be considered and acted upon by the General Council at an annual or a special meeting. Any such proposed amendment shall be sent to the Executive Secretary at least ninety days prior to the meeting at which it is proposed to be acted upon, and the Executive Secretary shall immediately transmit the proposal to all Contracting Parties.
2. The adoption of a proposed amendment to the Convention by the General Council shall require a three-fourth majority of the votes of all Contracting Parties. The text of any proposed amendments so adopted shall be transmitted by the Depositary to all Contracting Parties.
3. An amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary of receipt of written notification of approval by three-fourths of all Contracting Parties unless any other Contracting Party notifies the Depositary that it objects to the amendment within ninety days of the date of transmittal specified in the notification by the Depositary of such receipt, in which case the amendment shall not take effect for any Contracting Party. Any Contracting Party which has objected to an amendment may at any time withdraw that objection. If all objections to an amendment are withdrawn, the amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary of receipt of the last withdrawal.
4. Any Party which becomes a Contracting Party to the Convention after an amendment has been adopted in accordance with paragraph 2 shall be deemed to have approved the said amendment.
5. The Depositary shall promptly notify all Contracting Parties of the receipt of notification of approval of amendments, the receipt of notification of objection or withdrawal of objections, and the entry into force of amendments.



Serial No. N5453

NAFO/GC Doc. 07/4

29th ANNUAL MEETING – SEPTEMBER 2007

Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries

The Contracting Parties to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (hereinafter "Convention") have agreed as follows:

Article 1

The title of the Convention shall be amended to read as follows:

"Convention on Cooperation in the Northwest Atlantic Fisheries"

Article 2

The Preamble of the Convention shall be deleted and replaced by the following new Preamble:

"The CONTRACTING PARTIES,

NOTING that the coastal States of the Northwest Atlantic have established exclusive economic zones consistent with the United Nations Convention on the Law of the Sea of 10 December 1982 and customary international law, within which they exercise sovereign rights for the purpose of exploring and exploiting, conserving and managing living resources;

RECALLING the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995, and the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993;

TAKING INTO ACCOUNT the Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organization of the United Nations on 31 October 1995 and related instruments adopted by the Food and Agriculture Organization of the United Nations;

RECOGNIZING the economic and social benefits deriving from the sustainable use of fishery resources;

DESIRING to promote the long term conservation and sustainable use of the fishery resources of the Northwest Atlantic;

CONSCIOUS of the need for international cooperation and consultation with respect to those fishery resources;

MINDFUL that effective conservation and management of these fishery resources should be based on the best available scientific advice and the precautionary approach;

COMMITTED to apply an ecosystem approach to fisheries management in the Northwest Atlantic that includes safeguarding the marine environment, conserving its marine biodiversity, minimizing the risk of long term or irreversible adverse effects of fishing activities, and taking account of the relationship between all components of the ecosystem;

FURTHER COMMITTED to conduct responsible fishing activities and to prevent, deter and eliminate IUU fishing;

HAVE AGREED as follows:"

Article 3

Articles I – XXI shall be deleted and replaced by the following new Articles:

"Article I – Use of Terms

For the purpose of this Convention:

- (a) "1982 Convention" means the United Nations Convention on the Law of the Sea of 10 December 1982;
- (b) "1995 Agreement" means the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995;
- (c) "coastal State" means a Contracting Party having an exclusive economic zone within the Convention Area;
- (d) "Contracting Party" means
 - (i) any State or regional economic integration organization which has consented to be bound by this Convention, and for which the Convention is in force; and
 - (ii) this Convention applies *mutatis mutandis* to any entity referred to in Article 305, paragraph 1 c), d) and e) of the 1982 Convention, which is situated in the North Atlantic, and which becomes a Party to this Convention, and to that extent "Contracting Party" refers to such entities.
- (e) "Convention Area", means the area to which this Convention applies, as described in Article IV paragraph 1;
- (f) "fishery resources" means all fish, molluscs and crustaceans within the Convention Area excluding:
 - (i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; and
 - (ii) in so far as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention;
- (g) "fishing activities" means harvesting or processing fishery resources, or transshipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources, including:
 - (i) the actual or attempted searching for, catching or taking of fishery resources;
 - (ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and
 - (iii) any operation at sea in support of, or in preparation for, any activity described in this definition;
 but does not include any operation related to emergencies involving the health and safety of crew members or the safety of a vessel;
- (h) "fishing vessel" means any vessel that is or has been engaged in fishing activities, and includes fish processing vessels and vessels engaged in transshipment or any other activity in preparation for or related to fishing activities, or in experimental or exploratory fishing activities;
- (i) "flag State" means:
 - (i) a State or entity whose vessels are entitled to fly its flag; or
 - (ii) a regional economic integration organization in which vessels are entitled to fly the flag of a member State of that regional economic integration organization;
- (j) "IUU fishing" refers to the activities described in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing adopted by the Food and Agriculture Organization of the United Nations on 2 March 2001;
- (k) "living resources" means all living components of marine ecosystems;

- (l) “marine biological diversity” means the variability among living marine organisms and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;
- (m) “nationals” includes both natural and legal persons;
- (n) “port State” means any State receiving fishing vessels in its ports, offshore terminals or other installations for, *inter alia*, landing, transshipping, refuelling or re-supplying;
- (o) “regional economic integration organization” means a regional economic integration organization to which its member States have transferred competence over matters covered by this Convention, including the authority to make decisions binding on its member States in respect of those matters; and
- (p) “Regulatory Area” means that part of the Convention Area beyond areas under national jurisdiction.

Article II – Objective

The objective of this Convention is to ensure the long term conservation and sustainable use of the fishery resources in the Convention Area and, in so doing, to safeguard the marine ecosystems in which these resources are found.

Article III – General Principles

In giving effect to the objective of this Convention, Contracting Parties individually or collectively, as appropriate, shall:

- (a) promote the optimum utilization and long-term sustainability of fishery resources;
- (b) adopt measures based on the best scientific advice available to ensure that fishery resources are maintained at or restored to levels capable of producing maximum sustainable yield;
- (c) apply the precautionary approach in accordance with Article 6 of the 1995 Agreement;
- (d) take due account of the impact of fishing activities on other species and marine ecosystems and in doing so, adopt measures to minimize harmful impact on living resources and marine ecosystems;
- (e) take due account of the need to preserve marine biological diversity;
- (f) prevent or eliminate overfishing and excess fishing capacity, and ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of the fishery resources;
- (g) ensure that complete and accurate data concerning fishing activities within the Convention Area are collected and shared among them in a timely manner;
- (h) ensure effective compliance with management measures and that sanctions for any infringements are adequate in severity; and
- (i) take due account of the need to minimize pollution and waste originating from fishing vessels as well as minimize discards, catch by lost or abandoned gear, catch of species not subject to a directed fishery and impacts on associated or dependent species, in particular endangered species.

Article IV – Area of Application

1. This Convention applies to the waters of the Northwest Atlantic Ocean north of 35°00' N and west of a line extending due north from 35°00' N and 42°00' W to 59°00' N, thence due west to 44°00' W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10' N.
2. The Convention Area shall be divided into scientific and statistical subareas, divisions and subdivisions, the boundaries of which shall be as defined in Annex I to this Convention.

Article V – The Organization

1. Contracting Parties hereby agree to establish, maintain and strengthen the Northwest Atlantic Fisheries Organization, hereinafter “the Organization” that shall carry out the functions set out in this Convention in order to achieve the objective of this Convention.
2. The Organization shall consist of:
 - (a) a Commission;
 - (b) a Scientific Council; and
 - (c) a Secretariat.
3. The Organization shall have legal personality and shall enjoy in its relations with other international organizations and in the territories of the Contracting Parties such legal capacity as may be necessary to perform its functions and achieve its objective. The privileges and immunities which the Organization and its officers shall enjoy in the territory of a Contracting Party shall be subject to agreement between the Organization and the Contracting Party including, in particular, a headquarters agreement between the Organization and the host Contracting Party.
4. The Chairperson of the Commission shall serve as the President and principal representative of the Organization.
5. The President shall convene the annual meeting of the Organization at such time and place as the Commission may determine.
6. The headquarters of the Organization shall be in the Halifax Regional Municipality, Nova Scotia, Canada, or at such other place as may be decided by the Commission.

Article VI – The Commission

1. Each Contracting Party shall be a member of the Commission and shall appoint one representative to the Commission who may be accompanied by alternative representatives, experts and advisers.
2. The Commission shall elect a Chairperson and a Vice-Chairperson for a term of two years. Each shall be eligible for re-election but shall not serve for more than four years in succession in the same capacity. The Chairperson and Vice-Chairperson shall not be representatives of the same Contracting Party.
3. Any Contracting Party may request a special meeting of the Commission. The Chairperson of the Commission shall thereupon convene such meeting at such time and place as the Chairperson may determine.
4. Unless otherwise provided, measures adopted by the Commission shall apply to the Regulatory Area.
5. The Commission shall:
 - (a) adopt and may amend the rules for the conduct of its meetings and for the exercise of its functions, including rules of procedure, financial regulations and other regulations;
 - (b) establish such subsidiary bodies as it considers desirable for the exercise of its functions and direct their activities;
 - (c) supervise the organizational, administrative, financial and other internal affairs of the Organization, including relations among its constituent bodies;
 - (d) appoint an Executive Secretary on such terms and conditions as it may determine;
 - (e) direct the external relations of the Organization;
 - (f) approve the budget of the Organization;

- (g) adopt rules to provide for the participation of representatives of inter-governmental organizations, non-Contracting Parties and non-governmental organizations as observers at its meetings, as appropriate. Such rules shall not be unduly restrictive and shall provide for timely access to reports and records of the Commission;
 - (h) exercise such other functions and carry out such other activities consistent with this Convention as it may decide;
 - (i) guide the Scientific Council in identifying tasks and priorities for its work; and
 - (j) develop appropriate procedures in accordance with international law to assess the performance by Contracting Parties of their obligations pursuant to Articles X and XI.
6. The Commission shall, in collaboration with the Scientific Council:
- (a) regularly review the status of fish stocks and identify actions required for their conservation and management;
 - (b) collect, analyze and disseminate relevant information;
 - (c) assess the impact of fishing activities and other human activities on living resources and their ecosystems;
 - (d) develop guidelines for the conduct of fishing activities for scientific purposes; and
 - (e) develop guidelines for the collection, submission, verification, access to and use of data.
7. The Commission may refer to the Scientific Council any question pertaining to the scientific basis for the decisions it may need to take concerning fishery resources, the impact of fishing activities on living resources, and the safeguarding of the ecosystem in which these resources are found.
8. In applying the principles set out in Article III, the Commission shall, in relation to the Regulatory Area adopt:
- (a) conservation and management measures to achieve the objective of this Convention;
 - (b) conservation and management measures to minimize the impact of fishing activities on living resources and their ecosystems;
 - (c) total allowable catches and/or levels of fishing effort and determine the nature and extent of participation in fishing;
 - (d) measures for the conduct of fishing for scientific purposes as referred to in subparagraph 6(d);
 - (e) measures for the collection, submission, verification, access to and use of data as referred to in subparagraph 6(e), and
 - (f) measures to ensure adequate flag State performance.
9. The Commission shall adopt measures for appropriate cooperative mechanisms for effective monitoring, control, surveillance and enforcement of the conservation and management measures adopted by the Commission including:
- (a) reciprocal rights of boarding and inspection by Contracting Parties within the Regulatory Area and flag State prosecution and sanctions on the basis of evidence resulting from such boardings and inspections;
 - (b) minimum standards for inspection of fishing vessels by Contracting Parties in ports where fishery resources or products derived from fishery resources originating in the Regulatory Area are landed;
 - (c) follow-up actions as provided for in Articles X, XI or XII on the basis of evidence resulting from such inspections; and
 - (d) without prejudice to any measures a Contracting Party may itself take in this regard, measures for the prevention, deterrence and elimination of IUU fishing.

10. The Commission may adopt measures on matters set out in paragraphs 8 and 9 concerning an area under national jurisdiction of a Contracting Party, provided that the coastal State in question so requests and the measure receives its affirmative vote.
11. (a) In exercising its functions pursuant to paragraph 8, the Commission shall seek to ensure consistency between:
 - (i) any measure that applies to a stock or group of stocks found both within the Regulatory Area and within an area under national jurisdiction of a coastal State, or any measure that would have an effect through species interrelationships on a stock or group of stocks found in whole or in part within an area under national jurisdiction of a coastal State; and
 - (ii) any actions taken by a coastal State for the management and conservation of that stock or group of stocks with respect to fishing activities conducted within the area under its national jurisdiction.
- (b) The Commission and the appropriate coastal State shall accordingly promote the coordination of their respective measures and actions. Each coastal State shall keep the Commission informed of its actions for the purpose of this Article.
12. Measures adopted by the Commission for the allocation of fishing opportunities in the Regulatory Area shall take into account the interests of Contracting Parties whose vessels have traditionally fished within that area and the interests of the relevant coastal States. In the allocation of fishing opportunities from the Grand Bank and Flemish Cap, the Commission shall give special consideration to the Contracting Party whose coastal communities are primarily dependent on fishing activities for stocks related to these fishing banks and which has undertaken extensive efforts to ensure the conservation of such stocks through international action, in particular, by providing surveillance and inspection of international fishing activities on these banks under an international scheme of joint enforcement.
13. The Commission may develop procedures that allow for actions, including non-discriminatory trade-related measures, to be taken by Contracting Parties against any flag State or fishing entity whose fishing vessels engage in fishing activities that undermine the effectiveness of the conservation and management measures adopted by the Commission. Implementation by a Contracting Party of trade-related measures shall be consistent with its international obligations.

Article VII –The Scientific Council

1. Each Contracting Party shall be a member of the Scientific Council and may appoint representatives who may be accompanied at any of its meetings by alternates, experts and advisers.
2. The Scientific Council shall elect a Chairperson and a Vice-Chairperson for a term of two years. Each shall be eligible for re-election but shall not serve for more than four years in succession in the same capacity.
3. Any special meeting of the Scientific Council may be called by the Chairperson at his or her own initiative, upon the request of a coastal State, or upon the request of a Contracting Party with the concurrence of another Contracting Party at such time and place as the Chairperson may determine.
4. The Scientific Council shall adopt, and amend as occasion may require, rules for the conduct of its meetings and for the exercise of its functions, including rules of procedure.
5. The Scientific Council may establish such subsidiary bodies as it may consider necessary for the exercise of its functions.
6. Election of officers, adoption or amendment of rules or other matters pertaining to the organization of work shall be by a majority of the votes of all Contracting Parties present and casting affirmative or negative votes. Each Contracting Party shall have one vote. No vote shall be taken in the absence of a quorum of at least two-thirds of the Contracting Parties.
7. The Scientific Council shall adopt rules to provide for the participation of representatives of inter-governmental organizations, non Contracting Parties and non-governmental organizations as observers to its meetings, as appropriate. Such rules shall not be unduly restrictive and shall provide for timely access to reports and records of the Scientific Council.

8. The Scientific Council shall consistent with the objective and principles of the Convention:
 - (a) provide a forum for consultation and cooperation among the Contracting Parties to study and exchange scientific information and views on fishing activities and the ecosystems in which they occur, and to study and appraise the current and future status of fishery resources including environmental and ecological factors affecting them;
 - (b) promote cooperation in scientific research among Contracting Parties to fill gaps in scientific knowledge;
 - (c) compile and maintain statistics and records;
 - (d) publish or disseminate reports, information and materials pertaining to the fishing activities in the Convention Area and their ecosystems; and
 - (e) provide scientific advice to the Commission as required by the Commission.
9. The Scientific Council may:
 - (a) on its own initiative provide such advice as may assist the Commission in the exercise of its functions;
 - (b) cooperate with any public or private organization sharing similar objectives; and
 - (c) request Contracting Parties to provide such statistical or scientific information as it may require for the exercise of its functions.
10. The Scientific Council shall provide scientific advice in response to any question referred to it by:
 - (a) the Commission pertaining to the scientific basis for the conservation and management of fishery resources and their ecosystems within the Regulatory Area, taking into account the terms of reference specified by the Commission in respect of that question; or
 - (b) a coastal State pertaining to the scientific basis for the conservation and management of fishery resources and their ecosystems within areas under the jurisdiction of that coastal State in the Convention Area.
11. The coastal State shall, in consultation with the Scientific Council, specify terms of reference for the consideration of any question it may refer to the Scientific Council. Such terms of reference shall include, *inter alia*:
 - (a) description of the fishing activities and area to be considered;
 - (b) where scientific estimates or predictions are sought, description of any relevant factors or assumptions to be taken into account; and
 - (c) where applicable, description of any objectives the coastal State is seeking to attain and an indication of whether specific advice or a range of options should be provided.
12. As a general rule, the Scientific Council shall provide its advice by consensus. Where consensus cannot be achieved, the Scientific Council shall set out in its report all views of its members.
13. All reports provided by the Scientific Council shall be published by the Secretariat.

Article VIII –The Secretariat

1. The Secretariat shall provide services to the Commission, the Scientific Council and their subsidiary bodies to facilitate the exercise of their functions.
2. The chief administrative officer of the Secretariat shall be the Executive Secretary.
3. The employees of the Secretariat shall be appointed by the Executive Secretary in accordance with such rules and procedures as the Commission may adopt in consultation with the Scientific Council, as appropriate.

4. Subject to the general supervision of the Commission, the Executive Secretary shall have full authority over managing employees and employee-related issues of the Secretariat and shall perform such other duties and functions as the Commission may prescribe.

Article IX – Budget

1. Each Contracting Party shall pay the expenses of its own delegation to any meetings held pursuant to this Convention.
2. The Commission shall establish the amount of the annual contributions due from each Contracting Party pursuant to the annual budget on the following basis:
 - (a) 10% of the budget shall be divided among the coastal States in proportion to their nominal catches in the Convention Area in the year ending two years before the beginning of the budget year;
 - (b) 30% of the budget shall be divided equally among all the Contracting Parties;
 - (c) 60% of the budget shall be divided among all Contracting Parties in proportion to their nominal catches in the Convention Area in the year ending two years before the beginning of the budget year; and
 - (d) the annual contribution of any Contracting Party which has a population of less than 300,000 inhabitants shall be limited to a maximum of 12% of the total budget. When this contribution is so limited, the remaining part of the budget shall be divided among the other Contracting Parties in accordance with subparagraphs (a), (b) and (c).

The nominal catches referred to above shall be the reported catches of the fishery resources specified in the financial regulations adopted by the Commission pursuant to subparagraph 5 (a) of Article VI.

3. The Executive Secretary shall notify each Contracting Party of the amount of its contribution due as calculated pursuant to paragraph 2, and as soon as possible thereafter, each Contracting Party shall pay its contribution to the Organization.
4. Contributions shall be payable in the currency of the country in which the headquarters of the Organization is located.
5. No later than sixty days before the annual meeting, the Executive Secretary shall submit the draft annual budget to each Contracting Party together with the schedule of contributions.
6. A Contracting Party acceding to this Convention shall contribute in respect of the year it accedes an amount proportional to the number of complete months remaining in the year calculated from the day of its accession.
7. Unless the Commission decides otherwise, a Contracting Party that has not fully paid its contributions for two consecutive years shall have its right of casting votes and presenting objections suspended until such time as it has discharged its financial obligations to the Organization.
8. The financial affairs of the Organization shall be audited annually by external auditors to be selected by the Commission.

Article X – Contracting Party Duties

1. Each Contracting Party shall:
 - (a) implement this Convention and any conservation and management measures or other obligations binding on it and regularly submit to the Commission a description of the steps it has taken to implement and comply with such measures or obligations including outcomes of proceedings referred to in Article XI, subparagraph 2 (e);
 - (b) co-operate in furthering the objective of this Convention;
 - (c) take all necessary actions to ensure the effectiveness of and to enforce the conservation and management measures adopted by the Commission;

- (d) collect and exchange scientific, technical, and statistical data and knowledge pertaining to living resources and their ecosystems in the Convention Area including complete and detailed information on commercial catches and fishing effort and take appropriate actions to verify the accuracy of such data;
 - (e) perform biological sampling on commercial catches;
 - (f) make such information as may be required by the Commission or Scientific Council available in a timely manner;
 - (g) without prejudice to the jurisdiction of the flag State, to the greatest extent possible, take actions or cooperate with other Contracting Parties, to ensure that its nationals and fishing vessels owned or operated by its nationals conducting fishing activities comply with the provisions of this Convention and with the conservation and management measures adopted by the Commission; and
 - (h) without prejudice to the jurisdiction of the flag State, to the greatest extent possible, when provided with the relevant information, investigate immediately and fully and report promptly on actions it has taken in response to any alleged serious infringement by its nationals, or foreign flagged fishing vessels owned or operated by its nationals, of this Convention or any conservation and management measure adopted by the Commission.
2. Each coastal State Contracting Party shall regularly submit to the Commission a description of the actions, including enforcement actions, it has taken for the conservation and management of straddling stocks found in waters under its jurisdiction within the Convention Area.

Article XI – Flag State Duties

1. Each Contracting Party shall ensure that fishing vessels entitled to fly its flag:
- (a) comply with the provisions of this Convention and with the conservation and management measures adopted by the Commission and that such vessels do not engage in any activity that undermines the effectiveness of such measures;
 - (b) do not conduct unauthorized fishing activities within areas under national jurisdiction in the Convention Area; and
 - (c) do not engage in fishing activities in the Regulatory Area unless they have been authorized to do so by that Contracting Party.
2. Each Contracting Party shall:
- (a) refrain from authorizing fishing vessels entitled to fly its flag to engage in fishing activities in the Regulatory Area unless it is able to exercise effectively its responsibilities in respect of such vessels pursuant to this Convention and consistent with international law;
 - (b) maintain a record of fishing vessels entitled to fly its flag it has authorized to fish for fishery resources in the Regulatory Area and ensure that such information as may be specified by the Commission is recorded therein;
 - (c) exchange the information contained in the record referred to in subparagraph (b) in accordance with such procedures as may be specified by the Commission;
 - (d) in accordance with procedures adopted by the Commission, investigate immediately and fully and report promptly on actions it has taken in response to an alleged infringement by a vessel entitled to fly its flag of measures adopted by the Commission; and
 - (e) in respect of an alleged infringement referred to in subparagraph (d) ensure that appropriate enforcement actions are taken without delay and that administrative or judicial proceedings are initiated in accordance with its laws.
3. Enforcement actions taken or sanctions applied pursuant to subparagraph 2 (e) shall be adequate in severity to be effective in securing compliance, discouraging further infringements and depriving offenders of the benefits accruing from their illegal activities.

Article XII – Port State Duties

1. Actions taken by a port State Contracting Party pursuant to this Convention shall take full account of its rights and duties under international law to promote the effectiveness of conservation and management measures adopted by the Commission.
2. Each port State Contracting Party shall implement the measures concerning inspections in port adopted by the Commission.
3. Nothing in this Article shall affect the sovereignty of a Contracting Party over ports in its territory.

Article XIII – Decision Making of the Commission

1. As a general rule, decision-making within the Commission shall be by consensus. For the purposes of this Article, “consensus” means the absence of any formal objection made at the time the decision was taken.
2. If the Chairperson considers that all efforts to reach consensus have been exhausted, decisions of the Commission shall, except where otherwise provided, be taken by two-thirds majority of the votes of all Contracting Parties present and casting affirmative or negative votes, provided that no vote shall be taken unless there is a quorum of at least two-thirds of the Contracting Parties. Each Contracting Party shall have one vote.

Article XIV – Implementation of Commission Decisions

1. Each measure adopted by the Commission pursuant to Article VI, paragraphs 8 and 9 shall become binding on each Contracting Party in the following manner:
 - (a) the Executive Secretary shall within five working days of adoption transmit the measure to each Contracting Party specifying the date of transmittal for the purposes of paragraph 2; and
 - (b) subject to paragraph 2, unless otherwise specified in the measure, it shall become binding on each Contracting Party sixty days following the date of transmittal.
2. Where any Contracting Party presents an objection to a measure by delivering it to the Executive Secretary within sixty days of the date of transmittal specified pursuant to subparagraph 1(a), any other Contracting Party may similarly present an objection prior to the expiration of an additional twenty day period, or within fifteen days after the date of transmittal specified in the notification to the Contracting Parties of any objection presented within that additional twenty day period, whichever shall be later. The measure shall then become binding on each Contracting Party, except any that has presented an objection. If, however, at the end of such extended period or periods, objections have been presented and maintained by a majority of Contracting Parties, the measure shall not become binding, unless any or all of the Contracting Parties nevertheless agree as among themselves to be bound by it on an agreed date.
3. Any Contracting Party that has presented an objection may withdraw it at any time and the measure shall then become binding on it.
4. (a) Any time after the expiration of one year from the date on which a measure enters into force, any Contracting Party may notify the Executive Secretary of its intention not to be bound by the measure and, if that notification is not withdrawn, the measure shall cease to be binding on it at the end of one year from the date of receipt of such notification by the Executive Secretary.
 - (b) Any time after a measure has ceased to be binding on a Contracting Party pursuant to subparagraph (a), the measure shall cease to be binding on any other Contracting Party on the date the Executive Secretary receives notification of its intention not to be bound.
5. Any Contracting Party that has presented an objection to a measure pursuant to paragraph 2 or given notification of its intention not to be bound by a measure pursuant to paragraph 4 shall at the same time provide an explanation for its reasons for taking this action. This explanation shall specify whether it considers that the measure is inconsistent with the provisions of this Convention, or that the measure unjustifiably discriminates in form or fact against it. The explanation shall also include a declaration of the actions it intends to take following the objection or -notification, including a description of the alternative

measures it intends to take or has taken for conservation and management of the relevant fishery resources consistent with the objective of this Convention.

6. The Executive Secretary shall immediately notify each Contracting Party of:
 - (a) the receipt or withdrawal of any objection pursuant to paragraph 2 or 3;
 - (b) the date on which any measure becomes binding pursuant to paragraph 1;
 - (c) the receipt of any notification pursuant to paragraph 4; and
 - (d) each explanation and description of alternative measures received pursuant to paragraph 5.
7. Any Contracting Party that invokes the procedure set out in paragraphs 2, 4 or 5, may at the same time submit the matter to *ad hoc* panel proceedings. Annex II shall apply *mutatis mutandis*.
8. Where a Contracting Party does not submit the matter to *ad hoc* panel proceedings pursuant to paragraph 7, the Commission shall decide by simple majority mail vote, whether to submit that Contracting Party's explanation made pursuant to paragraph 5 to such proceedings. Where the Commission decides to submit the matter to such proceedings, Annex II shall apply *mutatis mutandis*.
9. Where, pursuant to paragraph 8, the Commission decides not to submit the matter to *ad hoc* panel proceedings, any Contracting Party may request a meeting of the Commission to review the measure adopted by the Commission and the explanation made pursuant to paragraph 5.
10. An *ad hoc* panel constituted pursuant to paragraph 7 or 8 shall review the explanation made pursuant to paragraph 5 and the measure to which it relates and make recommendations to the Commission on:
 - (a) whether the explanation provided by the Contracting Party pursuant to paragraph 5 is well founded, and if so, whether the measure should accordingly be modified or rescinded, or where it finds that the explanation is not well founded, whether the measure should be maintained; and
 - (b) whether the alternative measures set out in the explanation made by the Contracting Party pursuant to paragraph 5 are consistent with the objective of this Convention and preserve the respective rights of all Contracting Parties.
11. No later than thirty days following the termination of the *ad hoc* panel proceedings pursuant to this Article, the Commission shall meet to consider the recommendations of the *ad hoc* panel.
12. Where the procedures set out in paragraphs 7 to 11 have been concluded, any Contracting Party may invoke the dispute settlement procedures set out in Article XV.

Article XV – Settlement of Disputes

1. Contracting Parties shall co-operate in order to prevent disputes.
2. Where a dispute arises between two or more Contracting Parties concerning the interpretation or application of this Convention, including the explanation referred to in Article XIV, paragraph 5, any actions taken by a Contracting Party following an objection presented pursuant to Article XIV, paragraph 2, or any notification made pursuant of Article XIV, paragraph 4, those Contracting Parties, hereinafter referred to as “Contracting Parties to the dispute”, shall seek to resolve their dispute by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, *ad hoc* panel proceedings or other peaceful means of their choice.
3. Where a dispute concerns the interpretation or application of a measure adopted by the Commission pursuant to Article VI, paragraph 8 and 9, or matters related thereto, including the explanation referred to in Article XIV, paragraph 5, any actions taken by a Contracting Party to the dispute following an objection presented pursuant to Article XIV, paragraph 2, or notification made pursuant to Article XIV, paragraph 4, the Contracting Parties to the dispute may submit the dispute to non binding *ad hoc* panel proceedings pursuant to Annex II.
4. Where a dispute has been submitted to *ad hoc* panel proceedings, the *ad hoc* panel shall at the earliest opportunity confer with the Contracting Parties to the dispute with a view to resolving the dispute expeditiously. The *ad hoc* panel shall present a report to the Contracting Parties to the dispute and through

the Executive Secretary to the other Contracting Parties. The report shall include any recommendations that the *ad hoc* panel considers appropriate to resolve the dispute.

5. Where the Contracting Parties to the dispute accept the recommendations of the *ad hoc* panel, they shall within fourteen days of receipt of the report of the *ad hoc* panel notify all other Contracting Parties, through the Executive Secretary, of the actions they intend to take with a view to implementing the recommendations. Thereupon, the recommendations of the *ad hoc* panel may be referred for consideration by the Commission in accordance with its appropriate procedures.
6. Where no settlement has been reached following the recommendations of the *ad hoc* panel, any of the Contracting Parties to the dispute may submit the dispute to compulsory proceedings entailing binding decisions pursuant to Section 2 of Part XV of the 1982 Convention or Part VIII of the 1995 Agreement.
7. Where the Contracting Parties to a dispute have agreed to submit the dispute to *ad hoc* panel proceedings, they may at the same time agree to apply provisionally the relevant measure adopted by the Commission until the report of the *ad hoc* panel is presented unless they have settled the dispute by other means.
8. Where the Contracting Parties to a dispute are unable to agree on any peaceful means referred to in paragraph 2 to resolve their dispute or are unable to otherwise reach a settlement, the dispute shall at the request of one of them, be submitted to compulsory proceedings entailing a binding decision pursuant to Part XV, Section 2, of the 1982 Convention or Part VIII of the 1995 Agreement.
9. Where recourse is made to compulsory proceedings entailing binding decisions, the Contracting Parties to the dispute shall, unless they agree otherwise, provisionally apply any recommendation made by the *ad hoc* panel pursuant to paragraph 4 or, where applicable, pursuant to Article XIV, paragraph 10. They shall continue to apply such provisional measures or any arrangements of equivalent effect agreed between them until a court or tribunal having jurisdiction over the dispute prescribes provisional measures or renders a decision, or, until the expiration of the measure in question.
10. The notification provisions of paragraph 5 shall apply *mutatis mutandis* with respect to provisional measures applied pursuant to paragraph 7 or prescribed pursuant to paragraph 9 or to any decision of a court or tribunal to which the dispute has been submitted.
11. A court, tribunal or *ad hoc* panel to which a dispute has been submitted pursuant to this Article shall apply the relevant provisions of this Convention, the 1982 Convention, the 1995 Agreement, generally accepted standards for the conservation and management of living resources and other rules of international law not incompatible with this Convention with a view to attaining the objective of this Convention.
12. Nothing in this Convention shall be argued or construed to prevent a Contracting Party to a dispute, as State Party to the 1982 Convention, from submitting the dispute to compulsory procedures entailing binding decisions against another State Party pursuant to Section 2 of Part XV of the 1982 Convention, or as State Party to the 1995 Agreement from submitting the dispute to compulsory procedures entailing binding decisions against another State Party pursuant to Article 30 of the 1995 Agreement.

Article XVI - Co-operation with non-Contracting Parties

1. Where a vessel entitled to fly the flag of a non-Contracting Party engages in fishing activities in the Regulatory Area, the Commission shall request the flag State to cooperate fully with the Organization either by becoming a Contracting Party or by agreeing to apply the conservation and management measures adopted by the Commission.
2. Contracting Parties shall:
 - (a) exchange information on fishing activities in the Regulatory Area by vessels entitled to fly the flag of any non-Contracting Party and on any action they have taken in response to such fishing activities;
 - (b) take measures consistent with this Convention and international law to deter fishing activities of vessels entitled to fly the flag of any non-Contracting Party that undermine the effectiveness of the conservation and management measures adopted by the Commission;

- (c) advise any non-Contracting Party to this Convention of any fishing activity by its nationals or vessels entitled to fly its flag that undermine the effectiveness of the conservation and management measures adopted by the Commission; and
- (d) seek co-operation with any non-Contracting Party that has been identified as importing, exporting or re-exporting fishery products derived from fishing activities in the Convention Area.

Article XVII – Co-operation with Other Organizations

The Organization shall:

- (a) cooperate, as appropriate, on matters of mutual interest, with the Food and Agriculture Organization of the United Nations, with other specialized agencies of the United Nations and with other relevant organizations;
- (b) seek to develop cooperative working relationships and may enter into agreements for this purpose with intergovernmental organizations that can contribute to its work and have competence for ensuring the long-term conservation and sustainable use of living resources and their ecosystems. It may invite such organizations to send observers to its meetings or those of any of its subsidiary bodies; it may also seek to participate in meetings of such organizations as appropriate; and
- (c) cooperate with other relevant regional fisheries management organizations taking note of their conservation and management measures.

Article XVIII – Review

The Commission shall periodically initiate reviews and assessments of the adequacy of provisions of this Convention and, if necessary, propose means for strengthening their substance and methods of implementation in order to address any problems in attaining the objective of this Convention.

Article XIX – Annexes

The Annexes shall form an integral part of this Convention and unless expressly provided otherwise, reference to this Convention includes reference to the Annexes.

Article XX – Good Faith and Abuse of Rights

Contracting Parties shall fulfil in good faith the obligations assumed under this Convention and shall exercise the rights recognized in this Convention in a manner which would not constitute an abuse of right.

Article XXI – Relation to Other Agreements

1. This Convention shall not alter the rights and obligations of Contracting Parties that arise from other Agreements compatible with this Convention and that do not affect the enjoyment by other Contracting Parties of their rights or the performance of their obligations under this Convention.
2. Nothing in this Convention shall prejudice the rights, jurisdiction and duties of Contracting Parties under the 1982 Convention or the 1995 Agreement. This Convention shall be interpreted and applied in the context of and in a manner consistent with the 1982 Convention and the 1995 Agreement.

Article XXII – Amendments to the Convention

1. Any Contracting Party may propose amendments to this Convention to be considered and acted upon by the Commission at its annual meeting or at a special meeting. Any such proposal shall be sent to the Executive Secretary at least ninety days prior to the meeting at which it is proposed to be acted upon, and the Executive Secretary shall immediately transmit the proposal to each Contracting Party.
2. Adoption of a proposed amendment shall require a three-fourths majority of the votes of all Contracting Parties. The text of any amendment so adopted shall be transmitted by the Depositary to each Contracting Party.

3. An amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary of receipt of written notification of approval by three-fourths of all Contracting Parties unless within ninety days of the date of transmittal specified in the notification by the Depositary of such receipt, any other Contracting Party notifies the Depositary that it objects to the amendment, in which case the amendment shall not take effect for any Contracting Party. Any Contracting Party that has objected to an amendment may at any time withdraw that objection. If all objections to an amendment that has been approved by three-fourths of all Contracting Parties are withdrawn, the amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary, of receipt of the last withdrawal.
4. Any party that becomes a Contracting Party to the Convention after an amendment has been adopted in accordance with paragraph 2 shall be deemed to have approved that amendment.
5. The Depositary shall promptly notify all Contracting Parties of the receipt of notifications of approval of amendments, the receipt of notifications of objection or withdrawal of objections, and the entry into force of amendments.
6. Notwithstanding paragraphs 1 through 5, the Commission may by a two-thirds majority vote of all Contracting Parties:
 - (a) taking into account the advice of the Scientific Council, if it considers it necessary for management purposes, divide the Regulatory Area into scientific and statistical subareas, regulatory divisions and subdivisions, as appropriate. The boundaries of any such subareas, divisions and subdivisions shall be set out in Annex I;
 - (b) at the request of the Scientific Council, if it considers it necessary for management, scientific or statistical purposes, modify the boundaries of the scientific and statistical subareas, divisions and subdivisions set out in Annex I, provided that each coastal State affected concurs in such action."

Article 4

Article XXII shall be renumbered as Article XXIII.

Article 5

Article XXIII shall be deleted.

Article 6

Articles XXIV and XXV shall be deleted and replaced by the following new Articles:

"Article XXIV - Denunciation

1. A Contracting Party may denounce this Convention by written notification to the Depositary on or before 30 June of any year. The denunciation shall take effect on 31 December of that same year. The Depositary shall without delay notify all other Contracting Parties.
2. Any other Contracting Party may thereupon by written notification to the Depositary no later than thirty days following notification pursuant to paragraph 1 also denounce the Convention with effect on 31 December of that year. The Depositary shall without delay notify all other Contracting Parties.

Article XXV - Registration

1. The original of the present Convention shall be deposited with the Government of Canada, which shall communicate certified copies thereof to all the Signatories and to all the Contracting Parties.
2. The Depositary shall register the present Convention and any amendment thereof with the Secretariat of the United Nations."

Article 7

Annexes I – II shall be deleted:

Article 8

Annex III shall be deleted and replaced by the following two Annexes:

**"Annex I to the Convention – Scientific and
Statistical subareas, divisions and subdivisions**

The scientific and statistical subareas, divisions and subdivisions provided for by Article IV of this Convention shall be as follows:

1(a) Subarea 0

That portion of the Convention Area bounded on the south by a line extending due east from a point at 61° 00' N 65° 00' W to a point at 61° 00' N 59° 00' W; thence in a southeasterly direction along a rhumb line to a point at 60° 12' N 57° 13' W; thence bounded on the east by a series of geodetic lines joining the following points:

| Point No. | Latitude | Longitude | Point No. | Latitude | Longitude | Point No. | Latitude | Longitude |
|-----------|----------|-----------|-----------|----------|-----------|-----------|----------|-----------|
| 1 | 60°12.0' | 57°13.0' | 40 | 67°28.3' | 57°55.3' | 79 | 71°31.8' | 62°32.0' |
| 2 | 61°00.0' | 57°13.1' | 41 | 67°29.1' | 57°56.1' | 80 | 71°32.9' | 62°33.5' |
| 3 | 62°00.5' | 57°21.1' | 42 | 67°30.7' | 57°57.8' | 81 | 71°44.7' | 62°49.6' |
| 4 | 62°02.3' | 57°21.8' | 43 | 67°35.3' | 58°02.2' | 82 | 71°47.3' | 62°53.1' |
| 5 | 62°03.5' | 57°22.2' | 44 | 67°39.7' | 58°06.2' | 83 | 71°52.9' | 63°03.9' |
| 6 | 62°11.5' | 57°25.4' | 45 | 67°44.2' | 58°09.9' | 84 | 72°01.7' | 63°21.1' |
| 7 | 62°47.2' | 57°41.0' | 46 | 67°56.9' | 58°19.8' | 85 | 72°06.4' | 63°30.9' |
| 8 | 63°22.8' | 57°57.4' | 47 | 68°01.8' | 58°23.3' | 86 | 72°11.0' | 63°41.0' |
| 9 | 63°28.6' | 57°59.7' | 48 | 68°04.3' | 58°25.0' | 87 | 72°24.8' | 64°13.2' |
| 10 | 63°35.0' | 58°02.0' | 49 | 68°06.8' | 58°26.7' | 88 | 72°30.5' | 64°26.1' |
| 11 | 63°37.2' | 58°01.2' | 50 | 68°07.5' | 58°27.2' | 89 | 72°36.3' | 64°38.8' |
| 12 | 63°44.1' | 57°58.8' | 51 | 68°16.1' | 58°34.1' | 90 | 72°43.7' | 64°54.3' |
| 13 | 63°50.1' | 57°57.2' | 52 | 68°21.7' | 58°39.0' | 91 | 72°45.7' | 64°58.4' |
| 14 | 63°52.6' | 57°56.6' | 53 | 68°25.3' | 58°42.4' | 92 | 72°47.7' | 65°00.9' |
| 15 | 63°57.4' | 57°53.5' | 54 | 68°32.9' | 59°01.8' | 93 | 72°50.8' | 65°07.6' |
| 16 | 64°04.3' | 57°49.1' | 55 | 68°34.0' | 59°04.6' | 94 | 73°18.5' | 66°08.3' |
| 17 | 64°12.2' | 57°48.2' | 56 | 68°37.9' | 59°14.3' | 95 | 73°25.9' | 66°25.3' |
| 18 | 65°06.0' | 57°44.1' | 57 | 68°38.0' | 59°14.6' | 96 | 73°31.1' | 67°15.1' |
| 19 | 65°08.9' | 57°43.9' | 58 | 68°56.8' | 60°02.4' | 97 | 73°36.5' | 68°05.5' |
| 20 | 65°11.6' | 57°44.4' | 59 | 69°00.8' | 60°09.0' | 98 | 73°37.9' | 68°12.3' |
| 21 | 65°14.5' | 57°45.1' | 60 | 69°06.8' | 60°18.5' | 99 | 73°41.7' | 68°29.4' |
| 22 | 65°18.1' | 57°45.8' | 61 | 69°10.3' | 60°23.8' | 100 | 73°46.1' | 68°48.5' |
| 23 | 65°23.3' | 57°44.9' | 62 | 69°12.8' | 60°27.5' | 101 | 73°46.7' | 68°51.1' |
| 24 | 65°34.8' | 57°42.3' | 63 | 69°29.4' | 60°51.6' | 102 | 73°52.3' | 69°11.3' |
| 25 | 65°37.7' | 57°41.9' | 64 | 69°49.8' | 60°58.2' | 103 | 73°57.6' | 69°31.5' |
| 26 | 65°50.9' | 57°40.7' | 65 | 69°55.3' | 60°59.6' | 104 | 74°02.2' | 69°50.3' |
| 27 | 65°51.7' | 57°40.6' | 66 | 69°55.8' | 61°00.0' | 105 | 74°02.6' | 69°52.0' |
| 28 | 65°57.6' | 57°40.1' | 67 | 70°01.6' | 61°04.2' | 106 | 74°06.1' | 70°06.6' |
| 29 | 66°03.5' | 57°39.6' | 68 | 70°07.5' | 61°08.1' | 107 | 74°07.5' | 70°12.5' |
| 30 | 66°12.9' | 57°38.2' | 69 | 70°08.8' | 61°08.8' | 108 | 74°10.0' | 70°23.1' |
| 31 | 66°18.8' | 57°37.8' | 70 | 70°13.4' | 61°10.6' | 109 | 74°12.5' | 70°33.7' |
| 32 | 66°24.6' | 57°37.8' | 71 | 70°33.1' | 61°17.4' | 110 | 74°24.0' | 71°25.7' |
| 33 | 66°30.3' | 57°38.3' | 72 | 70°35.6' | 61°20.6' | 111 | 74°28.6' | 71°45.8' |
| 34 | 66°36.1' | 57°39.2' | 73 | 70°48.2' | 61°37.9' | 112 | 74°44.2' | 72°53.0' |
| 35 | 66°37.9' | 57°39.6' | 74 | 70°51.8' | 61°42.7' | 113 | 74°50.6' | 73°02.8' |
| 36 | 66°41.8' | 57°40.6' | 75 | 71°12.1' | 62°09.1' | 114 | 75°00.0' | 73°16.3' |
| 37 | 66°49.5' | 57°43.0' | 76 | 71°18.9' | 62°17.5' | 115 | 75°05' | 73°30' |
| 38 | 67°21.6' | 57°52.7' | 77 | 71°25.9' | 62°25.5' | | | |
| 39 | 67°27.3' | 57°54.9' | 78 | 71°29.4' | 62°29.3' | | | |

and thence due north to the parallel of 78° 10' N; and bounded on the west by a line beginning at 61° 00' N 65° 00' W and extending in a northwesterly direction along a rhumb line to the coast of Baffin Island at East Bluff (61° 55' N 66° 20' W); and thence in a northerly direction along the coast of Baffin Island, Bylot Island, Devon Island and Ellesmere Island and following the meridian of 80° W in the waters between those islands to 78° 10' N; and bounded on the north by the parallel of 78° 10' N.

1(b) **Subarea 0 is composed of two divisions:**

Division 0–A

That portion of the subarea lying to the north of the parallel of 66° 15' N;

Division 0–B

That portion of the subarea lying to the south of the parallel of 66° 15' N.

2(a) **Subarea 1**

That portion of the Convention Area lying to the east of subarea 0 and to the north and east of a rhumb line joining a point at 60° 12' N and 57° 13' W with a point at 52° 15' N and 42° 00' W.

2(b) **Subarea 1 is composed of six divisions:**

Division 1A

That portion of the subarea lying north of the parallel of 68° 50' N (Qasigiannguit);

Division 1B

That portion of the subarea lying between the parallel of 66° 15' N (approximately 5 nautical miles north of Umanarsugssuak) and the parallel of 68° 50' N (Qasigiannguit);

Division 1C

That portion of the subarea lying between the parallel of 64° 15' N (approximately 4 nautical miles north of Nuuk) and the parallel of 66° 15' N (approximately 5 nautical miles north of Umanarsugssuak);

Division 1D

That portion of the subarea lying between the parallel of 62° 30' N (Paamiut Glacier) and the parallel of 64° 15' N (approximately 4 nautical miles north of Nuuk),

Division 1E

That portion of the subarea lying between the parallel of 60° 45' N (Cape Desolation) and the parallel of 62° 30' N (Paamiut Glacier);

Division 1FT

That portion of the subarea lying south of the parallel of 60° 45' N (Cape Desolation).

3(a) **Subarea 2**

That portion of the Convention Area lying to the east of the meridian of 64° 30' W in the area of Hudson Strait, to the south of subarea 0, to the south and west of subarea 1 and to the north of the parallel of 52° 15' N.

3(b) **Subarea 2 is composed of three divisions:**

Division 2G

That portion of the subarea lying north of the parallel of 57° 40' N (Cape Mugford);

Division 2H

That portion of the subarea lying between the parallel of 55° 20' N (Hopedale) and the parallel of 57° 40' N (Cape Mugford);

Division 2J

That portion of the subarea lying south of the parallel of 55° 20' N (Hopedale).

4(a) **Subarea 3**

That portion of the Convention Area lying south of the parallel of 52° 15' N, and to the east of a line extending due north from Cape Bauld on the north coast of Newfoundland to 52° 15' N; to the north of

the parallel of 39° 00' N; and to the east and north of a rhumb line commencing at 39° 00' N 50° 00' W and extending in a northwesterly direction to pass through a point at 43° 30' N 55° 00' W in the direction of a point at 47° 50' N 60° 00' W until it intersects a straight line connecting Cape Ray, 47° 37.0' N 59° 18.0' W on the coast of Newfoundland, with Cape North, 47° 02.0' N 60° 25.0' W on Cape Breton Island; thence in a northeasterly direction along said line to Cape Ray, 47° 37.0' N 59° 18.0' W.

4(b) **Subarea 3 is composed of six divisions:**

Division 3K

That portion of the subarea lying north of the parallel of 49° 15' N (Cape Freels, Newfoundland);

Division 3L

That portion of the subarea lying between the Newfoundland coast from Cape Freels to Cape St. Mary and a line described as follows: beginning at Cape Freels, thence due east to the meridian of 46° 30' W, thence due south to the parallel of 46° 00' N, thence due west to the meridian of 54° 30' W, thence along a rhumb line to Cape St. Mary, Newfoundland.

Division 3M

That portion of the subarea lying south of the parallel of 49° 15' N and east of the meridian of 46° 30' W;

Division 3N

That portion of the subarea lying south of the parallel of 46° 00' N and between the meridian of 46° 30' W and the meridian of 51° 00' W;

Division 3O

That portion of the subarea lying south of the parallel of 46° 00' N and between the meridian of 51° 00' W and the meridian of 54° 30' W;

Division 3P

That portion of the subarea lying south of the Newfoundland coast and west of a line from Cape St. Mary, Newfoundland to a point at 46° 00' N 54° 30' W, thence due south to a limit of the subarea;

Division 3P is divided into two subdivisions:

3Pn – Northwestern subdivision – That portion of division 3P lying northwest of a line extending from 47° 30.7' N 57° 43.2' W Newfoundland, approximately southwest to a point at 46° 50.7' N and 58° 49.0' W;

3Ps – Southeastern subdivision – That portion of division 3P lying southeast of the line defined for Subdivision 3Pn.

5(a) **Subarea 4**

That portion of the Convention Area lying north of the parallel of 39° 00' N, to the west of subarea 3, and to the east of a line described as follows:

beginning at the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel, at a point at 44° 46' 35.346" N 66° 54' 11.253" W; thence due south to the parallel of 43° 50' N; thence due west to the meridian of 67° 24' 27.24" W; thence along a geodetic line in a southwesterly direction to a point at 42° 53' 14" N 67° 44' 35" W; thence along a geodetic line in a southeasterly direction to a point at 42° 31' 08" N 67° 28' 05" W; thence along a geodetic line to a point at 42° 20' N 67° 18' 13.15" W;

thence due east to a point in 66° 00' W; thence along a rhumb line in a southeasterly direction to a point at 42° 00' N 65° 40' W and thence due south to the parallel of 39° 00' N.

5(b) **Subarea 4 is composed of six divisions:**

Division 4R

That portion of the subarea lying between the coast of Newfoundland from Cape Bauld to Cape Ray and a line described as follows: beginning at Cape Bauld, thence due north to the parallel of 52° 15' N, thence due west to the Labrador coast, thence along the Labrador coast to the terminus of the Labrador-Quebec boundary, thence along a rhumb line in a southwesterly direction to a point at 49° 25' N 60° 00' W, thence due south to a point at 47° 50' N 60° 00' W, thence along a rhumb line in a southeasterly direction to the point at which the boundary of subarea 3 intersects the straight line joining Cape North, Nova Scotia with

Cape Ray, Newfoundland, thence to Cape Ray, Newfoundland;

Division 4S

That portion of the subarea lying between the south coast of Quebec from the terminus of the Labrador-Quebec boundary to Pte. des Monts and a line described as follows: beginning at Pte. des Monts, thence due east to a point at 49° 25' N 64° 40' W, thence along a rhumb line in an east-southeasterly direction to a point at 47° 50' N 60° 00' W, thence due north to a point at 49° 25' N 60° 00' W, thence along a rhumb line in a northeasterly direction to the terminus of the Labrador-Quebec boundary;

Division 4T

That portion of the subarea lying between the coasts of Nova Scotia, New Brunswick and Quebec from Cape North to Pte. des Monts and a line described as follows: beginning at Pte. des Monts, thence due east to a point at 49° 25' N 64° 40' W, thence along a rhumb line in a southeasterly direction to a point at 47° 50' N 60° 00' W, thence along a rhumb line in a southerly direction to Cape North, Nova Scotia;

Division 4V

That portion of the subarea lying between the coast of Nova Scotia between Cape North and Fourchu and a line described as follows: beginning at Fourchu, thence along a rhumb line in an easterly direction to a point at 45° 40' N 60° 00' W, thence due south along the meridian of 60° 00' W to the parallel of 44° 10' N, thence due east to the meridian of 59° 00' W, thence due south to the parallel of 39° 00' N, thence due east to a point where the boundary between subareas 3 and 4 meets the parallel of 39° 00' N, thence along the boundary between subareas 3 and 4 and a line continuing in a northwesterly direction to a point at 47° 50' N 60° 00' W, and thence along a rhumb line in a southerly direction to Cape North, Nova Scotia;

Division 4V is divided into two subdivisions:

4Vn – Northern subdivision – That portion of division 4V lying north of the parallel of 45° 40' N;

4Vs – Southern subdivision – That portion of division 4V lying south of the parallel of 45° 40' N.

Division 4W

That portion of the subarea lying between the coast of Nova Scotia from Halifax to Fourchu and a line described as follows: beginning at Fourchu, thence along a rhumb line in an easterly direction to a point at 45° 40' N 60° 00' W, thence due south along the meridian of 60° 00' W to the parallel of 44° 10' N, thence due east to the meridian of 59° 00' W, thence due south to the parallel of 39° 00' N, thence due west to the meridian of 63° 20' W, thence due north to a point on that meridian at 44° 20' N, thence along a rhumb line in a northwesterly direction to Halifax, Nova Scotia;

Division 4X

That portion of the subarea lying between the western boundary of subarea 4 and the coasts of New Brunswick and Nova Scotia from the terminus of the boundary between New Brunswick and Maine to Halifax, and a line described as follows: beginning at Halifax, thence along a rhumb line in a southeasterly direction to a point at 44° 20' N 63° 20' W, thence due south to the parallel of 39° 00' N, and thence due west to the meridian of 65° 40' W.

6(a) **Subarea 5**

That portion of the Convention Area lying to the west of the western boundary of subarea 4, to the north of the parallel of 39° 00' N, and to the east of the meridian of 71° 40' W.

6(b) **Subarea 5 is composed of two divisions:**

Division 5Y

That portion of the subarea lying between the coasts of Maine, New Hampshire and Massachusetts from the border between Maine and New Brunswick to 70° 00' W on Cape Cod (at approximately 42° N) and a line described as follows: beginning at a point on Cape Cod at 70° W (at approximately 42° N), thence due north to 42° 20' N, thence due east to 67° 18' 13.15" W at the boundary of subareas 4 and 5, and thence along that boundary to the boundary of Canada and the United States;

Division 5Z

That portion of the subarea lying to the south and east of division 5Y.

Division 5Z is divided into two subdivisions: an eastern subdivision and a western subdivision defined as follows:

5Ze – Eastern subdivision – That portion of division 5Z lying east of the meridian of 70° 00' W;

5Zw – Western subdivision – That portion of division 5Z lying west of the meridian of 70° 00' W.

7(a) **Subarea 6**

That part of the Convention Area bounded by a line beginning at a point on the coast of Rhode Island at 71° 40' W, thence due south to 39° 00' N, thence due east to 42° 00' W, thence due south to 35° 00' N, thence due west to the coast of North America, thence northwards along the coast of North America to the point on Rhode Island at 71° 40' W.

7(b) **Subarea 6 is composed of eight divisions:**

Division 6A

That portion of the subarea lying to the north of the parallel of 39° 00' N and to the west of subarea 5;

Division 6B

That portion of the subarea lying to the west of 70° 00' W, to the south of the parallel of 39° 00' N, and to the north and west of a line running westward along the parallel of 37° 00' N to 76° 00' W and thence due south to Cape Henry, Virginia;

Division 6C

That portion of the subarea lying to the west of 70° 00' W and to the south of subdivision 6B;

Division 6D

That portion of the subarea lying to the east of divisions 6B and 6C and to the west of 65° 00' W;

Division 6E

That portion of the subarea lying to the east of division 6D and to the west of 60° 00' W;

Division 6F

That portion of the subarea lying to the east of division 6E and to the west of 55° 00' W;

Division 6G

That portion of the subarea lying to the east of division 6F and to the west of 50° 00' W;

Division 6H

That portion of the subarea lying to the east of division 6G and to the west of 42° 00' W.

Annex II to the Convention – Rules concerning the *ad hoc* panel procedure pursuant to Article XV

1. The Executive Secretary shall establish and maintain a list of experts who are willing and able to serve as panellists. Each Contracting Party shall be entitled to nominate up to five experts whose competence in the legal, scientific or technical aspects of fisheries covered by the Convention is established. The nominating Contracting Party shall provide information on relevant qualifications and experience of each of its nominees.
2. The Contracting Parties to the dispute shall notify the Executive Secretary of their intention to submit a dispute to an *ad hoc* panel. The notification shall be accompanied by a full description of the subject matter of the dispute as well as the grounds invoked by each Party. The Executive Secretary shall promptly transmit a copy of the notification to all Contracting Parties.
3. Where another Contracting Party wishes to become Party to a dispute, it may join the process of constituting a *ad hoc* panel, unless the original Parties to the dispute disagree. The Contracting Party wishing to become a party to the dispute should notify this intention within 15 days after having received the notification referred to in paragraph 2.
4. No sooner than 30 days and no later than 45 days after the notification referred to in paragraph 2, the Contracting Parties to the dispute shall notify the Executive Secretary of the constitution of the *ad hoc* panel, including the names of the panellists and the time schedule for its work. Unless the Parties agree otherwise, the following shall apply:
 - a) the *ad hoc* panel shall consist of three members;
 - b) the Contracting Parties to the dispute shall each select one panellist and agree on the third panellist;
 - c) the third panellist shall chair the *ad hoc* panel;
 - d) the third panellist shall not be a national of either Contracting Party to the dispute and shall not be of the same nationality as either of the first two panellists; and
 - e) in case of a dispute between more than two Contracting Parties, Contracting Parties to the dispute which are of the same interest shall select one panellist jointly. If the Parties to the dispute can not agree on the nomination of the third panellist, the President of the International Tribunal of the Law of the Sea shall make the appointment, unless the Contracting Parties to the dispute agree that the appointment be made by another person or a third state.

The Executive Secretary shall promptly transmit a copy of the notification to all Contracting Parties.
5. Any Contracting Party, which is not a Party to the dispute, may attend all hearings of the *ad hoc* panel, make written and oral submissions to the *ad hoc* panel and receive the submissions of each Party to the dispute.
6. At the request of a Contracting Party to the dispute, or on its own initiative, the *ad hoc* panel may seek information and technical advice from any person or body that it deems appropriate, provided that the Parties to the dispute so agree.
7. Unless the Contracting Parties to the dispute otherwise agree, the *ad hoc* panel shall, within 90 days from the constitution of the *ad hoc* panel, make its report and recommendations referred to in Article XV paragraph 4 of the Convention. The report and recommendations shall be confined to the subject matter of the dispute and state the reasons on which they are based. The report and recommendations shall be communicated promptly, through the Executive Secretary, to all Contracting Parties.
8. The *ad hoc* panel shall aim at reaching a consensus in its conclusions. If this is not possible the *ad hoc* panel shall reach its conclusions by a majority of its members, who may not abstain from voting.
9. The *ad hoc* panel may adopt any rules of procedure, which it deems necessary to accelerate the proceedings.
10. Costs of the *ad hoc* panel shall be borne by the Contracting Parties to the dispute in equal parts.
11. In relation to the *ad hoc* panel established pursuant to Article XIV paragraphs 7 and 8, the Parties shall be deemed to be the Commission and the objecting Contracting Party and the provisions of this Annex shall apply, with the exceptions of paragraphs 3 and 4 (e)."

PART II

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

29th Annual Meeting, 24-28 September 2007
Lisbon, Portugal

1. Opening by the Chair

The first session of STACFAD was opened by Fred Kingston (EU) on 24 September 2007.

The Chair welcomed delegates and members of the NAFO Secretariat to the meeting and thanked the Portuguese authorities for hosting this meeting.

Present were delegates from Canada, European Union, Denmark (in respect of Faroe Islands and Greenland), France (in respect of St. Pierre et Miquelon), Japan, Norway, Russia, and the United States of America (Annex 1).

2. Appointment of Rapporteur

Stan Goodick (NAFO Secretariat) was appointed Rapporteur.

3. Adoption of Agenda

The provisional agenda was adopted as amended (Annex 2).

4. Auditors' Report for 2006

The Auditors' Report was circulated to the Heads of Delegation of the General Council and STACFAD delegates in advance of the Annual Meeting.

Delegates were advised that the auditing firm of Grant Thornton LLP, Chartered Accountants had been engaged to audit the financial statements of the Organization. The Senior Finance and Staff Administrator for NAFO presented the Auditors' Report and Financial Statements of the Northwest Atlantic Fisheries Organization for the year ended 31 December 2006.

It was noted in the Auditors' Report that the Organization has a policy not to capitalize capital assets. Otherwise, the audit determined the financial affairs of the Organization had been conducted in accordance with the Financial Regulations and budgetary provisions of NAFO and presented a fair and accurate accounting of the financial affairs of the Organization.

STACFAD addressed the requirement of changing the auditors at regular intervals, noting that the current auditors have been engaged for four years. Participants decided that the current auditors should serve NAFO for another year and requested the Secretariat to draft a recommendation for the next annual meeting regarding a possible ceiling on the consecutive number of years that an auditing firm can be engaged (Financial Regulations, Rule 7.10).

STACFAD recommended that the 2006 Auditors' Report be adopted.

5. Administrative and Activity Report by Secretariat

The Executive Secretary made a presentation on NAFO administrative matters and activities (GC Doc. 07/3). Under Membership, the Secretariat noted that Ukraine had lost its voting rights due to non-payment for more than two years. Regarding fishery statistics, concerns were again expressed regarding the timeliness and accuracy of submissions of catch reports that are needed, not only for the scientific assessment of fisheries activities, but also in the calculation of Contracting Party contributions. **Delegates were again urged to convey this message to their respective authorities and ensure future compliance with this NAFO requirement and the Secretariat was also requested to convey this message to NAFO Contracting Parties.**

6. Financial Statements for 2007

The Senior Finance and Staff Administrator for NAFO presented the Financial Statements for the fiscal year ending 31 December 2007. It was noted that NAFO currently has outstanding contributions of \$438,019 from six Contracting Parties (see table below).

| | 2005 | 2006 | 2007 |
|---|------------|----------|-----------|
| Cuba | | | \$31,997 |
| France (in respect of St. Pierre et Miquelon) | | | 35,779 |
| Iceland | | | 36,572 |
| Korea | | | 31,248 |
| Ukraine | \$ 31,175* | \$30,735 | 31,623 |
| USA | | | 208,890 |
| Total | \$31,175 | \$30,735 | \$376,109 |

* Ukraine's 2005 contribution was deemed uncollectible on 31 December 2006 as it was 2 years in arrears.

STACFAD once again expressed concern about the high level of outstanding contributions.

The delegates from France (in respect of St. Pierre et Miquelon) and from Iceland explained to the Executive Secretary that the delay in their contributions was an oversight and their respective payments would be made shortly. Cuba and Korea declared their intention to pay as soon as possible but could not guarantee that this would happen in 2007. Ukraine once again promised to pay its contributions after the current annual meeting. The USA has already paid \$303,956 in 2007 and indicated that it would work to reduce its arrears in 2008.

STACFAD strongly urged the Contracting Parties to take immediate action to meet their financial obligations and bring financial stability to the Organization.

STACFAD recommended that the outstanding contribution from Ukraine (\$30,735) for the year 2006 be deemed uncollectible at the end of the current fiscal year if payment is not received by 31 December 2007 and that this amount be applied against the accumulated surplus.

7. Review of Accumulated Surplus and Contingency Funds

As requested by STACFAD in 2006, the Secretariat provided background information on the possibility of establishing a contingency fund, collecting interest on outstanding contributions, the authorization to borrow from financial institutions and the possibility of private sponsorship (STACFAD W.P. 07/2 and STACFAD W.P. 07/10). Of these, the latter two were deemed unfeasible and therefore not further discussed.

The option of collecting interest was deemed impractical by some Contracting Parties and therefore the idea was not pursued any further. However, Canada commented that the option of offering a discount on contributions paid in a timely and compliant manner could be considered in the future.

A contingency fund, of an amount up to 50% of NAFO's annual budget to replace the accumulated surplus account, could be a viable solution to create some financial stability for the Secretariat, however, Contracting Parties were not prepared to recommend this option at this meeting. In particular, it was felt that the establishment of such a fund could send the wrong signal to those Contracting Parties in arrears, and might encourage, instead of discouraging, late payment. STACFAD noted that, if the financial crisis of NAFO continues, the establishment of such a fund be reconsidered. The Executive Secretary voiced her concern that, without a contingency fund, the savings incurred by the Secretariat through extraordinary sacrifices in 2006 would flow back to Contracting Parties instead of stabilizing the financial situation of NAFO. She expressed her disappointment with this decision.

Participants requested the Secretariat to research further avenues to address the financial crisis. The USA offered to assist the Secretariat in surveying other organizations' practices to develop options for adding elements of a contingency fund or working capital fund to the functions of the accumulated surplus.

The Committee reviewed the Statement of Accumulated Surplus for the Year Ending 31 December 2007 (estimated from 31 July 2007) as reflected in Statement IV of the Financial Statements contained in GC Doc 07/3 (revised).

STACFAD again was of the opinion that the current cash flow situation be considered an emergency in accordance with Rule 4.4 of the Financial Regulations. As a consequence, STACFAD recommended that an

amount representing 20% of the proposed 2008 budget, namely \$305,800, be maintained as the minimum balance in the Accumulated Surplus Account. STACFAD stresses that this extraordinary recommendation be considered as an interim measure pending the resolution of the current financial situation. STACFAD also recommended that the Secretariat bill Contracting Parties in two instalments to encourage part of the contributions to be paid earlier and thus enable the Secretariat to have sufficient cash flow to operate in early 2008.

8. Reform of NAFO

STACFAD briefly reviewed the following proposed changes which could occur pursuant to the large-scale amendments to the NAFO Convention:

- a) Possible change of species list and transfer of this list to the Financial Regulations

The Secretariat drafted STACFAD W.P. 07/7 to include such provision in the Financial Regulations. The item will be discussed if and when amendments to the Convention are adopted.

- b) Headquarters Agreement

As with the previous item, this will be addressed if and when amendments to the Convention are adopted. The Secretariat prepared STACFAD W.P. 07/3 compiling a number of relevant documents to facilitate deliberations with respect to drafting a Headquarters Agreement.

9. Staff Rules relating to Equality of Benefits for Internationally Recruited Employees

The Committee discussed the possibility of amending some provisions of the NAFO Staff Rules. The Secretariat tabled STACFAD W.P. 07/1 and proposed to introduce a repatriation grant, to delete the separation indemnity Rule 9.5 (b) and (c) and to change the installation allowance to a maximum of two months net salary. This was largely agreeable to STACFAD; however, it was considered that General Council did not adopt an increase in the installation allowance recommended in 2006 because of the financial crisis. In view of the continuation of this crisis in 2007, STACFAD decided not to recommend amendments to the current provisions regarding an installation allowance until the financial situation has improved. STACFAD further requested that the Secretariat provide some further background information on the recommended level of the installation allowance.

STACFAD recommended however, that the staff rules regarding severance pay and repatriation grant (i.e. Staff Rules 9.5 and 9.6) be amended in accordance with STACFAD WP 07/13 revised (Annex 3). The Committee noted that, in the longer term, these measures will result in net savings to the Organization.

10. Classification and Salaries

STACFAD reviewed a proposal for amendment to the Secretariat's HR classification system to include a new category level PM-05 in the Senior Publications Manager category (STACFAD WP 07/14).

STACFAD recommended the adoption of an amendment to the Secretariat's HR classification system to include a new category level PM-05 in the Senior Publications Manager category (Annex 4).

The Secretariat proposed reclassification of two staff members (STACFAD WP 07/11 and WP 07/12).

STACFAD recommended the adoption of the reclassification of these two staff members to take effect 1 January 2008.

11. Update on change of VMS Service Provider

STACFAD reviewed STACFAD W.P. 07/4 concerning recent developments, including cost implications and future savings, regarding the recent change in NAFO's VMS service provider.

12. Budget Estimate for 2008

STACFAD reviewed the budget estimate presented by the Secretariat (GC WP 07/15).

Points of note are the following:

- additional Scientific Council events in response to extraordinary requests by the Fisheries Commission have increased the costs of meetings of the Scientific Council
- the VMS budget could be reduced from an estimated \$70,000 to \$45,000 as a result of the change of the NAFO VMS service provider
- while cost-of-living increases will impact the Personal Services it is foreseen that expenses for the remaining budget items will decrease with an overall positive result for financial contributions for NAFO Contracting Parties
- as predicted in 2004 this budget estimate shows that restructuring the Secretariat has resulted in significant lower costs for a wider range of services

The Committee was informed that, according to current NAFO Staff Rule 9.5 (b), NAFO has an unfunded liability in the order of \$140,000. As previously done with unfunded liabilities, it was decided to fund this liability incrementally over a four-year period at a rate of \$35,000 per year starting in 2008. Even if NAFO deletes this rule as recommended, this liability will remain for some time in the future, since the current staff members would still have the option to invoke the current NAFO Staff Rule 9.5 (b) (since this right would be “grandfathered”). If a staff member chooses to invoke the new Rule 9.6 (d), any liabilities from such choice will be essentially offset by the savings in the new Rule 9.5.

After deliberations on the various budget items, the budget proposal was accepted in full. **STACFAD recommended that the budget for 2008 of \$1,529,000 (Annex 5) be adopted.**

A preliminary calculation of billings for the 2008 financial year is provided in Annex 6.

13. Budget Forecast for 2009 and 2010

STACFAD reviewed the preliminary budget forecast for 2009 (\$1,568,000) and 2010 (\$1,596,000) (Annex 7) and approved the forecast in principle. It was noted that the budget for 2009 will be reviewed in detail at the next Annual Meeting.

14. Adoption of 2008 Staff Committee Appointees

The Secretariat re-nominated the present members of the Staff Committee, namely, Jim Baird, Bill Brodie and Fred Kingston for another year. **STACFAD recommended that General Council re-appoint the three nominees.**

15. Time and Place of 2008 - 2010 Annual Meetings

As previously agreed, the dates of the 2008 and 2009 Annual Meetings (to be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) are as follows:

| | | | |
|------|----------------------|---|--------------------------|
| 2008 | Scientific Council | - | 22 September – 1 October |
| | General Council | - | 22 – 26 September |
| | Fisheries Commission | - | 22 – 26 September |
| 2009 | Scientific Council | - | 21 – 25 September |
| | General Council | - | 21 – 25 September |
| | Fisheries Commission | - | 21 – 25 September |

It was noted that there was no indication at this time from the Scientific Council regarding symposia for 2009 and 2010.

STACFAD recommended that

The dates of the 2010 Annual Meeting (to be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) are as follows:

| | | |
|-----------------------------|---|--------------------------|
| Scientific Council | - | 20 – 24 September |
| General Council | - | 20 – 24 September |
| Fisheries Commission | - | 20 – 24 September |

For budgetary planning purposes, STACFAD urged that any invitations by a Contracting Party to host an Annual Meeting be issued as early as possible.

16. Election of Chair and Vice-Chair

Frederik Schmidt, Denmark (in respect of Faroe Islands and Greenland) was elected Chair and Bob Steinbock (Canada) Vice-Chair. Participants expressed their gratitude to the outgoing Chair (Fred Kingston, EU) for his many years of dedicated service to the Committee.

17. Other Issues including any questions referred from the General Council during the current Annual Meeting

No other issues were referred to STACFAD from the General Council.

18. Adjournment

The final session of the STACFAD meeting adjourned on 27 September 2007.

Annex 1. List of Participants

| Name | Contracting Party |
|---|---|
| Bob Steinbock | Canada |
| Frederik Schmidt | Denmark (in respect of Faroe Islands and Greenland) |
| Fred Kingston | European Union |
| Stéphane Artano Annie Parmentier | France (in respect of St. Pierre et Miquelon) |
| Kiyomi Hyoe | Japan |
| Odd Gunnar Skagestad | Norway |
| Valentin Balashov | Russian Federation |
| Deirdre Warner-Kramer Elizabeth Etrie | United States of America |
| Johanne Fischer Stan Goodick Bev McLoon | NAFO Secretariat |

Annex 2. Agenda

1. Opening by the Chair, G.F. Kingston (EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditors' Report for 2006
5. Administrative and Activity Report by Secretariat
6. Financial Statements for 2007
7. Contingency Funds
 - Review of Accumulated Surplus Funds
 - Available options to manage emergency cash flow situations
8. Reform of NAFO
 - Possible change of species and transfer of this list to the Financial Regulations
 - Headquarters Agreement
9. Staff Rules relating to Equality of Benefits for Internationally Recruited Employees
 - Repatriation Grant, Separation Indemnity, Installation Allowance
10. Classification and Salaries
11. Update on Change of VMS Service Provider
12. Budget Estimate for 2008
13. Budget Forecast for 2009 and 2010
14. Adoption of 2008 Staff Committee Appointees
15. Time and Place of 2008 - 2010 Annual Meetings
16. Election of Chair and Vice-Chair
17. Other issues including any questions referred from the General Council during the current Annual Meeting
18. Adjournment

Annex 3. Proposed Amendments to Rules 9.5 and 9.6 of the Staff Rules
(STACFAD W.P. 07/13, Revised)

Rule 9.5

- a) In the event of separation from service with the Secretariat, members of the Secretariat shall be compensated an indemnity equivalent to the rate of two (2) weeks current salary for every year of service with the Secretariat, free of all deductions except statutory deductions, limited to a maximum of 40 weeks.
- ~~b) For the purposes of entitlement in accordance with these Staff Rules, the Executive Secretary or a Coordinator (Rule 3.3 (a)) may receive credit for continuous years of service prior to joining NAFO in federal or provincial governments (and international equivalencies) and in other international organizations as agreed by a signed contract between the employee and NAFO.~~
- ~~e) The Executive Secretary will determine the acceptability of past years experience of an employee in the General Services Category (Rule 3.3 (b)).~~

Rule 9.6

On separation from service, an internationally recruited member of the Secretariat relocating to his/her home country shall be entitled to the following:

- a) Payment of travel expenses from the place of residence for arrival at the new residence, for the member and family;
- b) Payment of removal costs including the shipment of personal effects and household goods from the place of residence to the location of the new place of residence if not paid by the new employer. Staff members without dependants 4,890 kg and/or a 20' standard international shipping container (33m³) and staff members with dependants 8,150 kg and/or a 40' standard international shipping container (67 m³);
- c) Payment of reimbursement of sundry other expenses related to relocation, including insurance of goods in transit and excess baggage charges subject to the relevant rules and criteria applicable on appointment of the same member of the Secretariat;
- ~~d) Payments to staff members shall be subject to prior approval by the Organization on the recommendation of the Executive Secretary.~~
- d. A repatriation grant, the amount of which depends upon the length of continuous service with the Secretariat away from the home country in accordance with the table below. The grant is not paid to members of the Secretariat who are dismissed for cause.

| <u>Years of continuous service away from home country</u> | <u>Months of salary constituting the repatriation grant</u> |
|---|---|
| <u>1-2</u> | <u>1</u> |
| <u>3-4</u> | <u>2</u> |
| <u>5-6</u> | <u>3</u> |
| <u>7 and more</u> | <u>4</u> |

- ~~e) Such payments shall be subject to prior approval by the Executive Secretary.~~

Annex 4. Proposal for a new salary category in the Publication Manager Classification
(STACFAD WP 07/14)

Publications Clerk / Publications Manager / Senior Publications Manager

The NAFO Publications Manager is responsible for the final formatting of NAFO print publications and assists in the preparation of NAFO web publications. The position is recruited locally. It requires organizational talents, the ability to work in teams as well as flexibility with regard to work hours. The necessary know-how reaches from technical knowledge regarding the updating, operation and maintenance of printing equipment to proficiency with diverse software packages used in formatting documents and graphic material for print and for the web as well as expertise in proofreading and in the preparation of web material. The Publications Manager must be prepared to continuously update his/her knowledge and advise the ES regarding purchases and updates of the technical equipment and the electronic software used for publications. He/she will also be requested to assist and contribute in other office tasks, e.g. the organization and support of NAFO Meetings and supervision of VMS messages. He/she works in close cooperation with the SC Coordinator, the Office Manager, the IT Manager and the Personal Assistant to the ES. His/her work includes in particular:

1. Responsibility for the final formatting of NAFO publications using desktop publishing and html editing software with the assistance of the Office Manager and the IT Manager and in close collaboration with the SC Coordinator, the Personal Assistant to the ES, and the Information Manager.
2. Preparation and finalization of graphic material to be included in NAFO publications and on the web using graphics software with the assistance of the IT Manager and the Information Manager
3. Printing, collating and preparing for binding of NAFO publications with the assistance of the Office Manager, the IT Manager and other NAFO staff as authorized by the ES when necessary
4. Distribution of NAFO publications (print and CD-Roms) including communications with authors, libraries, organizations
5. Advise the ES regarding the acquisition of modern printing technology as well as formatting and graphics software
6. Maintain and update the office equipment used for publications in cooperation with the Finance and Staff Administrator (printers, photocopiers, computers used for desktop publishing and graphics, sorting machines, paper, ink, etc.)
7. Assist with proof reading and editorial work in close cooperation with the SC Coordinator, the Personal Assistant to the ES, and the Information Manager
8. With consent of the ES, organize and participate in local or web-based training to update the required technical knowledge on his/her own initiative or when requested.
9. Support the Office Manager in the organization of NAFO meetings and assist the Information Manager in the preparation of meeting information on the web
10. Provide on-side support to NAFO meetings, local and non-local, in cooperation with the Office Manager and the IT manager and as requested by the ES
11. Assist the Fisheries Information Manager in the regular surveillance of the VMS if requested by the ES
12. Perform other tasks as requested by the ES

The educational requirements for the Publications Manager are:

- High School Diploma
- .Certified expertise in desktop publishing and html editing or equivalent
- Expertise in the use and maintenance of printing machinery
- Very good spoken and written command of the English language
- Very good organization and communication skills
- Familiarity with the operations of international organizations and fisheries matters

A candidate for the position who does not fulfil the minimum requirements may be employed as Publication Clerk for such time as needed to enable him/her to meet the required competencies by on-the-job or formal training.

The Publications Manager can be promoted to Senior Publication Manager depending on the following criteria:

- Excellent overall work performance
- Continuous professional development
- A minimum of 10 years work experience with at least 5 at the NAFO Secretariat
- Ability to work largely unsupervised

Under exceptional circumstances, the Senior Publications Manager may be required to take up additional duties of a higher level of responsibility, knowledge and creativity, such as:

- Substantial retraining to allow implementation of new technology and procedures in the Secretariat
- Supervision and coaching of new Secretariat employees
- Duties regarding secretariat support during NAFO meetings
- Research regarding new technologies and software including independent negotiations with service providers and sales people
- Representation of the publications department of the Secretariat within and outside NAFO

Annex 5. Budget Estimate for 2008
(Canadian Dollars)

| | <i>Approved Budget 2007</i> | Approved 2007 Budget After Transfer of Appropriations (Note 1) | Projected Expenditures 2007 | Preliminary Budget Forecast 2008 | Budget Estimate 2008 |
|---------------------------------|-------------------------------------|--|-----------------------------------|---|----------------------------|
| 1. Personal Services | | | | | |
| a) Salaries | \$781,000 | \$781,000 | \$781,000 | \$822,000 | \$829,000 |
| b) Superannuation and Annuities | 82,000 | 82,000 | 77,000 | 86,000 | 89,000 |
| c) Medical and Insurance Plans | 73,000 | 73,000 | 72,000 | 75,000 | 80,000 |
| d) Employee Benefits | 53,000 | 49,000 | 47,000 | 56,000 | 92,000 |
| Subtotal Personal Services | 989,000 | 985,000 | 977,000 | 1,039,000 | 1,090,000 |
| 2. Additional Help | 30,000 | 15,000 | 15,000 | 15,000 | 20,000 |
| 3. Communications | 25,000 | 25,000 | 25,000 | 25,000 | 26,000 |
| 4. Computer Services | 30,000 | 30,000 | 30,000 | 25,000 | 27,000 |
| 5. Equipment | 36,000 | 36,000 | 36,000 | 36,000 | 36,000 |
| 6. Fishery Monitoring | 81,000 | 112,000 | 112,000 | 70,000 | 48,000 |
| 7. Hospitality Allowance | 5,000 | 5,000 | 5,000 | 5,000 | 6,000 |
| 8. Materials and Supplies | 35,000 | 35,000 | 35,000 | 33,000 | 33,000 |
| 9. NAFO Meetings | | | | | |
| a) Sessional | 91,000 | 91,000 | 70,000 | 98,000 | 93,000 |
| b) Inter-sessional Scientific | 5,000 | 5,000 | 5,000 | 5,000 | 20,000 |
| c) Inter-sessional Other | 30,000 | 30,000 | 20,000 | 30,000 | 30,000 |
| Subtotal NAFO Meetings | 126,000 | 126,000 | 95,000 | 133,000 | 143,000 |
| 10. Other Meetings and Travel | 30,000 | 30,000 | 26,000 | 33,000 | 40,000 |
| 11. Professional Services | 52,000 | 42,000 | 46,000 | 42,000 | 40,000 |
| 12. Publications | 20,000 | 18,000 | 18,000 | 20,000 | 20,000 |
| | <i>\$1,459,000</i> | \$1,459,000 | \$1,420,000 | \$1,476,000 | \$1,529,000 |

Notes on Budget Estimate 2008
(Canadian Dollars)

| | | |
|-----------|--|---|
| Item 1(a) | Salaries Salaries budget estimate for 2008. | \$829,000 |
| Item 1(b) | Superannuation and Annuities Employer's pension plan which includes employer's contributions, administration costs and actuarial fees. | \$89,000 |
| Item 1(c) | Group Medical and Insurance Plans Employer's portion of Canada Pension Plan, Employment Insurance, Group Life Insurance, Long Term Disability Insurance and Medical Coverage. | \$80,000 |
| Item 1(d) | Employee Benefits Employee benefits as per the NAFO Staff Rules including overtime, repatriation grant, termination benefits, vacation pay, and travel to home country for internationally recruited members of the Secretariat. Termination benefits liability | \$92,000 \$57,000 35,000 |
| Item 2 | Additional Support Digitization and translation of NAFO Fisheries Information (e.g. Observer Reports), interns and other assistance as required. | \$20,000 |
| Item 3 | Communications Phone, fax and internet services Postage Courier/Mail service | \$26,000 \$12,000 10,000 4,000 |
| Item 4 | Computer Services Computer hardware, software, supplies and support. | \$27,000 |
| Item 5 | Equipment Leases: Print department printer Photocopier Postage meter Purchases Maintenance | \$36,000 \$10,500 6,300 4,700 10,000 4,500 |
| Item 6 | Fishery Monitoring Vessel Monitoring System (VMS) annual license and maintenance fee Lloyd's Registry of vessels | \$48,000 \$45,000 3,000 |
| Item 9(a) | NAFO Sessional Meetings June (SC) and September (FC, GC and SC and Symposium), Halifax/Dartmouth, Nova Scotia, Canada and November (SC), Copenhagen, Denmark. | \$93,000 |
| Item 9(b) | NAFO Inter-sessional Scientific Meetings Invited expert travel costs for Greenland Halibut Workshop, February 2008, Vigo, Spain and joint NAFO/ICES Symposium (The Role of Marine Mammals in the Ecosystem in the 21st Century), September 2008, Dartmouth, Nova Scotia, Canada. | \$20,000 |

| | | | |
|-----------|--|----------|----------|
| Item 9(c) | NAFO Inter-sessional Other General provision. | | \$30,000 |
| Item 10 | Other Meetings Meetings of Organizations of which NAFO is a member: | | \$40,000 |
| | Co-ordinating Working Party on Fishery Statistics (CWP) | \$25,000 | |
| | Fisheries Resources Monitoring Systems (FIRMS) | | |
| | International Fisheries Commissions Pension Society (IFCPS) | | |
| | Aquatic Sciences And Fisheries Abstracts (ASFA) | | |
| | Secretariats of the North Atlantic Regional Fisheries Management Organizations (NARFMO) | | |
| | Regional Fishery Body Secretariats Network (RSN) | | |
| | Other Meetings and Travel | 15,000 | |
| Item 11 | Professional Services Professional Development and Training | \$15,000 | \$40,000 |
| | Public Relations | 7,000 | |
| | Services: | | |
| | Audit | 8,000 | |
| | Consulting and legal fees | 7,000 | |
| | Insurance – liability and property | 2,700 | |
| | P.O. box rental | 300 | |
| Item 12 | Publications Production costs of NAFO publications which may include the following: Conservation and Enforcement Measures, Convention, Inspection Forms, Journal of Northwest Atlantic Fishery Science, Meeting Proceedings, Rules of Procedure, Scientific Council Reports, Scientific Council Studies, etc. | | \$20,000 |

Annex 6. Preliminary Calculation of Billing for 2008

| | |
|---|--------------------|
| Budget Estimate | \$1,529,000 |
| (pending approval from General Council) | <u>\$301,633</u> |
| (pending approval from General Council) | |
| Funds required to meet 2008 Administrative Budget | <u>\$1,227,367</u> |

| | |
|-------------------------|--------------|
| 60% of funds required = | \$736,420.14 |
| 30% of funds required = | \$368,210.16 |
| 10% of funds required = | \$122,736.70 |

| Contracting Parties | Nominal Catches for 2005 | % of Total Catch in the Convention Area | % of Total Catch in the Convention Area | | | Amount Billed |
|---|--------------------------|---|---|--------------|--------------|-----------------------|
| | | | 10% | 30% | 60% | |
| Canada | 550,973 | 54.31% | \$72,654.71 | \$30,684.18 | \$399,949.80 | \$503,288.69 |
| Cuba (1) | 1,179 | 0.12% | - | 30,684.18 | 883.69 | 31,567.87 |
| Denmark (in respect of Faroe Islands and Greenland) (2) | 179,814 | 17.72% | 23,711.39 | 30,684.18 | 130,493.65 | 184,889.22 |
| European Union | 54,444 | 5.37% | - | 30,684.18 | 39,545.75 | 70,229.93 |
| France (in respect of St. Pierre et Miquelon) | 3,726 | 0.37% | 491.33 | 30,684.18 | 2,724.74 | 33,900.25 |
| Iceland | 6,814 | 0.67% | - | 30,684.18 | 4,934.01 | 35,618.19 |
| Japan | 1,959 | 0.19% | - | 30,684.18 | 1,399.20 | 32,083.38 |
| Republic of Korea | - | - | - | 30,684.18 | - | 30,684.18 |
| Norway | 2,039 | 0.20% | - | 30,684.18 | 1,472.84 | 32,157.02 |
| Russian Federation | 17,338 | 1.71% | - | 30,684.18 | 12,592.79 | 43,276.97 |
| Ukraine | - | - | - | 30,684.18 | - | 30,684.18 |
| United States of America (3) | 196,254 | 19.34% | 25,879.27 | 30,684.18 | 142,423.67 | 198,987.12 |
| | 1,014,540 | 100.00% | \$122,736.70 | \$368,210.16 | \$736,420.14 | <u>\$1,227,367.00</u> |
| Funds required to meet 1 January - 31 December 2008 Administrative Budget | | | | | | <u>\$1,227,367.00</u> |

(1) Based on provisional catch reports received from Estonia from chartering arrangements.

(2) Faroe Islands = 5,987 metric tons

Greenland = 173,827 metric tons (based on 2004 catch statistics)

(3) Based on 2005 provisional catch reports.

Annex 7. Preliminary Budget Forecast for 2009 and 2010
(Canadian Dollars)

| | Preliminary Budget Forecast 2009 | Preliminary Budget Forecast 2010 |
|---------------------------------|--|--|
| 1. Personal Services | | |
| a) Salaries | \$862,000 | \$891,000 |
| b) Superannuation and Annuities | 89,000 | 92,000 |
| c) Medical and Insurance Plans | 85,000 | 89,000 |
| d) Employee Benefits | 103,000 | 85,000 |
| Subtotal Personal Services | 1,139,000 | 1,157,000 |
| 2. Additional Help | 20,000 | 20,000 |
| 3. Communications | 27,000 | 27,000 |
| 4. Computer Services | 28,000 | 29,000 |
| 5. Equipment | 36,000 | 36,000 |
| 6. Fishery Monitoring | 48,000 | 48,000 |
| 7. Hospitality Allowance | 6,000 | 6,000 |
| 8. Materials and Supplies | 33,000 | 33,000 |
| 9. NAFO Meetings | | |
| a) Sessional | 88,000 | 96,000 |
| b) Inter-sessional Scientific | 12,000 | 12,000 |
| c) Inter-sessional Other | 30,000 | 30,000 |
| Subtotal NAFO Meetings | 130,000 | 138,000 |
| 10. Other Meetings and Travel | 41,000 | 42,000 |
| 11. Professional Services | 40,000 | 40,000 |
| 12. Publications | 20,000 | 20,000 |
| | \$1,568,000 | \$1,596,000 |

SECTION II
(pages 79 to 172)

**Report of the Fisheries Commission and its Subsidiary Body
(STACTIC), 29th Annual Meeting
24-28 September 2007
Lisbon, Portugal**

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PART I

Report of the Fisheries Commission

(FC Doc. 07/24)

29th Annual Meeting, 24-28 September 2007

Lisbon, Portugal

I. Opening Procedure (*Agenda items 1-4*)

1. Opening Remarks by the Chair, V. Shibanov (Russia)

The meeting was opened by the Chair, Mr. Vladimir Shibanov (Russia), at 12:00 hrs on Monday, September 24, 2007. Representatives from the following Contracting Parties (CPs) were in attendance: Canada, Cuba, Denmark (in respect of the Faroes and Greenland) (DFG), the European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russian Federation, Ukraine, and the United States of America (USA) (Annex 1).

Representatives from the Food and Agriculture Organization of the United Nations (FAO), Comisión Permanente del Pacífico Sur (CPPS), International Commission for the Conservation of Atlantic Tunas (ICCAT), North East Atlantic Fisheries Commission (NEAFC), Ecology Action Centre (EAC) and the World Wildlife Fund–Canada (WWF) were also present as Observers. The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and South-East Atlantic Fisheries Organisation (SEAFO) were represented by the European Union, and North Atlantic Marine Mammal Commission (NAMMCO) was represented by Ms. K. Sanderson (DFG).

2. Appointment of Rapporteur

Ricardo Federizon, Fisheries Commission Coordinator (NAFO Secretariat), was appointed Rapporteur for this meeting. As Rapporteur, he was responsible to maintain and prepare the record of decisions made by the Fisheries Commission (FC) (Annex 2).

3. Adoption of Agenda

The agenda was adopted with an addition (Annex 3). Elasmobranchs, as proposed by the USA, was included as item 8.14 under “Management and Technical Measures for Fish Stocks in the Regulatory Area, 2008”. The results of STACTIC June 2007 intersessional meeting, originally intended to be presented under item 11, was to be presented under item 4.

4. Guidance to STACTIC necessary for them to complete their work

The STACTIC Chair, Mr. Mads Trolle Nedergaard (DFG) presented the results of STACTIC June 2007 meeting (FC Doc 07/2). He outlined the pending proposals which would be further discussed in this meeting. The Fisheries Commission commended STACTIC for the great strides it has made at the intersessional meeting and encouraged STACTIC to continue its work. Norway emphasized the importance of its proposal on IUU fishing and reminded STACTIC to deliberate the issues contained in the proposal. It was decided that recommendations from the intersessional meeting would be forwarded to the Fisheries Commission together with the recommendations from this Annual Meeting (see item 11).

II. Administrative (*Agenda item 5*)

5. Review of Commission Membership

It was noted that the membership of the Fisheries Commission was currently twelve (12). All Contracting Parties, except Ukraine, have voting rights.

III. Conservation of Fish Stocks in the Regulatory Area (*Agenda items 6-9*)

6. Scientific Advice

a) Presentation of scientific advice by the Scientific Council (SC) Chair

- Scientific Advice on fish stocks

The SC Chair, Mr. Antonio Vasquez (EU/Spain), presented a summary of scientific advice to the Fisheries Commission. Details of the scientific advice for shrimps stocks are contained in SCS Doc 06/25 from the November 2006 meeting. Details of the scientific advice for other fish stocks are contained in SCS Doc 07/19 from the June 2007 SC meeting.

The following stocks were fully assessed including elaboration of scientific advice for 2008:

- **Shrimp in Division 3M.** Advice until 2007 summer survey is completed. Tentatively, exploitation levels should not exceed the 2005-2006 levels.
- **Shrimp in Divisions 3LNO.** TAC is 22 000 t restricted to Division 3L. Mandatory sorting grate with 22-mm bar spacing. This advice was formulated in October 2006 and confirmed by the SC after re-evaluation at this meeting.
- **Greenland halibut in Subarea 2 + Divisions 3KLMNO.** Under the Rebuilding Plan, fishing mortality should be reduced to a level not higher than $F_{0.1}$ (Table 1a); alternatively, catches over the next four years should be reduced by 15% annually from the 2007 TAC of 16 000 t (Table 1b).

| F _{0.1} | | | | | |
|------------------|----------------|-----------------|-----------|-------------|--|
| Year | 5+ Biomass (t) | 10+ Biomass (t) | Yield (t) | Fbar (5-10) | |
| 2007 | | | 20000 | 0.445 | |
| 2008 | 69883 | 6154 | 8057 | 0.138 | |
| 2009 | 77374 | 9280 | 10191 | 0.138 | |
| 2010 | 84088 | 17155 | 10749 | 0.138 | |
| 2011 | 96257 | 30306 | 10612 | 0.138 | |
| 2012 | 109528 | 41109 | | | |

Table 1a

| Rebuilding Plan II | | | | | |
|--------------------|----------------|-----------------|-----------|-------------|--|
| Year | 5+ Biomass (t) | 10+ Biomass (t) | Yield (t) | Fbar (5-10) | |
| 2007 | | | 20000 | 0.445 | |
| 2008 | 69883 | 6154 | 13600 | 0.250 | |
| 2009 | 70422 | 8242 | 11560 | 0.181 | |
| 2010 | 74773 | 13973 | 9826 | 0.145 | |
| 2011 | 87444 | 24014 | 8352 | 0.120 | |
| 2012 | 103032 | 34433 | | | |

Table 1b

The following stocks were fully assessed including elaboration of scientific advice for 2008 and 2009:

- **American Plaice in Divisions 3LNO.** No directed fishery. Efforts should be made to reduce current levels of bycatch.
- **Redfish in Division 3M.** TAC should not exceed 5 000 t in order to maintain low fishing mortality so as to promote female spawning stock recovery.
- **White hake in Divisions 3NO and 3Ps.** Catch of white hake in Divisions 3NO, at current TAC of 8 500 t, is unrealistic and should not exceed their current level.
- **Capelin in Divisions 3NO.** No directed fishery.

The following stocks were fully assessed including elaboration of scientific advice for 2008, 2009, and 2010:

- **Redfish in Divisions 3LN.** No directed fishery.
- **Redfish in Division 3O.** SC is unable to give TAC advice for years 2008-2010 due to insufficient information on which to base predictions of annual yield potential.
- **Cod in Divisions 3NO.** No directed fishery. Efforts should be made to reduce current levels of bycatch.
- **Witch flounder in Divisions 2J + 3KL.** No directed fishery. Efforts should be made to reduce current levels of bycatch.

On the following stocks, scientific advice was provided in 2006 (for 2007 and 2008). The Scientific Council reviewed the status of these stocks at the June 2007 meeting, and found no significant change to alter the advice:

- **Cod in Division 3M.** No directed fishery for 2007-2008. Bycatch should be kept to the lowest possible level.
- **American plaice in Division 3M.** No directed fishery for 2007-2008. Bycatch should be kept to the lowest possible level.
- **Witch flounder in Divisions 3NO.** No directed fishery for 2007-2008. Bycatch should be kept to the lowest possible level.
- **Yellowtail flounder in Divisions 3LNO.** TAC should not exceed 15 500 t for 2007 and 2008 based on current harvest level $F=2/3F_{msy}$. Under the Precautionary Approach Framework, the stock is in the safe zone at the current fishing regime.
- **Thorny skate in Divisions 3LNOPs.** Should be managed as a single unit – Divisions 3LNOPs. TAC should not exceed 11 000 t in Divisions 3LNOPs.
- **Northern shortfin squid in SA 3+4.** TAC for 2007-2008 should be between 19 000 – 34 000 t.

The SC also provided recommendations and comments on the following topics as requested by the Fisheries Commission (see pp.26-30 SCS Doc. 07/19 for details):

- **Evaluation of recovery plans.** Scientific Council noted that the stocks – Cod in Divisions 3NO, American Plaice in Divisions 3LNO, Cod in Division 3M – are at low levels despite a ban on directed fishing for about 12 years. SC recommends that rebuilding or recovery plans for these stocks should be considered.

A working group on management strategies for Greenland halibut was established to consider a comprehensive analysis of the performance of the rebuilding strategy currently in place. The group will meet in Vigo, Spain in February 2008 to investigate and advise on appropriate management strategies for Greenland halibut.

- **Seals.** In order to advance the understanding of the impact of seals on fish stocks, knowledge gaps must be addressed. To this end, NAFO and the Canadian Department of Fisheries and Oceans are organizing separate scientific meetings in the coming year. Specifically, NAFO SC is proposing to hold a symposium jointly with ICES on “The Role of Marine Mammals in the Ecosystem in the 21st Century”. The Scientific Council noted that the Seal Symposium will be held in Dartmouth during September 29-October 1, 2008.
- **Redfish at Division 3O (90 mm mesh size and bycatch implications).** The selectivity patterns of mesh sizes 90 – 130 mm were similar. It was believed that the similarity was due to the lack of small redfish in the sampled population. The SC concluded that the mesh size was not the main factor determining mortality. A 22-cm Total Length (TL) minimum landing size is appropriate to a 130 mm mesh size, the retention of that size by that mesh is less than 25%. It is however inappropriate for a 90-mm mesh size, since such retention is around 50% and it would imply a high mandatory discard.

- **Seamounts.** There is no evidence of fishing on Orphan Knoll. Few exploratory tows probably occurred on the Newfoundland Seamounts. Limited commercial fishing activity was observed on the New England and Corner Seamounts. One small area in the Corner Seamounts was repeatedly fished over several seasons. SC recommends that:
 - “any research survey in the closed areas should be reviewed first by the SC before proceeding. Priority should be given to develop surveys that undertake bathymetric data collection, multi-beam surveys, taxonomic studies, and gear-mounted camera systems for habitat mapping.”
 - “such information will be reviewed by the new NAFO Ecosystem Approach to Fisheries Study Group”,
 - “the boundaries of the seamount areas be modified to include any peaks close to the current boundaries.”
- Environmental issues and other recommendations (STACFEN Chair)

Mr. Eugene Colbourne (Canada), the Chair of STACFEN gave a presentation on environmental issues affecting fish resources in the NAFO Convention Area. His presentation is in two parts: 1) Updated Climate Report for the NAFO Convention Area, and 2) Climate Effects on Marine Resources. The following are the highlights:

- ocean climate trends in the NAFO Convention Area: periods 1900-1920 and 1970s-1990s are considered cold periods; periods 1920s-1960s and 1996-present are considered warm periods;
- climate records are currently being set (air and ocean temperatures, sea-ice cover, etc.);
- the recent climate warming within the NAFO Area is not unprecedented;
- the decline in many fish stocks in NAFO waters occurred during the cold-unstable climate conditions of the 1980s to early 1990s;
- indices of marine production are correlated with climate trends, however factors such as predator-prey interactions, competition and exploitation often outweigh environmental effects;
- time series of climate variability are useful in modelling changes in marine resource, long-term monitoring is essential; and
- a better understanding of ecosystem processes are needed.
- Other issues (as determined by SC Chair)
 - **Ecosystem Approach Study Group.** SC proposes to establish an Ecosystem Approach Study Group and suggested some draft Terms of Reference (ToRs) concerned with the identification of eco-regions within the NAFO Convention Area and the development of ecosystem health indicators. The membership of the group remains open until appropriate ToRs are developed. Cooperation with ICES will require that SC contributes with its own people, data and analyses for the NAFO Convention Area.
 - **WG on Greenland halibut Management Strategies.** Since 2003 when a rebuilding plan was put in place for Greenland halibut, new tools have become readily available for evaluating management strategies. SC considered that in order to investigate and advise on appropriate management strategies for Greenland halibut, a working group should be formed to consider a comprehensive analysis of the performance of rebuilding strategies, including the one currently in place. The WG plans to meet in Vigo, Spain in February 2008.
 - **Role of Marine Mammals in the Ecosystem.** SC is proposing to hold a symposium jointly with ICES on “The Role of Marine Mammals in the Ecosystem in the 21st Century”. The Scientific Council noted that the Seal Symposium will be held in Dartmouth during September 29-October 1, 2008.

- **VMS reporting.** SC recommends that vessel position be reported at more frequent intervals than the current interval of 2 hours, and the NAF fields for speed (code SP) and course (code CO) be added in the POS reports transmitted to the NAFO Secretariat. These recommendations were deferred to STACTIC.

b) Feedback to the Scientific Council regarding its work during this Meeting.

Questions and enquiries for further clarification arose in response to the SC Chair's presentation, to which the SC prepared responses during the meeting. The questions from the FC and the responses from the SC contained in FC Working Papers 7/17-21 are compiled in Annex 4. These concern Vulnerable Marine Ecosystems (VMEs), the shrimp stocks in Divisions 3LNO, redfish in Division 3M and Divisions 3LN.

7. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2008

7.1 Redfish in Division 3M

It was decided to fix the Total Allowable Catch (TAC) at a level of 8 500 t. The allocation scheme (quotas) will be the same as in 2007. The TAC and quotas are applicable in 2008 and 2009. The USA expressed its reservation on this decision because the proposed TAC was inconsistent with the advice of the Scientific Council. A new footnote 19 concerning this stock was **adopted** (FC WP 07/22, Revised) (Annex 5).

7.2 Shrimp in Division 3M

It was decided that the measures in place for 2007 will apply also in 2008. There was no unanimous agreement regarding the management of this stock. Iceland maintained its previous position that the provisions and measures in the NAFO CEM concerning this stock are contrary to scientific advice. The Fisheries Commission noted Iceland's reservation.

It was decided that an intersessional meeting will be held in Montreal, Canada on 30th April – 2nd May, 2008 to review possible management systems and options for this stock, e.g. TAC-based quota allocation system (FC WP 7/24, Revised) (Annex 6).

8. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2008

8.1 American Plaice in Divisions 3LNO

It was decided that the measures in place in 2007 for this stock will apply also in 2008 and 2009, i.e. no directed fishery and application of by-catch provisions as formulated in the NAFO CEM Article 9.

8.2 Yellowtail flounder in Divisions 3LNO (PA Framework)

The USA proposed an increased harvest rate from $F65\%_{MSY}$ to $F75\%_{MSY}$ at a TAC 17 200 t, and that some usable portion of the resulting TAC be provided as a U.S. national allocation (FC WP 07/15). No agreement was reached on this proposal. It was decided that the TAC of 15 500 t and allocation scheme of 2007 be applied in 2008. The USA registered its reservation on this decision.

8.3 White hake in Divisions 3NO

It was decided that the TAC of 8500 t and the allocation scheme of 2007 be continued in 2008 and 2009. The USA expressed its reservation on this decision because the proposed TAC was inconsistent with the advice of the Scientific Council.

8.4 Redfish in Divisions 3LN

It was decided that the moratorium for this stock will apply also in 2008. A proposal to amend Article 9 paragraph 1 a) of the NAFO CEM to make the bycatch provisions applicable to this stock was **adopted** (FC WP 07/26) (Annex 7). The Commission also requested the SC to conduct a full assessment and provide an updated advice in 2008 for this stock for 2009 (see item 2 of FC WP 07/23, Revision 2) (Annex 8).

8.5 Redfish in Division 3O (TAC and mesh size)

It was decided that TAC of 20 000 t and the allocation scheme of 2007 be continued in 2008. A proposal from Russia for a 90-mm minimum mesh size of mid-water trawls for this stock was **adopted** (FC WP07/10) (Annex 9).

8.6 Cod in Divisions 3NO

It was decided that there will be no directed fishery for this stock applicable in years 2008-2010.

A Conservation Plan and Rebuilding Strategy were **adopted** (FC WP 07/7, Revised) (Annex 10). The plan and strategy are aimed at attaining a sustained level of Spawning Stock Biomass or recovery milestone above the B_{lim} of 60 000 t, consistent with the NAFO PA Framework. The SC was asked to monitor and review the progress of this Conservation Plan and Rebuilding Strategy and submit every third year, starting in 2010, an assessment of this progress to Fisheries Commission. Specifically, the SC starting in 2010 will report on annual biomass growth projected for this stock.

8.7 Witch flounder in Division 3L

It was decided that no directed fishery will be allowed for this stock. The moratorium will apply in 2008, 2009 and 2010.

8.8 Capelin in Divisions 3NO

It was decided that there should be no directed fishery on this stock. Consistent with the Conservation Plan and Rebuilding Strategy for Cod in Divisions 3NO (see Annex 10), the moratorium will continue until at least 2012.

8.9 Greenland halibut in Subarea 2 and Divisions 3KLMNO (rebuilding plan)

It was decided that the TAC and allocation scheme of 2007 be maintained in 2008. The TAC is 16 000 t in Subarea 2 and Divisions 3KLMNO (11 856 t in Divisions 3LMNO). The USA expressed its reservation on this decision because the proposed TAC was inconsistent with the advice of the Scientific Council.

Recognizing the existence of compliance issues specifically on harvests exceeding quotas, a proposal to introduce new and stricter measures was **adopted** (FC WP 07/27) (Annex 11).

8.10 Shrimp in Divisions 3LNO

It was decided to fix the TAC at a level of 25 000 t for 2008, an increase from 22 000 t in 2007. The allocation scheme (percentage formula) of 2007 will apply also in 2008. There was no unanimous agreement on the allocation for 2008. A reservation of Denmark (in respect of Faroes and Greenland) on the allocation scheme was noted.

It was decided that an intersessional meeting will be held in Montreal, Canada on 30th April – 2nd May, 2008 to review the management measures, TACs, and quotas (see Annex 6)

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

It was decided to fix the TAC at a level of 12 516 t for 2008. The 2007 allocation scheme will apply also in 2008. The TAC is based on the 26% reduction of the TAC for this stock which is shared with NEAFC. The USA expressed its reservation on this decision because the proposed TAC was inconsistent with the advice of the Scientific Council. It was also understood that these levels would be subject to review following the NEAFC Annual Meeting in 2007.

The USA also expressed concern on the wording of footnote 10 of the Quota Table which stipulates particular action of NAFO contingent on the decisions of NEAFC. This poses difficulty in accepting

decisions on the part of the NAFO Contracting Parties which are not party to NEAFC. The USA anticipates the resolution of this issue at the next Annual Meeting.

8.12 Thorny skate in Divisions 3LNO

It was decided that the TAC of 13 500 t and the allocation scheme of 2007 would be applied in 2008. The USA expressed its reservation on this decision because the proposed TAC was inconsistent with the advice of the Scientific Council.

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

It was decided that the TAC of 34 000 t and the allocation scheme of 2007 would be applied in 2008.

8.14 Elasmobranchs

The USA presented a proposal on measures concerning the prohibition of possessing porbeagle sharks in the Regulatory Area (FC WP 07/6). No consensus was reached on this proposal. While some CPs indicated support, others considered the current measures as defined in Article 13 of the CEM to be adequate to cover the USA proposal. The USA eventually decided to withdraw its proposal rather than accept a lesser action.

The Quota Table for 2008 and the Effort Allocation Scheme for the Shrimp Fishery in NAFO Division 3M can be found in Annex 12 of this Report.

During the deliberations of items 7 and 8, Korea expressed its views on the guiding principles that should be followed in deciding the TACs and quota allocations of Contracting Parties (Annex 13).

At the conclusion of the deliberations of items 7 and 8, the USA expressed concerns on the decisions of the Fisheries Commission setting harvest levels in excess to what the SC prescribed. The USA strongly urged the Fisheries Commission to follow the advice of the SC at subsequent Annual Meetings.

9. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stock in 2009

The Fisheries Commission **adopted** the paper containing its request to the Scientific Council for scientific advice (see Annex 8).

IV. Conservation and Enforcement Measures (Agenda items 10-11)

10. Review of Chartering Arrangements

A report on the chartering arrangements was presented by the NAFO Secretariat (FC WP 07/2 Rev). The Secretariat indicated in the report some compliance issues and potential interpretation problems with respect to the catch reporting requirements and temporary suspension and resumption within the chartering period. It was noted that these issues were being addressed by STACTIC at this Annual Meeting.

11. Report of STACTIC (from June 2007 intersessional meeting and current Annual Meeting)

The June 2007 intersessional meeting report was presented under item 4.

The Chair of STACTIC, Mr. Mads Trolle Nedergaard (DFG) presented the STACTIC Report to the Fisheries Commission (see Part II of this Report), with the following recommendations for adoption and acceptance:

- a) Port Inspection Report template (STACTIC WP 07/14, Revised) (Annex 14);
- b) Amendment to CEM, Chapter VII – Electronic Reporting, Satellite Tracking and Observers, Article 57- Follow-up (STACTIC WP 07/17, Revised) (Annex 15);
- c) Catch Reporting and Notification Procedures between Divisions 3M and 3L (STACTIC WP 07/24, Revised) (Annex 16);

- d) Amendment to FC Rule of Procedure 5.1 (STACTIC WP 07/27, Revised) (Annex 17);
- e) Amendment to CEM concerning IUU fishing (STACTIC 07/29, Revised) (Annex 18);
- f) Chartering Arrangements (STACTIC WP 07/30, Revised) (Annex 19);
- g) Annual Compliance Review (STACTIC WP 07/33) (Annex 20).

In addition, from the June 2007 Intersessional Meeting, the following recommendations for adoption were presented:

- h) Boarding Ladders (STACTIC WP 07/2) (Annex 21);
- i) Definition of “Transshipment” (STACTIC WP 07/3, Revised) (Annex 22);
- j) Product Form Codes (STACTIC WP 07/19) (Annex 23).

The Fisheries Commission **adopted** all recommendations.

During the deliberation of this item, the USA informed the FC that for the first time in July 2007, the U.S. Coast Guard participated in the NAFO Joint Inspection and Surveillance Scheme by embarking a Coast Guard officer onboard the Canadian inspection vessel as a NAFO Inspector Trainee. The officer had the opportunity to participate in and observe three NAFO at-sea inspections in Division 3N. The USA is investigating whether to continue and expand this at-sea inspection activity in 2008.

V. Ecosystem Considerations (Agenda items 12 -15)

12. Seamount closure

This item was discussed in item 13 as seamounts fall under VMEs.

13. Proposal to Protect Vulnerable Marine Ecosystems – Deep Sea Corals

In line with the United Nations General Assembly Resolution 61/105 of 2006 which states,

...83. Calls upon regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to adopt and implement measures, in accordance with the precautionary approach, ecosystem approaches and international law, for their respective regulatory areas as a matter of priority, but not later than 31 December 2008:...

A proposal from Canada (FC WP 07/9 Rev) and one from the EU (FC WP 07/16) were tabled concerning bottom fishing restrictions to protect of vulnerable marine ecosystems (which includes seamounts, hydrothermal vents, cold water corals and sponge fields) in the NAFO Convention Area. The proposals were subjected to intense review and discussions. No consensus was reached on either proposal. Instead, interim measures were **adopted** to establish a Coral Protection Zone closing all fishing activity involving bottom contact gear for a large area in Division 3O from January 1, 2008 until December 31, 2012 (FC WP 07/9, Revision 2) (Annex 24).

It was noted that steps were already taken by NAFO in addressing the impacts on seamounts found in the NAFO Regulatory Area (FC Doc 06/5) and that it was important to take further precautionary steps to address the impacts of fishing on VMEs. In this regard, the Fisheries Commission **decided** to hold an intersessional meeting on the Protection of Vulnerable Marine Ecosystems from Significant Adverse Impacts in Montreal, Canada in May 2008 dedicated to a more comprehensive consideration of strategies and measures to address VME (see Annex 6).

Specifically, the intersessional meeting will review the UNGA Resolution, assess the processes for fisheries and VME in the context of the Regulatory Area, develop measures to mitigate significant adverse impacts on vulnerable marine ecosystems, and develop an exploratory fishing protocol.

During the discussions on this item, observers representing the Ecology Action Centre and World Wildlife Fund – Canada presented their respective statements regarding the protection of Vulnerable Marine Ecosystems (Annexes 25 and 26).

14. Overview of the present knowledge related to role of seals in the marine ecosystem

Following the 2006 FC special request to the SC on the review of the present knowledge on the role of seals in the marine ecosystem, the SC Chair provided a summary of the review which was conducted at the SC June 2007 meeting (see item 6a). The DFG expressed its disappointment that the summary information provided did not include important key data on population size, biology and ecology of seals stocks in the northwest Atlantic, about which a great deal of information was available. The SC plans to organize jointly with ICES a symposium in September 2008 on the role of marine mammals in the ecosystem were welcomed. DFG reminded the Fisheries Commission that the General Council at the 2006 Annual Meeting had agreed to encourage the SC to explore formal working relations with the NAMMCO Scientific Committee in addressing requests for advice and information on issues related to the role of marine mammals in the ecosystem. The SC was therefore urged to involve NAMMCO in the organization of the planned symposium. DFG also informed the Fisheries Commission about the International Conference on Seals and Society to be held in Finland in October 2007. The Conference flyer was distributed at the meeting.

15. Turtle Resolution

The Secretariat presented a progress report on the submission of turtle-fisheries interaction in the NAFO Convention Area from Contracting Parties (FC WP 07/5 Rev). According to the Resolution, CPs should provide to the NAFO Secretariat information detailing sea turtle fishery interaction data (e.g., species identification, fate and condition at release, relevant biological information and gear configuration), including data collected by their respective national observer programs, in fisheries managed by NAFO in the NAFO Convention Area and any sea turtle-specific training provided to these observers. This information will be compiled by the NAFO Secretariat and reported to the Scientific Council and to the Fisheries Commission. The progress report was noted, and Contracting Parties were urged to diligently provide updates to the Secretariat.

VI. Closing Procedure (*Agenda items 16-18*)

16. Time and Place of the Next Meeting

The decision was deferred to the General Council.

17. Other Business

Election of Chair. It was decided to postpone the election of Chair to the intersessional meeting in Montreal in May 2008.

Amendment to Article 3 of the NAFO CEM. A proposal to amend Article 3 of the NAFO CEM (FC WP 07/25) was **adopted** (Annex 27).

18. Adjournment

In closing the meeting, the President Mr. David Bevan (who chaired the meeting at the Closing Procedure) recapitulated the actions and decisions taken at this meeting. The meeting was adjourned at 16:30 on Friday, 28 September 2007.

Annex 1. List of Participants

CANADA

Head of Delegation

David Bevan, Assistant Deputy Minister, Fisheries and Aquaculture Management, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 990 9864 – Fax: +613 990 9557 – bevand@dfo-mpo.gc.ca

Alternate (General Council)

Guy Beaupré, Director General, International Affairs Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
Phone: +613 993 1873 – Fax: +613 993 5995 – E-mail: beaupreg@dfo-mpo.gc.ca

Representatives

David Bevan (see address above)
Earle McCurdy, President, Fishermen, Food and Allied Workers Union/CAW, P. O. Box 10, St. John's, NL A1C 5H5
Phone: +709 576 7276 - Fax: +709 576 1962 – E-mail: emccurdy@ffaw.nfld.net
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

Advisers

Andrea Asbil, Communications Advisor, Communications Branch, Fisheries and Oceans Canada, 200 Kent St., 13th Fl., Ottawa, Ontario K1A 0E6
Phone: +613 991-3305 – Fax: +613 990 1866 – E-mail: asbila@dfo-mpo.gc.ca
Jim Baird, Associate Regional Director General, Newfoundland and Labrador Region, Fisheries and Oceans Canada, P. O. Box 5667, St John's, NL A1C 5X1
Phone: +709 772 2420 - Fax: +709 772 2387 – E-mail: bairdj@dfo-mpo.gc.ca
Richard Ballhorn, Deputy Legal Adviser and Director General, Bureau of Legal Affairs, Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
Phone: + 1 613 992 2728 – Fax: +1 613 992 6483 – E-mail: richard.ballhorn@international.gc.ca
Bill Brodie, Senior Science Coordinator / Advisor, NAFO, Newfoundland and Labrador Region, Science Br., 80 East White Hills Rd., 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
Russ Carrigan, Fishery Products International, 70 O'Leary Ave., P. O. Box 550, St. John's, Newfoundland & Labrador A1C 5L1
Phone: +709 570 0130 – Fax: +709 570 0479 – E-mail: rcarrigan@fpil.com
Bruce Chapman, Executive Director, Groundfish Enterprise Allocation Council, 1362 Revell Drive, Manotick, Ontario K4M 1K8
Phone: +613 692 8249 - Fax: +613 692 8250 - E-mail: bchapman@sympatico.ca
Eugene Colbourne, Science Br., DFO, Newfoundland & Labrador Region, P. O. Box 5667, St. John's, NL A1C 5X1
Phone: +709 772 6106 - Fax: +709 772 4105 - E-mail: colbourn@dfo-mpo.gc.ca
Tom Dooley, Director, Resource Policy, Dept. of Fisheries and Aquaculture, P. O. Box 8700, St. John's, NL A1B 4J6
Phone: +709 729 0335 – Fax: +709 729 1117 – E-mail: tdooley@gov.nl.ca
Bob Fagan, Communications Officer, Northwest Atlantic Fisheries Center, 1 East White Hills Road, P. O. Box 5667, St. John's, NL A1C 5X1
Phone: +709 772 6369 – Fax: +709 772 4880 – E-mail: faganr@dfo-mpo.gc.ca

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

Neil Greig, Makivik Corporation, Box 179, Kuujjuaq, 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, Fisheries & Oceans Canada, 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

Morley Knight, Director, Conservation and Protection Div., Fisheries Management, Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1
 Phone: +709 772 4494 – Fax: +709 772 5983 – E-mail: knightm@dfo-mpo.gc.ca

Sylvie Lapointe, Director, International Fisheries, Fisheries and Oceans Canada, 200 Kent St., Ottawa, Ontario K1A 0E6
 Phone: +613 993 6853 – Fax: +613 993 5995 – E-mail: lapointesy@dfo-mpo.gc.ca

Brian Lester, Senior Resource Advisor, Fisheries and Oceans Canada, 200 Kent Street (Stn. 135026), Ottawa, Ontario K1A 0E6
 Phone: +613 990 0090 – Fax: +613 990 7051 – E-mail: lesterb@dfo-mpo.gc.ca

Keith Lewis, Oceans Law Section (JLOA), Oceans and Environmental Law, Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
 Phone: +613 944 3077 – Fax : +613 992 6483 – E-mail : keith.lewis@international.gc.ca

Brian McNamara, 90 O'Leary Ave., St. John's, NL
 Phone: +709 579 7676 – E-mail: nrl@nfld.com

Brent Napier, Staff Officer, International Fisheries Enforcement, Fisheries and Oceans Canada, 8E-234, 200 Kent St., Ottawa, Ontario K1A 0E6
 Phone: +613 998 3805 – Fax: +613 990 9557 – E-mail: napierb@dfo-mpo.gc.ca

Alastair O'Rielly, Deputy Minister, Government of Newfoundland and Labrador, Fisheries and Aquaculture, P. O. Box 8700, St. John's, NL A1B 4J6
 Phone: +709 729 3707 – Fax: +709 729 4219 – E-mail: aorielly@gov.nl.ca

Dave Orr, Research Biologist, Shrimp, Shellfish Section, Aquatic Resources Div., Science Br., Fisheries and Oceans Canada, Newfoundland & Labrador Region, 80 East White Hills Rd., 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

Rosalind Perry, Executive Director, Northern Coalition, P. O. Box 6421, 189 Water St., Suite 301, St. John's, Newfoundland & Labrador
 Phone: +709 722 4404 – Fax: +709 722 4454 – E-mail: rwalsh@nfld.net

Don Power, Science Br., Fisheries and Oceans Canada, Newfoundland & Labrador Region, 80 East White Hills Rd., 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

Kym Purchase, Director, Parliamentary Affairs, Office of the Minister, Fisheries and Oceans, 200 Kent St., 15th Fl, Ottawa, Ontario K1A 0E6
 Phone: +613 992 3474 – Fax: +613 947 7082 – E-mail: purchasek@dfo-mpo.gc.ca

Lori Ridgeway, Director General, International Policy and Integration, Fisheries and Oceans Canada, 200 Kent St., 14th Floor, Ottawa, Ontario K1A 0E6
 Phone: +613 993 1914 – Fax: +613 990 9574 – E-mail: ridgewayl@dfo-mpo.gc.ca

Marie-Eve Rouleau, Adviser, International Fisheries Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 990 9387 – Fax: +613 993 5995 – E-mail: rouleauem@dfo-mpo.gc.ca

Beverly Sheppard, Manager, Harbour Grace Shrimp Co. Ltd., P. O. Box 580, Harbour Grace, NL A0A 2M0
 Phone: +709 596 8000 – Fax: +709 596 8002 – E-mail: bsheppard@hgsc.ca

Paul Steele, Director-General, Conservation and Protection, Fisheries Management, Fisheries and Oceans, Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
 Phone: +613 990 0109 – Fax +613 941 2718 – E-mail: steelep@dfo-mpo.gc.ca

Bob Steinbock, Deputy Director, International Fisheries Directorate, Fisheries & Aquaculture Management, Fisheries and Oceans Canada, 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., Fisheries & Oceans Canada, 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

Loyola Sullivan, Ambassador for Fisheries Conservation, Suite 210, 354 Water Street, St. John's, NL A1C 5W8

Phone: +709 772 8176 – Fax: +709 772 8178 – E-mail: Loyola.Sullivan@international.gc.ca

Caterina Ventura, Deputy Director, Oceans Law Section (JLOA), Oceans and Environmental Law Div., Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Phone: +613 996 2643 – Fax : +613 992 6483 – E-mail : caterina.ventura@international.gc.ca

Jerry Walsh, Chief, NAFO Compliance/Offshore Operations, Fisheries & Aquaculture Management Br., Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1

Phone: +709 772 4864 – Fax: +709 772 4327 – E-mail: walshje@dfo-mpo.gc.ca

Michele Tomlinson-Wells, Senior Advisor, Office of the Ambassador for Fisheries Conservation (JLX), Suite 210, 354 Water Street, St. John's, NL A1C 5W8

Phone: +709 772 8176 – Fax: +709 772 8178 – E-mail: Michele.Tomlinson-Wells@international.gc.ca

David Wells, Senior Policy Adviser, Office of the Minister Fisheries and Oceans

Phone: (St. John's): +709 772 7272 – Fax: +709 772-5244 : Phone: (Ottawa) +613 992 3474; Fax: +613 947 7081 –

E-mail: wellsd@dfo-mpo.gc.ca

CUBA

Head of Delegation

Martha Torres Soroa, International Relations, Ministry of the Fishing Industry, 5^{ta} Ave. y 246, Playa, Ciudad Habana

Phone: + 53 7 209 2034 – E-mail: mtorres@mip.telemar.cu

Adviser

Gerardo Duncan Palomino, Dragnets, Avenida del Puerto y Atares, 5/N Muelle Osvaldo Sanches, C. Habana

Phone: + 861 9674 - E-mail: dragnets@pespor.telemar.cu

DENMARK (IN RESPECT OF FAROES AND GREENLAND)

Head of Delegation

Kate Sanderson, Counsellor, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: + 298 35 32 47 - Fax: +298 35 30 37 - E-mail: kate@fisk.fo

Alternate

Jeanette Holding, Deputy Head, Department of Fisheries, Dept. of Fisheries and Hunting, Greenland Home Rule, P. O. Box 269, DK-3900, Nuuk, Greenland

Phone: +299 345222 - Fax: +299 324704 - E-mail: jeanette@gh.gl

Advisers

Jens Bisgaard, Fleet and Production Manager, Royal Greenland A/S, Qasapi 4, P. O. Box 1035, 3900 Nuuk, Greenland
Phone: +299 32 44 22 – Fax: +299 32 33 49 – E-mail: jebi@royalgreenland.com

Meinhard Gaardlykke, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, FO-110 Torshavn, Faroe Islands

Phone: +298 588016 – E-mail: meinhardg@fve.fo

Helle I. Ø. Jørgensbye Hansen, Head of Section, Gronlands Fiskerilicenskontrol, Greenland Home Rule, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345000 – Fax: +299 324704 – E-mail: hhan@gh.gl

Jóhan Joensen, Faroe Shipowners Association, Gongin 10, P.O. Box 361, FO-110 Torshavn, Faroe Islands

Phone: +298 311800 – Fax: +298 320380 – E-mail: shipown@post.olivant.fo

Michael Kingsley, Greenland Institute of Natural Resources. P. O. Box 570, DK-3900 Nuuk

Phone: +299 36 1200 – Fax: +299 39 1212 – E-mail: mcsk@natur.gl

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: martink@fve.fo

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

Frederik Schmidt, Head of Section, Department of Fisheries and Hunting, Greenland Home Rule, P. O. Box 269, DK -3900, Nuuk, Greenland

Phone: +299 345329 - Fax: +299 324704 - E-mail: frsc@gh.gl

Ulla S. Wang, Special Adviser, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: + 298 35 32 42 - Fax: +298 35 30 37 - E-mail: ullaw@fisk.fo

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@ec.europa.eu

Alternate

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@ec.europa.eu

Advisers

(EU Commission)

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@ec.europa.eu

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

Phone: +32 2 296 0706 – Fax: +32 2 296 2338 – E-mail: jose.mesquita@ec.europa.eu

Cristina Olivos, Unité ‘Questions juridiques’ Fisheries Directorate General, European Commission, Rue de la Loi 200, B-1049 Brussels, Belgium

Phone: +32 2 296 5614 – Fax: +32 2 295 1942 – E-mail: cristina.olivos@ec.europa.eu

Alan Gray, Senior Administrative Assistant, International and Regional Agreements, European Commission, Directorate General for Fisheries and Maritime Affairs, Rue Joseph II, 99, BE-1000 Brussels, Belgium

Phone: +32 2 299 0077 – Fax: +32 2 295 5700 – E-mail: alan.gray@ec.europa.eu

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@ec.europa.eu

(EU Council)

Mariano Abad Menendez, Principal Administrator, Council of the European Union, General Secretariat, DG-BIII -Fisheries, Rue de la Loi 175, B-1048 Brussels, Belgium

Phone: +32 2 285 5093 – Fax: 32 2 285 6910 - E-mail: mariano.abad@consilium.eu.int

(EU Parliament)

Pedro Guerreiro, Commission de la Peche, Parlement Europeen, Direction Générale des Commissions et Délégations, B-1047 Brussels

Phone: +32 2 284 3675 – Fax: +32 2 284 4909 – E-mail: pedro.guerreiro@europarl.europa.eu

Jesus Manuel Pardo, Commission de la Peche, Parlement Europeen, Direction Générale des Commissions et Délégations, B-1047 Brussels

Phone: +32 2 284 3675 – Fax: +32 2 284 4909 – E-mail: jesus.pardo@europarl.europa.eu

(EU - Portugal)

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@dgpa.min-agricultura.pt

Helena Figueiredo, Sub-Director, Direcçao-Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon
Phone: +351 21 303 5889 - Fax: +351 21 303 5965 - E-mail: hfigueiredo@dgpa.min-agricultura.pt

Emilia Batista, Directora de Servicos, Departamento dos Recursos, Direcçao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon

Phone: +351 213 035 850 - Fax: +351 213 035 922 - E-mail: ebatista@dgpa.min-agriculture.pt

Vitor Costa, Director de Servicos de Fiscalizacão de Pesca, Direcçao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1400-038 Lisbon

Phone: +351 213 025 174 Fax: +351 213 025 101 E-mail: vitorcosta@ip.dgpa.min-agricultura.pt

Ricardo Alpoim, Instituto Nacional de Investigacão Agrária e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon

Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: ralpoim@ipimar.pt

Antonio Avila de Melo, Instituto Nacional de Investigacão Agraria e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon

Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: amelo@ipimar.pt

Antonio Schiappa Cabral, Secretario-Geral, A.D.A.P.I., Rua General Gomes d’Araujo, Edificio Vasco da Gama, 1399-005 Lisbon

Phone: +351 21 397 2094 – Fax: +351 21 397 2090 – E-mail: adapi.pescas@mail.telepac.pt

Jose Taveira da Mota, A.D.A.P.I., Rua General Gomes d’Araujo, Edificio Vasco da Gama, 1399-005, Lisbon

Phone: +351 21 397 2094 – Fax: +351 21 397 2090 – E-mail: adapi.pescas@mail.telepac.pt

Luis Vaz Pais, A.D.A.P.I., Rua General Gomes d’Araujo, Edificio Vasco da Gama, 1399-005 Lisbon

Phone: +351 21 397 2094 – Fax: +351 21 397 2090 – E-mail: adapi.pescas@mail.telepac.pt

Anibal Machado Paiao, Director, A.D.A.P.I.-Associacão dos Armadores das Pescas Industriais, Docapesca, Edificio da Gama, Bloco-C, Piso 1, Rua General Gomes d’Araujo, Alcantara-Mar, 1399-005 Lisbon

Phone: +351 21397 2094 - Fax: +351 21397 2090 - E-mail: adapi.pescas@mail.telepac.pt.

(EU – Estonia)

Meit Grosmann, Ministry of the Environment, Narva mnt 7a, 13172 Tallinn

Phone: +37 269 62218 – Fax: +37 269 62237 – E-mail: meit.grosmann@kki.ee

Kaire Martin, Fishery Resources Dept., Ministry of the Environment, Narva mnt 7a, 13172 Tallinn

Phone: +372 626 0718 - Fax: +372 626 0710 - E-mail: kaire.martin.@ekm.envir.ee

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

Phone: +372 6718 901 – Fax: +372 6718 900 – E-mail: tsaat@sea.ee

Silver Sirp, Head of Observers Working Group, Estonian Marine Institute, University of Tartu, 10A Maealuse St., 12618, Tallinn

Phone: +372 529 5396 – E-mail: silver.sirp@ut.ee

Toomas Tamme, Attorney-at-Law, Alvin, Rödl & Partner, Advokaadibüroo Roosikrantsi 2, 10119 Tallinn

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

Lauri Vaarja, Ministry of the Environment, Narva mnt 7a, 15172 Tallinn

Phone: +372 626 2895 – Fax: + 372 626 2801 – E-mail: laurivaarja@hotmail.ee

Hjalmar Vilhjalmsson, Managing Director, Reyktal AS, Sidumuli 34 (4th Floor) 39, 15-108 Reykjavik, Iceland

Phone: +354 588 7666 – Fax: +354 588 7635 – E-mail: hjalmar@iec.is

(EU – France)

Jean-Marc Guyau, Direction des pêches maritimes et d’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 1 49 55 82 00 – E-mail: jean-marc.guyau@agriculture.gouv.fr

Jean-Claude Mahé, IFREMER, Station de Lorient, 8, rue Francois Toullec, 56100 Lorient

Phone: +33 2 9787 3818 – Fax: +33 2 9787 3801 – E-mail: jcmahe@ifremer.fr

Ludovic Schultz, Direction des pêches maritimes et d’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 1 49 55 82 00 – E-mail: ludovic.schultz@agriculture.gouv.fr

(EU – Germany)

Hermann Pott, Bundesministerium für Verbraucherschutz, Ernährung und Landwirtschaft, Rochusstr. 1, 53123 Bonn

Phone: +49 228 529 4124 - Fax: +49 228 529 4410 – Email: Hermann.Pott@bmelv.bund.de

Eckart Riediger, Geschäftsführer, Doggerbank Seefischerei GmbH, Gronlandstrabe 1, D-27572 Bremerhaven

Phone: +49 471 9 265 00 – Fax: +49 471 9 265 02 30 – E-mail: e.riediger@doggerbank.de

(EU – Latvia)

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

Janis Stepanovs, Senior Officer of the Fishereis and Fish Resources Division, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV -1010 Riga

Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: janis.stepanovs@vzp.gov.lv

Maris Vitins, Director, Latvian Fish Resources Agency, Ministry of Agriculture, Republic of Latvia State Agency, Daugavgrivas 8, Riga 1048

Phone: +371 676 16946 – Fax: +371 676 16946 – E-mail: maris.vitins@lzra.gov.lv

(EU – Lithuania)

Aidas Adomaitis, Director General, Fisheries Dept. under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius

Phone: +370 253 71174 – Fax: +370 5 239 1176 – E-mail: aidasa@zum.lt

Algirdas Rusakevicius, Deputy Director General, Fisheries Department under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius

Phone: +370 5 239 1186 – Fax: +370 5 239 1176 – E-mail: algirdasr@zum.lt

Genadijus Babcionis, Head of Atlantic Fisheries Control and Monitoring Div., 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: genadijusb@zum.lt

Rasuole Jusiute-Daukante, Lawyer, “Norgertus”, Nemuno str. 139, LT 93262 Klaipeda

Phone: +370 37 370656 – Fax: +370 37370664– E-mail: marestana@zebra.lt

Saulius Staskus, Owner, JSC “Norgertus”, Nemuno str. 139, LT 93262 Klaipeda

Phone: +370 37 370656 – Fax: +370 37370664– E-mail: s.staskusa@zebra.lt

Virginija Staskiene, Director of Finances, JSC “Norgertus”, Nemuno str. 139, LT 93262 Klaipeda

Phone/Fax: +370 46 340043 – Fax: +370 37370664– E-mail: norgertus@norgertus.w3.lt

Alexandro Alvarez Rivas, Director

(EU – Poland)

Leszek Dybiec, Deputy Director, Ministry of Maritime Economy, Fisheries Department, 42 ul. Meynarska, Warsaw

Phone: +48 22 385 5770 - Fax: +48 22 385 5774 - E-mail: leszek.dybiec@mgm.gov.pl

Barbara Olszewska, Fishery Department, Ministry of Maritime Economy, ul. Meynarska 42, Warsaw

Phone: + - Fax: + - E-mail: bolszewska@mgm.gov.pl

Marcin Runski, Polish Permanent Representation to the EU, Av. De Tervuren 282-284, B1150 Brussels, Belgium

(EU – Spain)

Fernando Curcio Ruigomez, Director General de Recursos Pesqueros, Secretariat General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid

Phone: +34 91 347 6030 – Fax: +34 91 347 6032 – E-mail: fcurcior@mapya.es

Rafael Centenera, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 6040 – Fax: +34 91 347 6042 – E-mail: rcentera@mapya.es

Margarita Mancebo, Jefe de Area, Subdireccion General de Relaciones Pesqueras Internacionales, Direccion General de Recursos Pesqueros, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 61 29 - Fax: +34 91 347 60 42 – E-mail: cmancebo@mapya.es

Samuel J. Juarez, Counselor for Agriculture, 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: info@mapausa.org

Cesareo Goicoechea, Conselheiro de Agricultura, Pescas e Alimentacao, Embassy of Spain, Rua do Salitre 1, Lisbon

Phone: +351 213472234 – Fax: +351 213420717 – E-mail: capa@mail.telepac.pt

Javier Del Hierro, Subdirección General de Inspeccion Pesquera, Secretaria General de Pesca Maritima, c/Castellana 112, 5ª Plto, 28071 Madrid, Spain

Phone: +3491 3471645 – Fax: + 3491 3471512 – E-mail: jdellhier@mapya.es

Antonio Garcia Elorriaga, Director Xeral de Recursos Marinos, Xunta de Galicia, Conselleria de Pesca e Asuntos Maritimos, Rue do Valino, 15703 Santiago de Compostela

Phone: +34 981 544007 – Fax: +34 981 545025 – E-mail: xoan.perez.pazo@xunta.es

Juan Perez Pazo, Direccion Xeral Recursos Marinos-Conseueria de Pesca-Xuna de Galicia, Rua do Valino, 63, 15703 Santiago de Compostela

Phone: +34 981 545020 – Fax: +34 981 545025 – E-mail: xoan.perez.pazo@xunta.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

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

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

Alfonso Magan Pereira, c/Jacinto Benavente no. 29, Vigo
 Phone: +34 986 471621 – Fax: +34 986 471621 – E-mail: amagan@goupapereira.com

Javier Garat Perez, Secretario General, Confederacion Espanola de Pesca, c/Comandante Zorita, 12, Escalera 4-1D, 28020 Madrid
 Phone: +34 91 534 5484 – Fax: +34 91 534 3718 – E-mail: javiergarat@cepescas.es

Jose Fuertes Gamundi, Director Gerente, Cooperativa de Armadores de Pesca del Puerto de Vigo, S. Coop. Ltda., Puerto Pesquero, Apartado 1.078, 36200 Vigo
 Phone: +34 986 433844 - Fax: +34 986 439218 – E-mail: direccion@arvi.org

Miguel Iriondo, Apartado de Correos n88, Pasaia
 Phone: +34 94 33 54177 – Fax: +34 94 33 53993 – Langa99@teleline.es

Juan Manuel Liria, Presidente, Federación Española de Organizaciones Pesqueras (FEOPE), C/Comandante Zorita, 12, Escalera 4-1D, 28020 Madrid
 Phone: +34 91 534 5484 – Fax: +34 91 534 3718- E-mail: feope@feope.com

Juan Manuel Oya Perez, Shipowner, Heroya, Calle San Francisco 57-1° y 2, 36202 Vigo
 Phone: +986 447 484 – Fax: +986 439 229 – E-mail: info@oyaperez.es

Monica DoCampo, Heroya, S.A., Calle San Francisco, 57-1, 36202 Vigo, Spain
 Phone: +34 986 44 74 84 – Fax: #34 986 43 92 29 – E-mail: monica@oyaperez.es

Eloy Carramal, Director Financiero, Heroya, Calle San Francisco 57-1° y 2°, 36202 Vigo, Galicia, Spain
 Phone: +34 986 44 74 84 – Fax: #34 986 43 92 29 – E-mail: info@oyaperez.es

Marino Paz Pineiro, Freiremar S.A., Avd. Beiramar, no. 83, 36208 Vigo Pontevedra
 Phone: +986 216500 – Fax: +986 216510 – E-mail: mpaz@freiremar.es

Juan Manuel Barreiro Hermelo, Moradina S.A., Salgueiron No. 7, 36940 Pontevedra
 Phone: +34 986 392021 – Fax: +34 986 392688 – Juan@moradina.com

Juan Manuel Barreiro Nunez, Moradina S.A., Salgueiron No. 7, 36940 Pontevedra
 Phone: +34 986 392021 – Fax: +34 986 392688 – Juan@moradina.com

D. Cesar Real Rodriguez., Director General de Area, Pescanova, Rua Jose Fernandez Lopez, sin, 36202 Vigo Pontevedra
 Phone: + - Fax: + - E-mail: casar.real@pescanova.es

Joaquin Gandon Sotelo, Managing Director, Hermanos Gandon, S.A., Salgueiron, 9, 36940 Cangas
 Phone: +34 986 39 20 20 – Fax: +34 986 39 25 25 – E-mail: Joaquin@hermanosgandon.com

(EU – United Kingdom)

Mike Rimmer, Sea Fisheries Conservation Div., Dept. For Environment, Food and Rural Affairs, Area D, 2nd Floor, Nobel House, London SW1P 3JR
 Phone: +44 (0)20 7238 4656 – Fax: +44 (0)7238 4699 – E-mail: mike.rimmer@defra.gsi.gov.uk

Julie Fitton, Fisheries Policy Advisor, Fisheries Management and Control Enforcement Policy, Dept. For Environment, Food and Rural Affairs, Area D, 2nd Floor, Nobel House, London SW1P 3JR
 Phone: +44(0)20 7238 4435– E-mail: julie.fitton@defra.gsi.gov.uk

Philip Large, Centre for Fisheries & Aquaculture Science (CEFAS) Fisheries Laboratory, Pakefield Rd., Lowestoft (Suffolk), England NR33 0HT
 Phone: +44 502 524491 – E-mail: p.a.large@cefasc.co.uk

FRANCE (in respect of St. Pierre et Miquelon)

Head of Delegation

Stéphane Artano, President du Conseil General de Saint-Pierre-et-Miquelon, B.P. 4208, Place Monseigneur-Maurer 97500 Saint Pierre et Miquelon
 Phone: + 06 32 384378 – Fax: + 508 41 04 79 – E-mail: president@cg975.fr

Alternate

Annie Parmentier, Ministry of Overseas Territories, 27, rue Oudinot, 75358 Paris
 Phone: +53 69 23 85 - Fax: +53 69 20 60 – E-mail: annie.parmentier@outre-mer.gouv.fr

Advisers

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 Massa, Administrateur principal des affaires maritimes, Chef du service, 1, rue Gloanec, B.P. 4206, 97500 Saint -Pierre-et-Miquelon

Phone: +508 41 15 36 – Fax: +508 41 48 34 – E-mail: charles.massa@equipement.gouv.fr

Florence Paillard, Chargée de mission, Ministère de l'agriculture et de la pêche, Direction des pêches maritimes et de l'aquaculture, Bureau du contrôle des pêches, 3 place de Fontenoy, 75007 Paris 07 SP

Phone: +33 49 55 60 43 – Fax: +33 1 49 55 82 00 – E-mail: Florence.paillard@agriculture.gouv.fr

ICELAND**Head of Delegation**

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

Phone: +354 545 8300 – E-mail: kolbeinn.arnason@utn.stjr.is

Advisers

Gylfi Geirsson, Commander, Icelandic Coast Guard, Skogarhlid 14, 105 Reykjavik

Phone: +354 545 2071 – Fax: +354 545 2040 – E-mail: gylfi@lhg.is

Hjörtur Gíslason, Ögurvik, Fishing Export Co. Ltd., Týsgata 1 – 101 Reykjavik

Phone : +354 552 5466 – Fax : +354 552 8863 – E-mail : hjortur@ogunvik.is

Kristjan Freyr Helgason, Deputy Head of Department, Quota Allocations, Directorate of Fisheries, Dalshraun 1, 220 Hafnarfiordur

Phone: +354 569 7900 – Fax: +354 569 7990 – E-mail: kristjan@fiskistofa.is

Hrefna Karlsdóttir, Adviser of International Affairs, Ministry of Fisheries, Skulagata 4, 150 Reykjavik

Phone: +354 545 8300 – Fax: +354 562 1853 – E-mail: hrefna.karlsdottir@sjr.stjr.is

JAPAN**Head of Delegation**

Kiyoshi Katsuyama, Director for International Negotiation, International Affairs Div., Japan Fisheries Agency, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3502 8460 – Fax: +81 3 3502 0571

Advisers

Kiyomi Hyoe, Fishery Division, Economic Affairs Bureau, Ministry of Foreign Affairs, 2-2-1 Kasumigaseki, Chiyoda -ku, Tokyo 100-8919

Phone: +81 3 5501 8000 ext. 2886 – Fax: + 81 3 5501 8332 – E-mail: kiyomi.hyoe@mofa.go.jp

Kazuhiko Suzuki, International Affairs Div., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda -ku, Tokyo 100-8907

Phone: +81 3 3591 1086 – Fax: +81 3 3502 0571- E-mail: kazuhiko_suzuki@nm.maff.go.jp

Taro Ichii, Section Chief, National Research Institute of Far Seas Fisheries, 2-12-4 Fukunya, Kanasawa-ward, Yokohama-city 236-8648

Phone: +81 45 788 7503 – Fax: +81 45 788 5004 – E-mail: ichii@affrc.go.jp

Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F Kanda Ogawa -cho, Chiyoda-ku, 970-101-0052

Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: ntakagi@jdsta.or.jp

REPUBLIC OF KOREA

Head of Delegation

Ho Sub Yang, Deputy Director, Distant Water Fisheries, Ministry of Maritime Affairs and Fisheries, 140-2 Gye-Dong Jongno-Gu, Seoul 110-793

Phone: +82 2 3674 6992 – Fax: +82 2 3674 6985 – E-mail: gkseok@momaf.go.kr

Advisers

Yang Sik Cho, Manager, Korea Deep Sea Fisheries Association, Trawl Fishery Dept., 6fl Samho Center Bldg. A, 275-1, Yangjae-Dong, Cho-Ku, Seoul

Phone: +82 2 589 1618 – Fax: +82 2 589 1630 – E-mail: mild@kodefa.or.kr

Soo-Jeong Choi, Senior Researcher, Policy and Market Analysis Div., Korea Maritime Institute, #1027-4, Bangbae3-Dong, Seocho-Gu, Seoul, 137-851

Phone: +82 2 2105 2853 – Fax: +82 2 2105 2759 – E-mail: sjchoi@kmi.re.kr

NORWAY

Head of Delegation

Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen

Phone: +47 55 23 80 00 / 8139; Fax: +47 55 23 80 90; E-mail: terje.lobach@fiskeridir.no

Alternate

Stein-Aage Johnsen, Senior Legal Adviser, Resource Management Dept., Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen

Phone: +47 55 23 80 00 / 8124 – Fax: +47 55 23 80 90 – E-mail: stein-age.johnsen@fiskeridir.no

Advisers

Gunnstein Bakke, Senior Adviser, Control Section, Directorate of Fisheries, Strandgaten 229, Postboks 2009 Nordnes, NO-5817 Bergen

Phone: +47 99 10 54 52 – Fax : +47 55 23 80 90 – E-mail : gunnstein.bakke@fiskeridir.no

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@fiskebat.no

Jan-Pieter Groenhof, Adviser, Norwegian Ministry of Fisheries, Dept. of Marine Resources and Environment, P. O. Box 8118 Dep., NO-0032 Oslo

Phone: +47 22 24 64 44 – Fax: +47 22 24 95 85 – E-mail: jan-pieter.groenhof@fkd.dep.no

Ingrid Kvalvik, N-9037 Tromsø

Phone: +47 99 04 65 17 – E-mail: kvalvik@sv.uit.no

Odd Gunnar Skagestad, Deputy Director General Department for Trade Policy, Natural Resources and Environmental Affairs (Special Adviser Marine Resources), Ministry of Foreign Affairs, P. O. Box 8114 Dep. N0032 Oslo

Phone: +47 22 24 36 00/3615 – Fax: +47 22 24 95 80 – E-mail: ogs@mfa.no

RUSSIA

Head of Delegation

Alexander Okhanov, Head of Department, Aquatic Bioresources and Fisheries Management, Federal Agency for Fisheries, Rozhdestvensky blvd. 12, Moscow 107996

Phone/Fax: +7095 928 7644 – E-mail: okhanovaa@fishcom.ru

Representative

Alexander Okhanov (see address above)

Advisers

Vadim Agalakov, Principal Specialist-Expert on Fisheries, Murmansk Dept. of Rosselkhoznadzor, str. Tralovaya 12A, 183038 Murmansk

Phone: +7 815 2 687 302 – Fax: +7 815 2 687 321 – E-mail: info@rsn51.ru

Vladimir K. Babayan, Head, Laboratory for Systems Analysis of Fishery Resources, Russian Federal Research Institute of Fisheries and Oceanography, 17, V. Krasnoselskaya, Moscow 107140

Phone/Fax: +8 499 264 8974 – Fax: +8 499 264 8974 – vbabayan@vniro.ru

Valentin Balashov, St. Lenina 68-33, Murmansk 183039

Phone: +7 911 319 3255 – E-mail: terminal@teletoria.ru

Kamil Bekyashev, Advisor of Director of Federal Agency for Fisheries of the Russian Federation, 17 V. Krasnoselskaya, Moscow, 107140

Phone: + 621-38-40; 264-93-87- Fax: +264-91-87 - E-mail:

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

Phone: + 7 8152 4 5 05 68 – Fax: + 7 8152 47 33 31 – E-mail: gorch@pinro.ru

Vasily Mishin, First Deputy Director, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6, Knipovich Street, Murmansk 183038

Phone: +7 8152 47 36 66 – Fax: +7 8152 47 33 31 – E-mail: mishin@pinro.ru

Igor Sedov, Rosselkhoznadzor, Orlikov str. 11/1, Moscow

Phone: +495 975 1956 – Fax: +495 975 1956 – E-mail: i.sedov@svfk.mcx.ru

Vladimir Shibanov, Head of Division of Department of Fisheries of Ministry of Agriculture of the Russian Federation, Orlikov per., 1/11, 107139 Moscow

Phone: +7 495 975 4665 – E-mail: v.shibanov@drp.mcx.ru

Ekaterina Volkovinskaia, Interpreter, Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk 183763

Phone: + 7 8152 473461 – Fax: + 7 8152 473331 – E-mail: katerina@pinro.ru / inter@pinro.ru

Victor Volkov, Chief Engineer, Murmansk Regional Centre of the Branch Monitoring System, Russian FMC, 43, Tralovaia av., P. O. Box 183950, Murmansk

Phone: +7 8152 474641 – Fax: +7 8152 474852 – E-mail: volkov@mrcm.ru

UKRAINE**Head of Delegation**

Vasyl Chernik, Deputy Chairman of the State Committee for Fisheries of Ukraine, 45A Artema str., Kyiv 04053

Phone/Fax: +38 044 226 2405 – E-mail: chvg46@users.ukrsat.com ; chvg46@gmail.com

Advisers

Petro Morozov, Senior Expert of the Division of International Policy of the Department for Fisheries Policy and Science, State Committee for Fisheries of Ukraine, 45A Artema str., Kyiv 04053

Phone: +38 044 258 2727 - Fax: +38 044 482 0984 – E-mail: petia.morozov@gmail.com

Sergey Rebik, Head of the Division for Fisheries Resources of the World Ocean, Southern Scientific Research Institute of Marine Fisheries and Oceanography (YugNIRO), 2 Sverdlov Str., Kerch 98300

Phone: +380 6561 21012 – Fax: +380 6561 61627 – E-mail: rebikst@mail.ru

UNITED STATES OF AMERICA**Head of Delegation**

Dean Swanson, Chief, International Fisheries Affairs Div., F/IA1, 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

Representative

Dean Swanson (see above)

James Salisbury, US Commissioner, New England Fishery Management Council, 21 Howard St., Portland, Maine 04101

Phone: 207 879 1935 – E-mail: jwsalisbury@m.ar.com

Margaret Raymond, US Commissioner, Director, Associated Fisheries

Advisers

Elizabeth Etrie, Knauss Sea Grant Fellow, Office of Marine Conservation, United States Department of State, 2201 C Street NW, Washington, D.C. 20520

Phone: +202 647 3464 – Fax: +202 736 7550 – E-mail: etrieem@state.gov

Sonja Fordham, Shark Program Director, Shark Alliance/Ocean Conservancy, Rue Montoyer, 39, 1000 Brussels, Belgium

Phone: +32 495101468 – E-mail: sonja@oceanconservancy.org

Deirdre Warner-Kramer, Senior Atlantic Affairs Officer, Office of Marine Conservation, United States Department of State (Rm 2758), 2201 C Street NW, Washington, D.C. 20520-7878

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

Allison McHale, Fishery Policy Analyst, Sustainable Fisheries Div., US Dept. of Commerce, NOAA, National Marine Fisheries Service, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +978 281 9103 – Fax: +978 281 9135 – E-mail: allison.mchale@noaa.gov

E. J. Marohn, CDR, Fisheries Enforcement, First Coast Guard District (dre), 408 Atlantic Avenue, Boston, MA 02110-3350

Phone: +617 223 8685 – Fax: +617 223 8074 – E-mail: Edward.J.Marohn@uscg.mil

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

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

Patrick Moran, Foreign Affairs Analyst, Office of International Affairs, F/IA-2, 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., 5 Yeamans Road, Charleston, SC 29407

Phone: +857 222 6664 – E-mail: mayflower@mindspring.com

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

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

OBSERVERS**FAO**

Hiromoto Watanabe, Fishery Liaison Officer, International Institutions and Liaison Service, Fisheries and Aquaculture Economics and Policy Division, Fisheries and Aquaculture Department, Food and Agriculture Organization of the United Nations (FAO), Viale delle Terme di Caracalla, 00153 Rome, Italy

Phone: +39 06 5705 5252 – Fax: +39 06 5705 6500 – E-mail: hiromoto.watanabe@fao.org

CCAMLR

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@ec.europa.eu

CPPS

Gonzalo Pereira Puchy, Secretary General, Permanent Commission for the South Pacific (CPPS), Complejo Alban Borja, Classic 2nd floor, Guayaquil, Ecuador
Phone: +593 4 2221202 - Fax: + - E-mail: gpereira@cpps-int.org

EAC

Susanna Fuller, Marine Conservation Coordinator, Ecology Action Centre (EAC), 2705 Fern Lane, Halifax, Nova Scotia, Canada
Phone: +1 902 442 0199 – Fax: +902 405 3716 – E-mail: marine@ecologyaction.ca
Matthew Gianni, Independent Advisor, Fisheries, Oceans, Biodiversity Cliostraat29-2, 1077 KB Amsterdam, Netherlands
Phone: +31 20 670 1666 – E-mail: matthewgianni@netscape.net
Monica Verbeek, Policy Officer (Fisheries & Biodiversity), Seas at Risk, Boulevard de Waterloo 34, 1000 Brussels, Belgium
Phone: +351 21 4647255 – Fax: 32 2 289 1099 – E-mail: mverbeek@seas-at-risk.org

ICCAT

Driss Meski, Executive Secretary, International Commission for the Conservation of Atlantic Tuna (ICCAT), c/Corazon de Maria, 8-7^o, 28002 Madrid, Spain
Phone: +34 91 4165600 – Fax: +34 91 4152612 – E-mail: driss.meski@iccat.es

NAMMCO

Kate Sanderson, Counsellor, Ministry of Fisheries and Maritime Affairs, Heyksvegur 6, P. O. Box 347, FO-100 Torshavn, Faroe Islands
Phone: + 298 35 32 47 - Fax: +298 35 30 37 - E-mail: kate@fisk.fo

NEAFC

Joao Neves, IT Manager and VMS Administrator, North-East Atlantic Fisheries Commission (NEAFC), 22 Berners Street, London W1T 3DY UK
Phone: +44 7990508051 - Fax: +44 20 7636 9225 – E-mail: joao@neafc.org

SEAFO

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@ec.europa.eu

WWF

Robert Rangeley, Vice-President, Atlantic Region, WWF-Canada, 5251 Duke Street, Suite 1202, Halifax, Nova Scotia, Canada B3J 1P3
Phone: +1 902 482 1105, ext. 23 – Fax: +1 902 482 1107 – E-mail: rrangeley@wwfcanada.org
Marty King, Director, North Atlantic Bycatch Campaign, WWF-Canada, Atlantic Region, 5251 Duke Street, Suite 1202, Halifax, Nova Scotia, Canada B3J 1P3
Phone: +1 902 482 1105, ext. 29 – Fax: +1 902 482 1107 – E-mail: mking@wwfcanada.org

SECRETARIAT

Johanne Fischer, Executive Secretary
Ricardo Federizon, Fisheries Commission Coordinator
Anthony Thompson, Scientific Council Coordinator
Stan Goodick, Senior Finance and Staff Administrator
Bev McLoon, Senior Personal Assistant to the Executive Secretary
Barry Crawford, Senior Publications Manager
Barb Marshall, Information Manager
Cindy Kerr, Fisheries Information Manager
George Campanis, IT Manager
Lisa Pelzmann, Office Manager

SECRETARIAT ASSISTANCE

Dulce Filipe, Direccao-Geral das Pescas e Aquicultura, Lisbon
Paula Fabiani, Direccao-Geral das Pescas e Aquicultura, Lisbon
Fatima Barbosa, Direccao-Geral das Pescas e Aquicultura, Lisbon

Annex 2. Record of Decisions by the Fisheries Commission

| Substantive Issues (Agenda item): | Decision/Action: |
|--|---|
| 6. Scientific Advice | Noted Scientific Council Chair's report |
| 7. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2008 | (see 2008 Quota Table) |
| 7.1 Redfish in Division 3M | TAC is 8 500 t. The allocation provision (quotas) for this stock is the same as in 2007. Applicable in 2008 and 2009. The reservation of the USA was noted. Adopted FC WP 07/22 (Rev.) concerning new footnote 19 of the quota table |
| 7.2 Shrimp in Division 3M | The 2007 provisions for this stock will be continued in 2008 and the reservation of Iceland is noted. Adopted FC WP 07/24 (Rev.) concerning an intersessional meeting to review management systems and options for this stock (see also 8.10) |
| 8. Management of Technical Measures for Fish Stocks Straddling National Fishing Limits, 2008 | (see 2008 Quota Table) |
| 8.1 American plaice in Divisions 3LNO | No directed fishery. By-catch provisions as stipulated in the NAFO CEM apply. Applicable in 2008 and 2009. |
| 8.2 Yellowtail flounder in Divisions 3LNO (PA framework) | The 2007 allocation scheme for this stock will be continued in 2008. By-catch provisions as stipulated in the NAFO CEM apply. TAC is 15 500 t. The reservation of USA was noted. |
| 8.3 White hake in Divisions 3NO | TAC is 8 500 t. Allocation scheme is maintained. Applicable in 2008 and 2009. The reservation of the USA was noted. |
| 8.4 Redfish in Divisions 3LN | No directed fishery. Adopted FC WP 07/26 on the application of bycatch provisions Article 9.1.a) on this stock. Requested SC for a full assessment of this stock (see adopted FC WP 07/23 (Rev. 2)). |
| 8.5 Redfish in Division 3O (TAC and mesh size) | TAC of 20 000t and allocation scheme are maintained. Adopted FC WP 07/10 concerning the 90 mm minimum mesh size of mid-water trawls for this stock. |
| 8.6 Cod in Divisions 3NO | No directed fishery. Applicable to 2008, 2009 and 2010. Adopted FC WP 07/7 (Rev.) on the Conservation Plan and Rebuilding Strategy for this stock. |

| | |
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| 8.7 Witch flounder in Division 3L | No directed fishery. By-catch provisions as stipulated in the NAFO CEM apply. Applicable to 2008, 2009 and 2010. |
| 8.8 Capelin in Divisions 3NO | No directed fishery until 2012 (See adopted FC WP 07/7 Rev.) By-catch provisions as stipulated in the NAFO CEM apply. |
| 8.9 Greenland halibut in Subarea 2 and Divisions 3KLMNO (rebuilding plan) | TAC of 16, 000 t (11 856 t in Divisions 3LMNO) and allocation scheme are maintained. The reservation of the USA was noted. Adopted FC WP 07/27 on additional control measures for this stock. |
| 8.10 Shrimp in Divisions 3LNO | The allocation scheme remains the same as in 2007. TAC is 25 000 t. The reservation of Denmark (in respect of Faroes and Greenland) was noted. Adopted FC WP 07/24 (Rev.) concerning an intersessional meeting to review management systems and options for this stock (see also 7.2). |
| 8.11 Pelagic <i>Sebastes mentella</i> (oceanic redfish) in the NAFO Convention Area | TAC is 12 516 t, based on the 26% reduction of the NEAFC TAC. Allocation scheme is the same as in 2007. The reservation of the USA on the TAC and footnote 10 of the Quota Table is noted. |
| 8.12 Thorny skate in Divisions 3LNO | TAC of 13 500 t and allocation scheme are maintained. The reservation of the USA was noted. |
| 8.13 Squid (<i>Illex</i>) in Subareas 3 and 4 | TAC of 34 000 t and allocation scheme are maintained. |
| 9. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2009 | Adopted FC Working Paper 07/23 (Rev. 2). |
| 10. Review of Chartering Arrangements | Noted FC WP 07/2 (Rev.). |
| 11. Report of STACTIC (from June 2007 intersessional meeting and current Annual Meeting) | Accepted June 2007 Report Adopted STACTIC WP 07/2 – Boarding Ladders Adopted STACTIC WP 07/3 (Revised) – Definition of “Transshipment” Adopted STACTIC WP 07/ 19 – Product Form Codes Accepted September 2007 Report Adopted STACTIC WP 07/14 (Rev.) – Port Inspection Report form Adopted STACTIC WP 07/17 (Rev.) – Amendments to CEM, Chapter VII, Article 57 on Electronic Reporting, Satellite Tracking and Observers Adopted STACTIC WP 07/24 (Rev.) – Catch reporting and notification procedures between Divs. 3M and 3L Adopted STACTIC WP 07/27 (Rev.) – Proposal to amend FC Rule of Procedure 5.1 Adopted STACTIC WP 07/29 (Rev.) – Amendment to CEM concerning IUUs Adopted STACTIC WP 07/30 (Rev.) – Chartering Arrangements Accepted STACTIC WP 07/33 – Annual Compliance Review |

| | |
|---|---|
| 12. Seamounts Closure 13. Proposal to Protect Vulnerable Marine Ecosystems | Adopted FC WP 07/9 (Rev.2) – Measures to prevent significant adverse impacts on vulnerable marine ecosystems Adopted FC WP 07/24 (Rev.) – Intersessional Meeting on Protection of Vulnerable Marine Ecosystems |
| 15. Turtle Resolution | Noted FC WP 07/5 (Rev.) |
| 16. Time and Place of Next Meeting | Deferred to the General Council |
| 17. Other Matters <ul style="list-style-type: none"> • Election of Chair • Amendment to Article 3 of the CEM | Postponed until the Intersessional Meeting on Shrimps and VME in May 2008 (FC WP 07/24 Rev.) Adopted FC WP 07/25 – Article 3 of the NAFO CEM. |

Annex 3. Agenda

I. Opening Procedure

1. Opening by the Chair, Vladimir Shibanov (Russia)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Guidance to STACTIC necessary for them to complete their work (Monday)

II. Administrative

5. Review of Commission Membership

III. Conservation of Fish Stocks in the Regulatory Area

6. Scientific Advice (Monday)
 - a) Presentation of scientific advice by the SC Chair
 - Scientific advice on fish stocks
 - Environmental issues and recommendations (STACFEN Chair)
 - Other issues (as determined by SC Chair)
 - b) Feedback to the Scientific Council regarding its work during this Meeting
7. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2008
 - 7.1 Redfish in Div. 3M
 - 7.2 Shrimp in Div. 3M
8. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2007
 - 8.1 American plaice in Div. 3LNO
 - 8.2 Yellowtail flounder in Div. 3LNO (PA framework)
 - 8.3 White hake in Div. 3NO
 - 8.4 Redfish in Div. 3LN
 - 8.5 Redfish in Div. 3O (TAC and mesh size)
 - 8.6 Cod in Div. 3NO
 - 8.7 Witch flounder in Div. 3L
 - 8.8 Capelin in Div. 3NO
 - 8.9 Greenland halibut in Subarea 2 and Div. 3KLMNO (rebuilding plan)
 - 8.10 Shrimp in Div. 3LNO
 - 8.11 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
 - 8.12 Thorny skate in Div. 3LNO
 - 8.13 Squid (*Illex*) in Subareas 3 and 4
 - 8.14 Elasmobranchs
9. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2009

IV. Conservation and Enforcement Measures

10. Review of Chartering Arrangements
11. Reports of STACTIC (from June 2007 intersessional meeting and current Annual Meeting)

V. Ecosystem Considerations

12. Seamounts closure
13. Proposal to Protect Vulnerable Marine Ecosystems – Deep Sea Corals
14. Overview of the present knowledge relates to role of seals in the marine ecosystem
15. Turtle Resolution

VI. Closing Procedure

16. Time and Place of the Next Meeting
17. Other Business
 - i) Election of Chair
18. Adjournment

Annex 4. Scientific Council Responses to Questions from the Fisheries Commission
(FC Working Papers 07/17-21)

(FC Working Paper 07/17)

Scientific Council Response to Questions on Ecosystem Proposals from European Community

Coral Protection Zone

1) SC is requested to identify or confirm the existence of coral concentrations in the areas identified in the proposal (or elsewhere).

Response: At the SC meeting of June 2006, a presentation on corals was made by Dr. Evan Edinger of Memorial University. The following is from SC's report: *"Deep-sea corals in Newfoundland and Labrador waters are broadly distributed along the continental slope. At least 23 species of corals are present, including skeletal gorgonians (8 spp.), antipatharians (2+ spp.), sea pens (7-10 spp.), scleractinian cup corals (4+ spp.), and alcyonacean soft corals (3-4 species). Most coral species are found only on continental slopes at depths greater than 150 m, except for the alcyonacean soft coral Gersemia rubiformis, which occurs at shelf depths. Cold water and lack of hard substrates probably limit most other corals from shelf depths. Major concentrations of all types of corals occur in the Davis Strait – Northern Labrador area, southeastern Labrador slope, the edge of the Northeast Newfoundland shelf, and the southwestern Grand Banks continental slope. Additional concentrations of soft corals, sea pens, and cup corals occur on the north side of the Flemish Cap, but the Flemish Cap data is derived exclusively from fisheries observer data and may be effort-biased. Areas where information on coral distributions are lacking include the south side of the Flemish Cap, the margins of the Orphan Basin, and waters deeper than 1400 m throughout the region."*

Additional information was also available in the WWF report (Edinger et al 2007), but these data had not been reviewed by SC.

2) Identify any historical fishing activity in the proposed zone over the last five years.

Response: SC noted that information on the distribution of fishing effort in relation to coral concentrations had been considered in preparing the Canadian proposal (title). Additional information was also available in the WWF report (Edinger et al 2007), but these data had not been reviewed by SC. SC recommended that appropriate observer and VMS data be made available.

3) Assess the adequacy of an observer protocol for masters and vessel captains.

SC considered the proposed observer protocol to be adequate for the time being, subject to the following provisos: there is a need to collect consistent data on the amount of corals collected per tow or on some other basis; presence/absence data alone is not likely to be sufficient in the long run;

further elaboration of the protocol may be needed in future to ensure that data collected by different CPs is, and remains, consistent or to standardise further treatment of the data collected;

control of the quality of observer data may be needed to ensure that it is reliable;

consideration is given to workloads of observers.

4) Confirm that the correctness of the 800-2000 m depths as described in the proposal.

Response: SC was not sure of the meaning of the term "correctness" in this request. It noted that the coral protection zone, as contained in the proposal, covered the slope area of Div. 3O, from 800 to 2000 m, where some coral concentrations exist. SC also noted that significant coral concentrations were also found in depths shallower than 800 m in Division 3O.

- 5) Assess the appropriateness of the timing of providing the information of data for the SC by 2009 and 2012.

Response: SC stated that the timing appeared to be acceptable. To assist in its preparations, SC agreed to produce a timetable for this work.

Deep sea Management area

- 1) Identify existing fishing activities in the Area, and species caught.

Response: SC noted that there appeared to be some activity by EU vessels in this area, based on VMS data, but that this was probably erroneous, as no EU bottom trawl fisheries operate at depths of 2000 m or greater in the NRA. Further investigation of this point is required. No other fisheries are known to occur in the NRA in these depths. SC noted that this was related to Question 3, and that the depth contours of the defined area should be checked.

- 2) Identify what current or potential fisheries are available in the deep sea area

Response: There is information from a long-line survey which took place in the spring of 1996 (Murua, H., and E. De Cárdenas, 2005), which sampled depths from 700 to 3000 m. Results of this survey indicate that the main commercial deepwater species, Greenland halibut and roughhead grenadier, did not appear in depths greater than 2000m. Species which were caught by longlines at these depths include armed grenadier (*Nematonurus armatus*), rabbitfish (*Hydrolagus affinis*), blue antimora (*Antimora rostrata*), and some skate (*Raja*) species. At depths greater than 2000 m, longline catches declined by around 50%, and few commercial species were found.

- 3) Confirm that waters defined in the area are of depths greater than 2000m.

Response: SC noted that this was related to Question 1, and that the depth contours of the defined area should be checked.

- 4) Clarify if the proposal only refers to bottom fisheries or for all fisheries.

Response: SC interpreted the proposal to refer to bottom contact fishing

- 5) Assess the appropriateness of the timing for providing data to SC.

Response: SC was unsure of the meaning of this request, as there did not appear to be a request for data in the Deep-Sea Management Area Proposal. SC noted that the area covered by the proposal has not been fished, is in pristine condition, and has not been investigated, and that therefore the conservation objectives of the FC would be well served by deferring exploratory fishing until the area has been investigated by scientific survey.

SC noted that it has referred some of these requests to ICES/NAFO WGDEC for further consideration.

Questions for SC Regarding Vulnerable Marine Ecosystems – from Canada

- 1) Can SC provide any information on major coral concentrations in the NW Atlantic? What additional data does SC need to further delineate these concentrations?

Response: Answer to part 1 covered in response to EC question 1 above. SC noted that additional data on corals is being collected on EU and Canadian surveys, as well as commercial fisheries, and that these data will be reviewed by SC when available, to further delineate the coral concentrations.

- 2) Can SC advise on criteria for identifying vulnerable marine ecosystems or other sensitive areas?

Response: SC referred this question to ICES/NAFO WGDEC, scheduled to meet in March 2008. SC will identify some study group members to address this task.

(FC Working Paper 07/18)**Scientific Council Response to Fisheries Commission Question regarding Shrimp in Div. 3LNO**

In response to the Fisheries Commission question:

“What would be the implication for the conservation status of Northern Shrimp in Divisions 3LNO of a TAC of 26,000 t or 30,000 t?”

Scientific Council used the same methodology employed in 2004 to calculate the 2008 TAC. The TAC in 2004 was set at an exploitation rate of 12%, similar to an adjacent Canadian stock (2J and 3K). If the 12% exploitation rate was maintained at the present stock levels then the 2008 TAC would be 25,000 t. The 26,000 t and 30,000 t TACs correspond to 12.5 and 14.5% exploitation rates respectively. Given that current abundance is at a relatively high level and that there is little difference in the exploitation rates, the conservation implications of these TACs would only be marginally different as the exploitation rates are all relatively low.

(FC Working Paper 07/19)**SC is asked to provide a biomass figure for redfish in Div. 3M and in Div 3LN****Response:**

SC is unable to provide an estimation of the absolute values of redfish biomass in Div. 3M and Div. 3LN. Analytical assessments have been applied in both cases, but not accepted.

SC advises on the incorrectness of interpreting survey biomass estimates, usually calculated by the swept area method, as absolute figures. Such values may be considered indices of abundance and they are only indicative of trends.

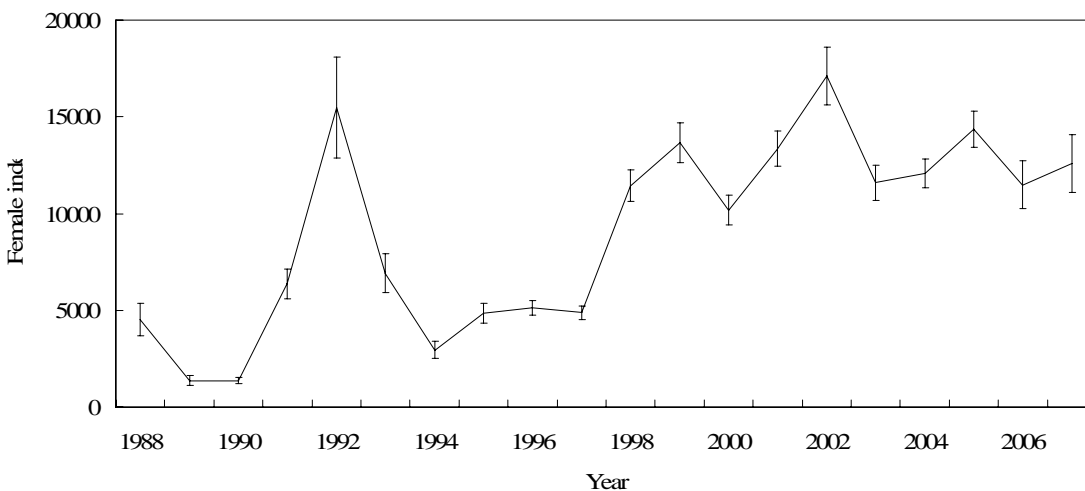
(FC Working Paper 07/20)**SC Response re Updated interim monitoring report for 3M northern shrimp**

Figure 1. Female biomass index from EU trawl surveys, 1988-2007.

The above figure is an update of Figure 1.2 from the 2006 stock assessment of shrimp in 3M. While this figure indicates that the female biomass index has remained high since 1997, the current exploitation rate is unknown; therefore it is not possible to evaluate whether the perceived stability is due to decreased commercial catches or continued high production.

Scientific Council confirms its advice from the 2006 stock assessment, however, it is not in the position to be more precise. Status of this stock will be revised during the October SC assessment meeting. At that time SC expects to be able to provide advice on this stock for 2008 and 2009.

(FC Working Paper 07/21)

The Fisheries Commission made the following requests for 3LN and 3M redfish to the Scientific Council:

According to the NAFO Stock Classification of Redfish in Div. 3M, the stock abundance status is “A” (high abundance). The exploitation rate status is “1” (low fishing mortality). The 2007 advice in year 2008 and 2009 is that the TAC should not exceed 5 000 tons. The SC is requested to re-evaluate the advice which seems too restrictive considering the biomass and exploitation status of this fish stock.

According to the NAFO Stock Classification of Redfish in Divs. 3LN, the stock abundance status is “B” (high abundance). The exploitation rate status is “1” (low fishing mortality). The 2007 advice in year 2008, 2009 and 2010 is no directed fishery. The SC is requested to re-evaluate the advice which seems too restrictive considering the biomass and exploitation status of this fish stock.

The Scientific Council responded to both these requests as follows:

The Stock Classification system noted in the June Scientific Council report was not intended as a means to convey the scientific advice to Fisheries Commission. Its purpose was in response to a request by FIRMS to provide such a classification for their purposes. It is clear that there are inconsistencies between the scientific advice and this Stock classification system which arise because the category choices do not fully describe the status of some stocks. The Scientific Council acknowledges some these classifications will require revision in the future.

Annex 5. Annex I.A. – Annual Quota Table – Redfish 3M
(FC WP 07/22, Revised **now** FC Doc 07/5)

(footnote 19 to quotas for Denmark (in respect of Faroe Islands and Greenland), France (in respect of St. Pierre et Miquelon), Korea and USA)

Notwithstanding the provisions of footnote 8 and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties.

Annex 6. Intersessional Fisheries Commission Meeting
Management of Shrimp – Division 3L and 3M
Vulnerable Marine Ecosystems
 (FC WP 07/24, Revised now FC Doc 07/20)

Agenda

Noting the discussions at the 2007 NAFO Annual Meeting and the recognition by Contracting Parties of a requirement to further review outstanding matters related to the management of shrimp in Divisions 3L and 3M of the Regulatory Area;

Noting the discussions related to proposals on the protection of vulnerable marine ecosystems from significant adverse impacts;

Fisheries Commission has agreed to hold a Special Intersessional Meeting to be held in Montreal, Canada during the dates April 30 to May 7, 2008.

The substantive agendas follow:

Shrimp Management in Divisions 3L and 3M of the Regulatory Area
Wednesday, April 30 to Friday, May 2, 2008

1. Introductory Remarks
2. Review of Scientific Council information and recommendations
3. Review of statistical information on catch
4. Shrimp in Division 3M
 - o Review of management systems/options for Division 3M
 - Current System
 - Possible TAC-based quota allocation systems
5. Shrimp in Division 3L
 - o Management Measures
 - o TAC
 - o Quotas
6. Decisions for 2008 and 2009 management measures, TAC, and allocations in Divisions 3L and 3M

Protection of Vulnerable Marine Ecosystems from Significant Adverse Impacts
Monday, May 5 to Wednesday, May 7, 2008

7. Introductory Remarks
8. Review of UNGA Resolution
9. Assessment processes for fisheries and vulnerable marine ecosystems in the context of the Regulatory Area
10. Measures to mitigate significant adverse impacts on vulnerable marine ecosystems
11. Exploratory Fishing Protocol

In preparation for this meeting, Scientific Council is requested to provide their advice and recommendations on the two shrimp stocks prior to December 31, 2007. Additionally, all Contracting Parties are requested to ensure that provisional catch reports are submitted and/or updated, as required for the period ending December, 2006 by December 31, 2007.

Annex 7. Amendment to NAFO CEM Article 9.1 a)
(FC WP 07/26 now FC Doc 07/6)

Add the following to Article 9 paragraph 1 a)

These limitations shall also apply for redfish in Division 3LN in 2008. This provision will be subject to review by the Scientific Council and the Fisheries Commission for 2009.

**Annex 8. Fisheries Commission's Request for Scientific Advice on Management
in 2009 of Certain Stocks in Subareas 2, 3 and 4
(FC WP 07/23, Revision 2 now FC Doc 07/21)**

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 2008 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 2009:

Northern shrimp in Div. 3M, 3LNO
Greenland halibut in SA 2 and Div. 3KLMNO

Noting that SC will meet in Oct-Nov of 2007, FC requests SC to update its advice for 2008, as well as to provide advice for 2009, for both shrimp stocks referenced above.

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 2008 Annual Meeting, provide advice on the scientific basis for the management of the following fish stocks according to the following assessment frequency:

| <u>Two year basis</u> | <u>Three year basis</u> |
|----------------------------------|-----------------------------------|
| American plaice in Div. 3LNO | American plaice in Div. 3M |
| Capelin in Div. 3NO | Cod in Div. 3NO |
| Redfish in Div. 3M | Cod in Div. 3M |
| Thorny skate in Div. 3LNOPs | Northern shortfin squid in SA 3+4 |
| White hake in Div. 3NOPs | Redfish in Div. 3LN |
| Yellowtail flounder in Div. 3LNO | Redfish in Div. 3O |
| | Witch flounder in Div. 2J+3KL |
| | Witch flounder in Div. 3NO |

- In 2007, advice was provided for 2008 and 2009 for American plaice in Div. 3LNO, redfish in Div. 3M, white hake in Div. 3NO and capelin in Div. 3NO. These stocks will be next assessed in 2009.
- In 2007, advice was provided for 2008, 2009 and 2010 for redfish in Div. 3LN, redfish in Div. 3O, cod in Div. 3NO and witch flounder in Div. 2J+3KL. These stocks will be next assessed in 2010.

To continue this schedule of assessments, the Scientific Council is requested to conduct the assessment of these stocks as follows:

- In 2008, advice will be provided for 2009 and 2010 for yellowtail flounder in Div. 3LNO, and thorny skate in Div. 3LNOPs. These stocks will be next assessed in 2010.
- In 2008, advice will be provided for 2009, 2010 and 2011 for cod in Div. 3M, American plaice in Div. 3M, witch flounder in Div. 3NO, redfish in Div. 3LN and northern shortfin squid in SA 3+4. These stocks will be next assessed in 2011.
- Despite the advice on redfish in Div. 3LN in 2007, the Fisheries Commission requests a full assessment and advice in 2008 for this stock.

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 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_{2007} in 2009 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 level of fishing effort or fishing mortality (F) required to take two-thirds MSY catch in the long term should be calculated.
- 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 2009 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.

4. Noting the Precautionary Approach Framework as endorsed by Fisheries Commission, the Fisheries Commission requests that the Scientific Council provide the following information for the 2008 Annual Meeting of the Fisheries Commission for all stocks under its responsibility requiring advice for 2009:
 - a) the limit and precautionary reference points as described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (for those stocks for which precautionary reference points cannot be determined directly, proxies should be provided);
 - b) the stock biomass and fishing mortality trajectory over time overlaid on a plot of the PA Framework (for those stocks where biomass and/or fishing mortality cannot be determined directly, proxies should be used);
 - c) information regarding the current Zone the stock is within as well as proposals regarding possible harvest strategies to move the resource to (or maintain it in) the Safe Zone 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.
5. The following elements should be taken into account by the Scientific Council when considering the Precautionary Approach Framework:

- a) 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 associated with crossing the reference point such as recruitment overfishing, impaired recruitment, etc.
 - c) When a buffer reference point is proposed in the absence of a risk evaluation 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.
 - 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 maintaining the stock within, or moving it to, the Safe Zone. Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the trends in biomass (or spawning biomass), 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.
6. 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.
 - a) information on the research and monitoring required to more fully 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;
 - b) 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; and
 - c) propose criteria and harvest strategies for new and developing fisheries so as to ensure they are maintained within the Safe Zone.
 7. Regarding pelagic *S. mentella* redfish in NAFO Subareas 1-3, the Scientific Council is requested to review the most recent information available on the distribution and abundance of this resource, as well as any new information 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.
 8. With respect to porbeagle shark (*Lamna nasus*) in the NAFO Convention Area, the Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2008 Annual Meeting, to provide the following:
 - a) Information on historical and current catches and bycatches of the species in the NAFO Convention Area and NRA, summarized by NAFO Subarea and fishery;
 - b) Information on the abundance and distribution of the species in the Convention Area and the NRA;
 - c) Identification and delineation of any fishery areas or exclusion zones which might reduce the incidental bycatch of this species in NAFO regulated fisheries.
 9. Noting the FC Rebuilding Plan for 3NO cod adopted in September 2007, Fisheries Commission requests Scientific Council to advise, before September 2010, on a range of possible management measures to ensure by-catch of cod is kept at the lowest possible level.

10. Recognizing the initiatives on vulnerable marine ecosystems (VME) Fisheries Commission requests the Scientific Council to:
- a) Develop initial methodologies for the identification of VME and assessment of individual fishing activities, drawing on relevant international information and objective standards and guidelines as may have been developed, as deemed appropriate for this work;
 - b) Assess, at least on a preliminary basis, using the best available scientific information and assessment methodology, whether individual bottom fishing activities would have significant adverse impacts on identified vulnerable marine ecosystems, with a view to reporting these findings to the Fisheries Commission and ensuring that additional conservation and management measures, where required, are recommended, through a Working Group of Fishery Managers and Scientists on Ecosystems Management, to the Fisheries Commission at its September 2008 meeting.
 - c) Develop appropriate scientific methods for the longer term monitoring of the health of VME.

**Annex 9. Amendment regarding Minimum Authorized Mesh Size
of Mid-water Trawls in the Redfish Fishery in Div. 30 of the NRA**
(FC WP 07/10 now FC Doc 07/7)

At the meeting in June 2007 the Scientific Council having considered the request of Fisheries Commission concerning management measures of the redfish in Div.30 of the NAFO Regulatory Area concluded that mesh size of 90-130 mm in the mid-water trawls was not the main factor determining mortality and that trawls with the above mesh sizes caught redfish of the same length starting from those of 19 cm long.

When the trawl is hauled to the surface, up to 30% of “half-dead” redfish escape through 130-mm mesh of the trawl bag, which afterwards die inevitably. This results in a high fishing mortality but a comparatively low catch, as many of the caught redfish escape before the trawl is on the deck. The escapement for a 90 mm mesh was estimated to be twice lower. Therefore, a smaller mesh size actually reduces the overall fishing mortality and the TAC can be filled with less effort and less wastage.

Bycatch of groundfish species in the redfish mid-water fishery is virtually zero and independent of mesh size.

Based on the view of the NAFO Scientific Council, The Russian Federation proposes the following amendments to the Conservation and Enforcement Measures (highlighted in bold):

Article 10 - Gear requirements

1. Minimum authorized mesh sizes shall be as follows:

f) 90 mm for redfish in the fishery using mid-water trawls in Div. 30.

Annex 10. Cod Recovery Strategy for Divisions 3NO
(FC WP 07/7, Revised ~~now~~ FC Doc 07/8)

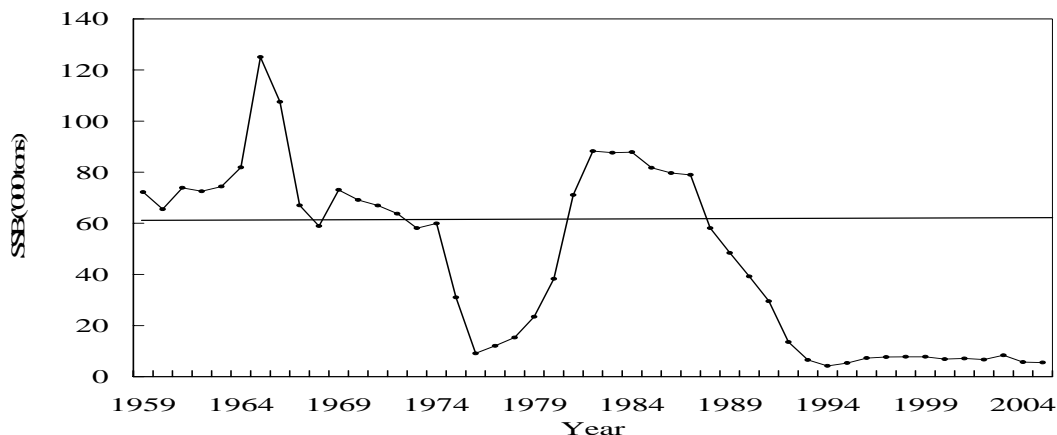
Explanatory Memorandum

Cod in Division 3NO was placed under moratorium in 1994 and since that time there has been no recovery of this stock. During this period, catch of 3NO cod increased in many of these years and there has been an increase in fishing mortality, particularly of young fish.

The 2007 Scientific Council assessment indicates the stock remains close to its historical low with SSB well below B_{lim} and there is weak representation from all year classes. In addition, the total biomass and SSB remain at extremely low levels.

Scientific Council has expressed concern that fishing mortality is now at levels comparable to those during past periods when substantial fisheries existed, even though the stock is currently under moratorium.

The Scientific Council estimate of spawning stock biomass was less than 10% of the biomass limit (B_{LIM}) specified in the NAFO Precautionary Approach Framework. In 2002, Scientific Council projected that the spawner biomass would double over the next five years with no fishing of the stock.



Despite best efforts to rebuild this stock, including reduced catch in recent years (2400t average annual catch during the 2000 to 2003 period to 700t average annual catch during the 2004 to 2006 period), additional measures are required.

In 2007, Scientific Council noted that there are several stocks, currently under moratorium, for which bycatch is preventing or severely limiting biomass growth. These stocks (including 3NO cod) are at low levels, despite a lengthy ban on directed fishing.

Scientific Council recommended that rebuilding/recovery plans be considered, which should incorporate specific measures to reduce bycatch and that steps be taken to ensure any bycatch taken during directed fisheries are true and unavoidable bycatch.

The 2002 Johannesburg Declaration called for action to restore fish stocks to maximum sustainable yield and a renewed commitment to the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and to the FAO Code of Conduct on Responsible Fishing. This includes measures to minimize catch of non target species and for RFMOs to adopt appropriate measures to develop and use selective gear and techniques to the extent practicable.

In consideration of the above, Canada makes the following proposal:

New Article 7a or 8 (with Articles re-numbered) - 3NO Cod Conservation Plan and Rebuilding Strategy

1. Contracting Parties shall implement a Conservation Plan and Rebuilding Strategy for cod in Divisions 3NO guided by the following considerations:
 - avoidance of serious harm to reproductive potential of stock such as that arising from a continuously low or unproductive Spawning Stock Biomass;
 - sustained growth in total biomass/Spawning Stock Biomass over extended period;
 - improvement in recruitment from the current low levels in this stock; and
 - health of individuals in population as measured in fish condition/growth.
2. This strategy is aimed at attaining a sustained level of Spawning Stock Biomass or recovery milestone above 60,000t (B_{LIM}), consistent with the NAFO PA Framework.
3. For 2008 and subsequent years, Contracting Parties shall seek to achieve a targeted reduction of 40% from the average annual catch during 2004-2006 period or, through best efforts, specifically to keep incidental by-catch at the lowest possible level.
4. In the event the targeted reduction is not achieved, the Fisheries Commission will consider additional measures for subsequent years and Contracting Parties will consider additional measures.
5. Considering the importance of capelin as a food source, consistent with the ecosystem approach, the moratorium on 3NO capelin will continue until at least Dec 31, 2012.
6. Scientific Council shall monitor and review the progress of this Conservation Plan and Rebuilding Strategy and submit every third year, starting in 2010 an assessment of this progress to Fisheries Commission. Specifically, Scientific Council, starting in 2010, will report on annual biomass growth projected for the stock.
7. In the interim period, the Fisheries Commission will request Scientific Council to consider a range of possible management measures that may ensure the by-catch of 3NO cod is kept at its lowest possible level.
8. Scientific Council will review in detail the biological reference points in the Precautionary Approach Framework when the Spawning Stock Biomass has reached 30,000t.
9. No directed fishery will occur if the Spawning Stock Biomass remains below the recovery milestone (B_{LIM}) of 60,000t. Before Spawning Stock Biomass increases above this level, Fisheries Commission should develop a strategy, following the Precautionary Approach, to ensure Spawning Stock Biomass remains above it.
10. Scientific Council may also outline any additional research or analyses required to assist Fisheries Commission in assessing recovery potential.

Annex 11. Article 7 – Greenland halibut in Subarea 2 and Divisions 3KLMNO
(FC WP 07/27 now FC Doc 07/9)

Paragraph 6 (d) to be replaced by the following text:

Each Contracting Party shall ensure that its vessels authorised to fish for Greenland halibut shall communicate by electronic means, to its competent authorities, which shall transmit to the Executive Secretary, the following report:

Quantities of Greenland halibut, including nil catch returns, on a five day basis. When accumulated reported catch reaches 75% of the Contracting Party's quota this report shall be sent on a three day basis. The report shall for the first time be transmitted at the latest ten days after the entry into the Regulatory Area or after the beginning of the fishing trip.

The Executive Secretary shall forward this information to Contracting Parties with an inspection presence in the Regulatory Area.

Article 7 a - Greenland halibut in Subarea 2 and Divisions 3KLMNO - Additional control measures

1. Vessels authorized in accordance with Article 7(6), may only enter into the Regulatory Area to fish for Greenland halibut if they have less than 50 tons of any catch on board.
2. a) However, where an authorized vessel has 50 tons or more of catches from outside the Regulatory Area held on board, it shall communicate to the Secretariat by e-mail or fax at the latest 72 hours prior to the entry (ENT) into the Regulatory area, the amount of catch on board, the position (latitude/ longitude) where the master estimates that the vessel will intend to commence fishing and the estimated time of arrival at the position.
 - b) The Secretariat shall transmit the information to any inspection vessels in the area. If an inspection vessel intends to carry out an inspection it shall communicate to the fishing vessel the coordinates of a checkpoint for an inspection to take place. The checkpoint shall be no more than 60 nautical miles from the position where the master estimates that the vessel will commence fishing. The inspection vessel intending to carry out the inspection shall also inform other inspection vessels that may be operating in the Regulatory Area.
 - c) If the Secretariat does not receive any notification from an inspection vessel within 24 hours of an intention to carry out an inspection, it shall immediately inform the fishing vessel that it may proceed to fish. The Secretariat shall inform inspection vessels and the flag-State FMC accordingly.
 - d) If the fishing vessel receives no communication from the Secretariat or an inspection vessel by the time it enters the Regulatory Area it may proceed to fish. Furthermore, the fishing vessel may commence fishing activities if the inspection vessel has not carried out the inspection within (3) hours following the arrival of the fishing vessel at the checkpoint.

Article 33 - Serious infringements

...

(i) catch communication violations (Article 7bis and Article 23)

**Annex 12. Annual Quota Table (Annex I.A) and Effort Allocation Scheme for Shrimp Fishery
in the NRA Div. 3M, 2008 (Annex I.B)**

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2008 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 | | Yellowtail | Witch | |
|---|-----|-----------------|-----------------|-----------------|----------------------|-------|---|-----------------|-----------------|--------------------|-----------------|-----------------|
| | 3L | 3M | 3NO | 3LN | 3M | 3O | Sub-Area 2 and Div. 1F+3K | 3LNO | 3M | 3LNO | 3L | 3NO |
| Canada | | 0 | 0 | 0 | 500 | 6000 | 385 ^{2,4} | 0 | 0 | 15112 ⁵ | | 0 |
| Cuba | | 0 | - | 0 | 1750 | | 385 ^{2,4} | - | - | - | | - |
| Denmark (Faroe Islands and Greenland) | | 0 | - | - | 69 ¹⁹ | | 9627 ^{2,3} | - | - | - | | - |
| European Union | | 0 ¹¹ | 0 ¹¹ | 0 ¹¹ | 7813 ¹² | 7000 | 9627 ^{2,3} 2503 ^{2,15} | 0 | 0 ¹¹ | - | | 0 ¹¹ |
| France (St. Pierre et Miquelon) | | - | - | - | 69 ¹⁹ | | 385 ^{2,4} | - | - | 310 ⁵ | | - |
| Iceland | | - | - | - | - | | 9627 ^{2,3} | - | - | - | | - |
| Japan | | - | - | - | 400 | 150 | 385 ^{2,4} | - | - | - | | - |
| Korea | | - | - | - | 69 ¹⁹ | 100 | 385 ^{2,4} | - | - | - | | - |
| Norway | | 0 | - | - | - | | 9627 ^{2,3} | - | - | - | | - |
| Russia | | 0 | 0 | 0 | 9137 | 6500 | 9627 ^{2,3} | - | 0 | - | | 0 |
| Ukraine | | | | | | 150 | 385 ^{2,4} | | | | | |
| United States of America | | - | - | - | 69 ¹⁹ | | 385 ^{2,4} | - | - | - | | - |
| Others | | 0 | 0 | 0 | 124 | 100 | - | 0 | 0 | 78 ⁵ | | 0 |
| TOTAL ALLOWABLE CATCH | * | * | * ²⁰ | * | 8500 ^{8,16} | 20000 | 12516 ^{10,17} | * ¹⁶ | * | 15500 ⁹ | * ²⁰ | * |

| Species | White hake | Capelin | Skates | Greenland halibut | Squid (Illex) ¹ | Shrimp | |
|---------------------------------------|--------------------|-----------------|--------|--------------------|---|--------------------|-----|
| | | | | | | 3L | 3NO |
| Division/Contracting Party | 3NO | 3NO | 3LNO | 3LMNO | Sub-areas 3+4 | | |
| Canada | 2500 | 0 | 2250 | 1778 | N.S. ⁶ | 20824 | |
| Cuba | | 0 | | - | 510 | 278 | |
| Denmark (Faroe Islands and Greenland) | | - | | 206 | - | 278 | |
| European Union | 5000 | 0 ¹¹ | 8500 | 6951 ¹⁸ | <u>N.S.</u> ⁶ 611 ¹³ | 1392 ¹⁴ | |
| France (St. Pierre et Miquelon) | | - | | 194 | 453 | 278 | |
| Iceland | | - | | - | - | 278 | |
| Japan | | 0 | | 1215 | 510 | 278 | |
| Korea | | - | | - | 453 | 278 | |
| Norway | | 0 | | - | - | 278 | |
| Russia | 500 | 0 | 2250 | 1512 | 749 | 278 | |
| Ukraine | | | | | | 278 | |
| United States of America | | - | | - | 453 | 278 | |
| Others | 500 | - | 500 | 0 ⁷ | 794 | 0 | |
| TOTAL ALLOWABLE CATCH | 8500 ¹⁶ | * ²¹ | 13500 | 11856 | 34000 | 25000 | * |

* Ban on fishing in force – The provisions of Article 11, paragraph 1.b) 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 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, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.

5. Contracting Parties shall inform the Executive Secretary before 01 December 2007 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. In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.
8. 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 4250 tons may be fished before 01 July 2008. 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.
9. The provisions of Article 11, paragraph 1.b) of the Conservation and Enforcement Measures shall apply.
10. In the case of the NEAFC decision which modifies the level of TAC in 2008 as compared with 2007, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.
11. Including fishing entitlements of Estonia, Latvia, and Lithuania following their accession to the European Union and in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7).
12. Including allocations of 1571 tonnes each for Estonia, Latvia and Lithuania out of a sharing of 20,000 tonnes, following their accession to the European Union.
13. Allocations of 128 tonnes each for Estonia, Latvia and Lithuania as well as 227 tonnes for Poland out of a TAC of 34,000 tonnes, following their accession to the European Union.
14. Including allocations of 278 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 25000 tonnes, following their accession to the European Union.
15. Allocation of 2234 tonnes for Lithuania and 269 tonnes to Latvia following their accession to the European Union.
16. Applicable to 2008 and 2009.
17. The quota shares in footnotes 4 and 15 can only be fished in the NAFO Regulatory Area. If an increase in the overall TAC as defined in footnote 10 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share referred to in footnote 4.
18. Including an allocation of 389 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.
19. Notwithstanding the provisions of footnote 8 and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties.
20. Applicable to 2008, 2009, and 2010.
21. Applicable until at least 2012.

CEM Annex I.B
Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2008

| CONTRACTING PARTY | NUMBER OF FISHING DAYS | NUMBER OF VESSELS |
|---|------------------------|-------------------|
| Canada | 456 | 16 |
| Cuba | 100 | 1 |
| Denmark | | |
| – Faroe Islands | 1606 | 8 |
| – Greenland | 515 | 14 |
| European Union | 3293 ¹ | 33 ¹ |
| France (in respect of St Pierre et Miquelon) | 100 | 1 |
| Iceland | N/A | N/A |
| Japan | 100 | 1 |
| Korea | 100 | 1 |
| Norway | 1985 | 32 |
| Russia | 2100 | N/A |
| Ukraine | 100 | 1 |
| USA | 100 | 1 |

¹ Including fishing entitlements transferred from Poland (100 fishing days with one vessel), Estonia (1667 fishing days with 8 vessels), Latvia (490 fishing days with 4 vessels) and Lithuania (579 fishing days with 7 vessels) following their accession to the European Union.

Annex 13. Korean Position for Allocation of Fishing Opportunities in NAFO

First of all, we want to apologize that we could not participate actively in the NAFO Conference on the reason that we have no vessels to operate here for the lack of quotas. However we would like to express our position on the allocation of fishing opportunities of NAFO.

NAFO has been regarded for Korean fishing vessels as important fishing grounds before 1993 with annual amount of over 10,000 tons. However, since the accession to NAFO, we had to tolerate the loss of quotas just for the reason of new comer, and which goes up to now just with the obligation of contribution as a contracting party.

Now we believe when we pay our efforts to be a constructive participant for the protection of vulnerable marine ecosystem and a responsible contributor for NAFO, we will be a fishing participant allocated with economically viable quotas.

We are anticipating the positive sign of resource recovery as the result from conservative fish resource rebuilding plans as NAFO, in particular, Scientific Council originally intended and recommended.

Most of all we do believe when additional quotas would be allocated, we should be treated in a fair and equitable manner as one contracting party fulfilling our all duties and obligations to NAFO.

Finally we suggest this Fisheries Commission to consider our catch history in this area before we were a member of NAFO in 1993.

Thank you for your attention.

<Table 1. Catch history by Korean vessels in NAFO>

(ton)

| year species | total | 1977-1980 | 1981-1985 | 1986-1990 | 1991-1993 |
|-------------------------|---------|-----------|-----------|-----------|-----------|
| total | 163,714 | 884 | 15,086 | 110,236 | 37,508 |
| Atlantic redfishes (ns) | 101,026 | | 93 | 76,270 | 24,663 |
| Flatfishes (ns) | 25,668 | | 11,712 | 13,921 | 35 |
| Yellowtail flounder | 17,005 | | 1,794 | 7,241 | 7,970 |
| American plaice | 7,809 | | 1,041 | 4,305 | 2,463 |
| Skates (ns) | 5,937 | | 175 | 3,942 | 1,820 |
| Atlantic cod | 3,042 | | 152 | 2,484 | 406 |
| others | 3,227 | 884 | 119 | 2,073 | 151 |

- This data is from NAFO / since 1994, no catch history and no fishing vessel.

Annex 14. Port Inspection Report
STACTIC WP 07/14, Revised **now** FC Doc 07/13)

Scope:

The present Annex XIII does not show (in part **A**.) where the infringements found by the inspectors during the port inspection can be mentioned and if it is optional or mandatory (in part **B**) to describe and mention them in the comments sections of the report.

The EC, defending the principle of transparency, consider that when infringements that have been found at sea and confirmed later during the port inspection or when new infringements have been found during the unloading operation the Port Inspection Report form shall indicate the final result concerning the violation of the NAFO Conservation and Enforcement Measures that are going to be used when the legal action and appropriated follow-up is going to be taken against the master and / or the owner of the vessel.

PROPOSAL:

(see attached annex)

A. "PORT INSPECTION REPORT" FORM

Page n°

1. INSPECTION REFERENCE

Inspection authority

Date of the report

Port of inspection

Vessel Name

2. TRIP INFORMATION 1

Date trip started

Trip number 2

Activity in the NAFO RA :

Date Entry in the RA

Date Exit from the RA

Other areas visited

Date trip ended

3. VESSEL IDENTIFICATION 3

External Identification

International Radio Call Sign

Flag
State

NAFO Contracting Party

Home Port

Vessel owner

Vessel operator

Master name

4. RESULT OF INSPECTION OF DISCHARGE 4

4.1. General information

Starting of discharge : Date Time

Ending of discharge : Date Time

Has vessel discharge all catches on board? YES If yes, fill in table 4.2
NO If no, fill in table 4.3

Comments

4.2 Quantity discharged

| Species (FAO Code) | Presentation | Live Weight (Logbook, Kg) | Conversion factor | Landing Processed Wt (Kg) | Equivalent live weight(kg) | Diff (Kg) | Diff (%) |
|--------------------|--------------|---------------------------|-------------------|---------------------------|----------------------------|-----------|----------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Comments | | | | | | | |

4.3 Quantity staying on board the vessel

To be filled where part of the catches stay on board after completion of discharge

| Species | Presentation | Conversion factor | Process weight(kg) | Equivalent live weight (kg) |
|----------|--------------|-------------------|--------------------|-----------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Comments | | | | |

6.2 Port Inspection Infringements results

| (a) - Confirmation of Infringements found at sea inspection | |
|--|---------------------------------------|
| NAFO CEM infringement legal reference | National Infringement legal reference |
| | |
| | |
| | |

| (b) - Infringements found at sea inspection and not possible to be confirmed during the Port Inspection. | |
|---|--|
| Comments : | |
| | |

| (c) - Additional infringements found during the Port Inspection | |
|--|---------------------------------------|
| NAFO CEM infringement legal reference | National Infringement legal reference |
| | |
| | |
| | |

| |
|-----------------------------|
| Follow-up comments : |
| |

B. INFORMATION TO BE INSERT IN THE REPORT

1. INSPECTION REFERENCES

(no changes).....

2. TRIP INFORMATION

(no changes).....

3. VESSEL IDENTIFICATION

(no changes).....

4. RESULT OF INSPECTION ON DISCHARGE

(no changes)

5. RESULT OF GEAR INSPECTION ⁶

(No change).....

6. INFRINGEMENTS AND FOLLOW-UP**6.1 Sea inspection**

| Data Elements | M/O | Category ; Definition |
|----------------------|------------|--|
| Inspectors team | M | Contracting party name; Fishery Patrol Vessel name |
| Date of inspection | M | |
| Legal reference | M | Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement |

6.2 Port Inspection infringements results**(a) - Confirmation of Infringements found at sea inspection**

| Data Elements | M/O | Category ; Definition |
|--|------------|--|
| Identification of the NAFO infringement | M | Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement |
| Identification of the National infringement | O | Mention of the National Reg. title Chapter; Article(s) paragraph(s) for each infringement |

(c) - Additional infringements found during the Port Inspection

| Data Elements | M/O | Category ; Definition |
|--|------------|--|
| Identification of the NAFO infringement | M | Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement |
| Identification of the National infringement | O | Mention of the National Reg. title Chapter; Article(s) paragraph(s) for each infringement |

**Annex 15. Amendments to Chapter VII – Electronic Reporting, Satellite Tracking
and Observers, Article 57 – Follow-up**
(STACTIC WP 07/17, Revised now FC Doc 07/14)

Explanatory Memorandum

The NAFO Conservation and Enforcement Measures have been amended to reflect that the pilot project on Electronic Reporting, Satellite Tracking and Observers is no longer a pilot project but now part of the scheme. As such the NCEM's need to be amended to reflect the changes.

Proposal

Amend Chapter VII, Article 57 to reflect the end of the pilot project on electronic reporting, satellite tracking and observers, to indicate its implementation as part of the scheme and to change the title to reflect the intent of the Article.

Proposal – Revise Article 57 as indicated in the text below:

Article 57 - ~~Follow-up~~ Evaluation

~~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 to evaluate the effectiveness of the implementation of the provisions of Chapter 7 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.

~~2. The elements of this chapter are subject to review as appropriate, for application in 2010 and subsequent years.~~

Annex 16. Catch Reporting and Notification Procedures between Divisions 3M and 3L
(STACTIC WP 07/24, Revised now FC Doc 07/15)

Background:

At the STACTIC meeting in Gdynia 5 – 7 June 2007, Iceland was asked to develop a proposal on notification and catch reporting requirements in 3L and 3M shrimp fishery. This proposal should be read together with STACTIC Working Paper 06/24 submitted by Iceland to the 28th Annual Meeting in September 2006. In that Working Paper possible options for Catch Reporting according to areas are listed as well as based on a Canadian proposal for Weekly Catch Reporting are listed as well as suggestions for reporting procedures for Division 3L based on a request of advice to the Advisory Group for Data Communication (AGDC) from the European Union.

At the AGDC meeting in Bergen in April 2007 these notification procedures were discussed further and an additional option for multiple area reporting discussed, to use a so called trailer. The trailer option offers the possibility to repeat the same data elements several times inside a single message. This would involve changes to all systems.

Proposal:

It is proposed to use a Catch report to report the catches onboard according to Division before entering into Division 3L and in the same way use the Catch report to report catches taken in Division 3L before exiting from Division 3L. The proposed template is found in Annex A.

The proposal is based on a solution which not requires any major changes to the systems. The only change needed is to include the Catch report but all of its data elements are already in the current system. The main elements are as follows:

1. The prior notification before entering remains manual
 - a. The vessels will notify their Flag State FMC of their intention to enter into Division 3L and get approval from the Flag State (Art. 12, 2)
 - b. The Flag State will inform the NAFO Secretariat
2. The vessels are required to transmit Catch report prior to crossing the boundaries of Division 3L on entering and exiting.
 - a. In the Catch report the catches are reported by Division indicating catches retained onboard since the last communication of catches.

Further explanations are found in STACTIC Working Paper 06/24.

It should be noted that this proposal also opens the possibility for regular catch reporting in the NAFO Regulatory Area, with which ever frequency required.

Consequently the following modifications to the NAFO CEM are proposed:

1. Article 23, paragraph 1.
 - c) catch prior to entry and exit from 3L. These reports shall be made by vessels that fish shrimp in Division 3L and shall be sent one hour prior to crossing the boundary of Division 3L indicating catches onboard since last communication of catches by Division and species (3 alpha code) in kg (rounded to nearest 100 kilograms). This report shall be identified as CAT
2. Article 23, paragraph 1 c) becomes d) and d) becomes e)
3. Article 23, paragraph 3 to be deleted and paragraph 4 to be paragraph 3
4. The table in Article 23, showing the sequence of messages should be amended accordingly. The table to read as follows:

| Report: | Code: | Remarks: |
|-----------------|--------------|--|
| Catch on Entry | COE | 6 hours in advance of the vessels entry into the Regulatory Area. |
| Entry | ENT | The first position report from a vessel detected to be inside the Regulatory Area |
| Position | POS | Position report every 2 hours |
| Catch | CAT | Reporting of catches prior to crossing boundaries of Division 3L |
| Transshipment | TRA | As relevant |
| Port of Landing | POR | Report on catch onboard and weight to be landed |
| Catch on Exit | COX | 6 hours in advance of the vessels departure from the Regulatory Area |
| Exit | EXI | The first position report from a vessel detected to be outside the Regulatory Area |

5. The template for Catch Report should be inserted into Annex X as table number 2 and the remaining tables renumbered accordingly.
6. The Catch data element in the Catch on Exit report to be modified as follows:

| Data Element | Field Code | Mandatory / Optional | Remarks |
|---------------------|-------------------|-----------------------------|---|
| Catch | CA | | Activity detail; Cumulative catch retained on board by species, either since commencement of fishing in the R.A. or last "Catch" report (CAT) or (CAX) if such a report is sent according to Chapter VII, in pairs as needed. |
| species | | M | FAO species code |
| live weight | | M | Live weight in kilograms, rounded to the nearest 100 kilograms |

7. Annex XXIII, E. Reference to the Catch report should be inserted.

Annex A

2) “Catch” report

| 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 |
| From | FR | M | Message detail; Address of the transmitting party (ISO-3) |
| Sequence Number | SQ | M | Message detail; serial number in current year |
| Type of Message | TM | M | Message detail; message type, “CAT” for 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 Catch species live weight | CA | M | Activity detail; cumulative catch by species retained onboard, either since commencement of fishing in the R.A. ² or last “Catch” report, in pairs as needed FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms |
| Days Fished | DF | O | Activity detail; number of fishing days in the R.A. ² either since commencement of fishing of last “Catch” report |
| 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 record |

¹ Optional if the vessel is subject to satellite tracking in accordance with Article 22(1)

² Meaning the first “Catch” report in current fishing trip in the R.A.

Annex 17. Amendment of FC Rule of Procedure 5.1
(STACTIC WP 07/27, Revised **now** FC Doc 07/22)

At the 2006 Annual Meeting, General Council, General Council decided to approve to merge STACFAC with STACTIC (so that STACFAC would cease to exist as an independent Committee and its mandate incorporated into the mandate of STACTIC). It was noted that this decision entailed a change of the Rules of Procedure and a proposal in this respect put forward by the Working Group on Reform was adopted (GC WP 06/3). At the STACTIC meeting in Gdynia, Poland 5-7 June, this change *to the Rules of Procedure* was overlooked *and therefore there is no further need to merge the Rules of Procedure pertaining to STACFAC into the Rules of Procedure for STACTIC*.

However, STACTIC could consider the following amendment to the current Rule 5.1 of the Rules of Procedure for the Fisheries Commission:

5.1 (m) *to review information regarding non-Contracting Party vessels engaged in illegal, unreported and unregulated (IUU) fishing and compile a list of such vessels.*

5.1 n) *make appropriate recommendations to the Fisheries Commission.*

Annex 18. Amendment of NAFO CEM Article 49, paragraph 6– Illegal, unreported and unregulated (IUU) fishing

(STACTIC WP 07/29, Revised ~~now~~ FC Doc 07/16)

One way of targeting the global phenomenon IUU fishing, is that an RFMO formally recognise IUU vessel lists established by other RFMOs. Such a joint effort has already been taken by NAFO and the North East Atlantic Fisheries Commission (NEAFC) as vessel listed by NAFO also formally will be listed by NEAFC, and vice versa.¹ Similar initiatives are under way in the RFMOs managing tuna and tuna like species as a joint meeting among those organisations in Kobe in January this year in principle agreed to establish a common list for all tuna RFMOs.

Recognizing the global nature of overfishing, especially in the field of high seas transshipment and landing of catches outside the jurisdiction of Parties to the relevant RFMO, Norway intends in CCAMLR and SEAFO to propose that they formally recognise the IUU list established by NAFO.

In order to enable these organizations to consider vessels on the NAFO IUU list for placement on their respective IUU lists, it is necessary for NAFO to provide details of the NAFO IUU list, including the reasons for listing or de-listing each vessel. For these reasons, Norway suggests the following amendments to the NAFO Conservation and Enforcement Measures:

Article 49, paragraph 6 shall read:

“The Secretariat shall transmit the IUU List and any relevant information regarding the List, including the reasons for listing or de-listing each vessel, to the secretariats of the Commission for the Conservation of Antarctic Marine Resources (CCAMLR), the North East Atlantic Fisheries Commission (NEAFC) and the South East Atlantic Fisheries Organisation (SEAFO). The Secretariat shall also circulate the IUU List to other regional fisheries management organizations”

¹ NAFO Conservation and Enforcement Measures, article 49, and article 44 of the NEAFC Scheme on Control and Enforcement.

Annex 19. Chartering Arrangements
(STACTIC WP 07/30, Revised **now** FC Doc 07/17)

Background

The rules concerning chartering arrangements set down in Article 15 of the Conservation and Enforcement Measures do not provide for a suspension of such arrangements. The purpose of this proposal is to introduce such a possibility, whilst still ensuring that when operating under chartering arrangements, chartered vessels shall not utilize at the same time quota or fishing days of their flag state Contracting Party.

Proposal

Article 15 – Chartering Arrangements

.....

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. The chartering arrangements may be suspended and resumed at a later date during the same year for the same vessel provided that the cumulative time of the charter arrangement does not exceed six months.

.....

10. Both the chartering Contracting Party and the flag State Contracting Party shall inform the Executive Secretary of the termination of the chartering arrangement as well as its suspension and resumption if appropriate, and the beginning and ending of fishing operations under it.

Annex 20. Annual Compliance Review
(STACTIC WP 07/33 now FC Doc 07/23)

Introduction:

Ongoing efforts for Annual Compliance Review as part of STACTIC; the following is a summary / trend analysis of compliance assessment for 2004, 2005 and 2006. The annual review process is a resumption of previous compliance assessment of which 2004 data was completed in 2005. The past two years have been delayed pending NAFO reform priorities. This current review flows from compilation tables and subsequent report tables, drafted in 2007 for consideration by STACTIC. This process intends to provide a more condensed and streamlined review of data to enhance understanding of the compliance trends / fishing patterns, a picture of the Contracting Party reporting obligations coupled with adherence to NCEM provisions.

Data tables were circulated to Contracting Parties as working paper 07/21 for review and discussion. Currently a total of 8 compilation tables and 6 report tables exist as proposed by the working group and should serve as a general annual template. Synopsis of the data tables is outlined below, appended by graphical depiction of same.

The accuracy and thoroughness of these reports is dependant upon the analysis and submission of contracting party reports

Compliance Issues / trends:

From analysis of the report tables, which are summaries of the compilation tables, there are a number of compliance trends.

- **Administrative obligations** for report submission [figure 1]
 - Number of **COE** reports missing is decreasing from 25% in 2004 to 16% in 2006
 - Number of **COX** reports missing is decreasing from 23% in 2004 to 15% in 2006
 - Number of **Observer** reports missing has increased slightly from 32% in 2004 to 36% in 2006
 - Number of **Port Inspection** reports missing has decreased from 28% in 2004 to 19% in 2006
- **Timeliness of report submission** however is not as efficient
 - Late Port inspection reports have increased from 59% late in 2004 to 73% late in 2006 [figure 2]
 - Late at sea inspection reports have increased from 10% late in 2004 to 28% in 2006 [figure 3]
 - Late observer reports have decreased marginally from 83% late to 76% in 2006 [figure 4]
- **Number of active vessels** has decreased from 134 in 2004 to 116 in 2005 to 92 in 2006. [figure 6]
- **At sea Inspections** have decreased from 401 in 2004 to 326 in 2005 to 361 in 2006 however not relative to the decrease in number of vessels. [figure 5]
- **Days Present in NRA** has decreased from 16,480 in 2004 to 12,290 in 2005 to 8663 in 2006. [figure 5]

Common Citations Issued 2004-2006

| <i>AI</i> | <i>At Sea</i> | <i>In Port</i> |
|----------------------|---------------|----------------|
| Stowage Plans | 11 | 0 |
| Illegal attachments | 9 | 0 |
| Mesh Size | 9 | 3 |
| Inaccurate recording | 8 | 15 |
| Bycatch requirements | 7 | 6 |
| Labeling | 6 | 4 |

- **At sea citation trends** are oriented toward stowage plans, illegal attachments and mesh size, of which most are relatively new NCEM provisions.
- **In port citation trends** are oriented toward inaccurate recording, labeling and bycatch requirements. Total in port citations are increasing within the 3 year period.

Number of Citations

| <i>Year</i> | <i>At sea</i> | <i>In Port</i> |
|-------------|---------------|----------------|
| 2004 | 18 | 10 |
| 2005 | 31 | 6 |
| 2006 | 22 | 16 |

Conclusions

- Report Submission is improving however timeliness is still a concern
- General decrease in number of vessels and inspections however not relative to the decrease in number of vessels.
- The frequency of at sea inspections has increased relative to the number of active vessels and fishing days in the NRA.
- From 2004 – 2006 there was a 10% reduction in inspections versus a 31% reduction in vessels and a 47% reduction in fishing days.
- Shift in at sea citations toward new NCEM provisions such as stowage plans and product labeling.
- Increase in port detection of citations oriented toward inaccurate recording and labeling.
- It can take 2 years for follow up to citations
- Additional items for consideration in future as assessment indicators may include:
 - port inspection landings versus amounts reported in COX
 - data source comparison of catch data (VMS, COX, port inspection)
 - electronic mapping of water depth versus directed species
- CP's need to ensure an accurate analysis of data occurs and up to date data is available to secretariat

Table R-1. Submission of fishing reports

| Year | 2004 | 2005 | 2006 |
|---|------|------|------|
| Total number of identified fishing trips/periods | 337 | 282 | 211 |
| Number of COE received | 254 | 235 | 178 |
| Percentage of missing COE | 25% | 17% | 16% |
| Number of COX received | 258 | 234 | 179 |
| Percentage of missing COX | 23% | 17% | 15% |
| Number of fishing trips covered by Observer Reports or CAX/OBR | 228 | 185 | 135 |
| Percentage of missing Observer Reports | 32% | 34% | 36% |
| Number of fishing trips covered by Port Inspection Reports or TRA/POR | 243 | 213 | 170 |
| Percentage of missing Port Inspection Reports | 28% | 24% | 19% |

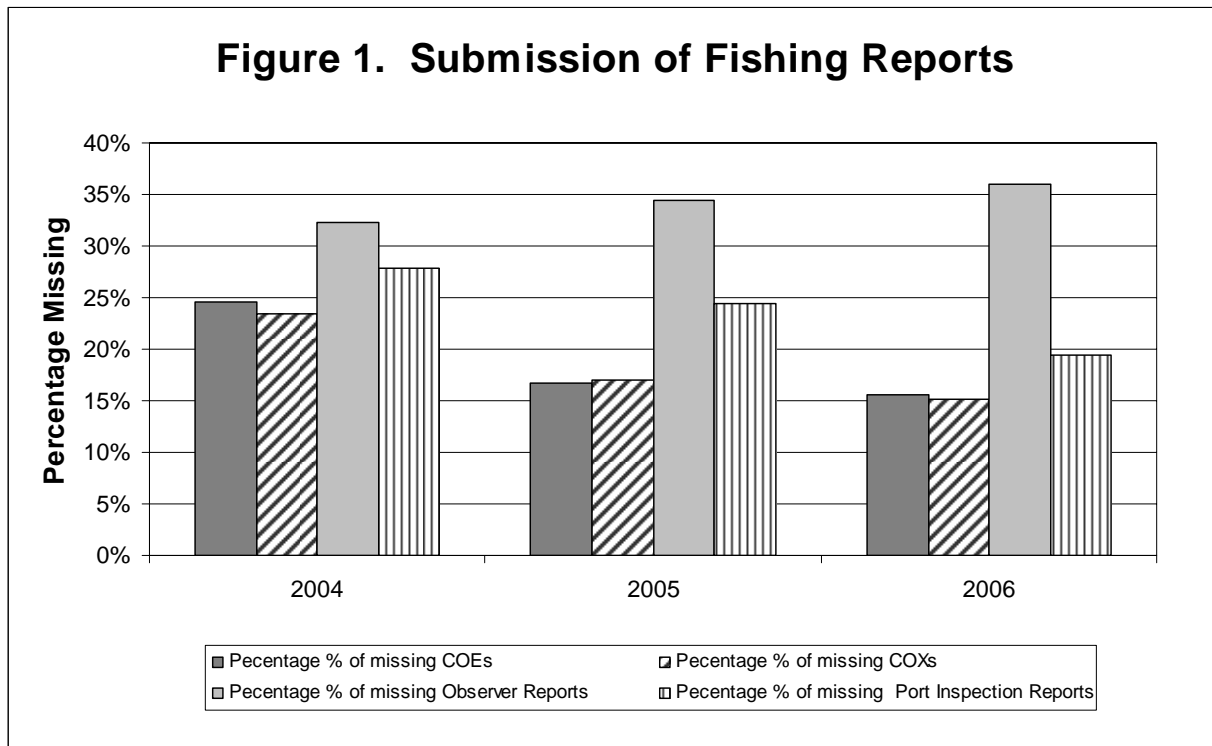


Table R-2. Timely submission of Port Inspection Reports

| Year | 2004 | 2005 | 2006 |
|---|------|------|------|
| Total number of identified fishing trips | 337 | 282 | 211 |
| Total Number of Port Inspection Reports received | 243 | 192 | 160 |
| Total Number of Port Inspection Reports received late | 144 | 127 | 117 |
| Percentage of late Port Inspection Reports | 59% | 66% | 73% |

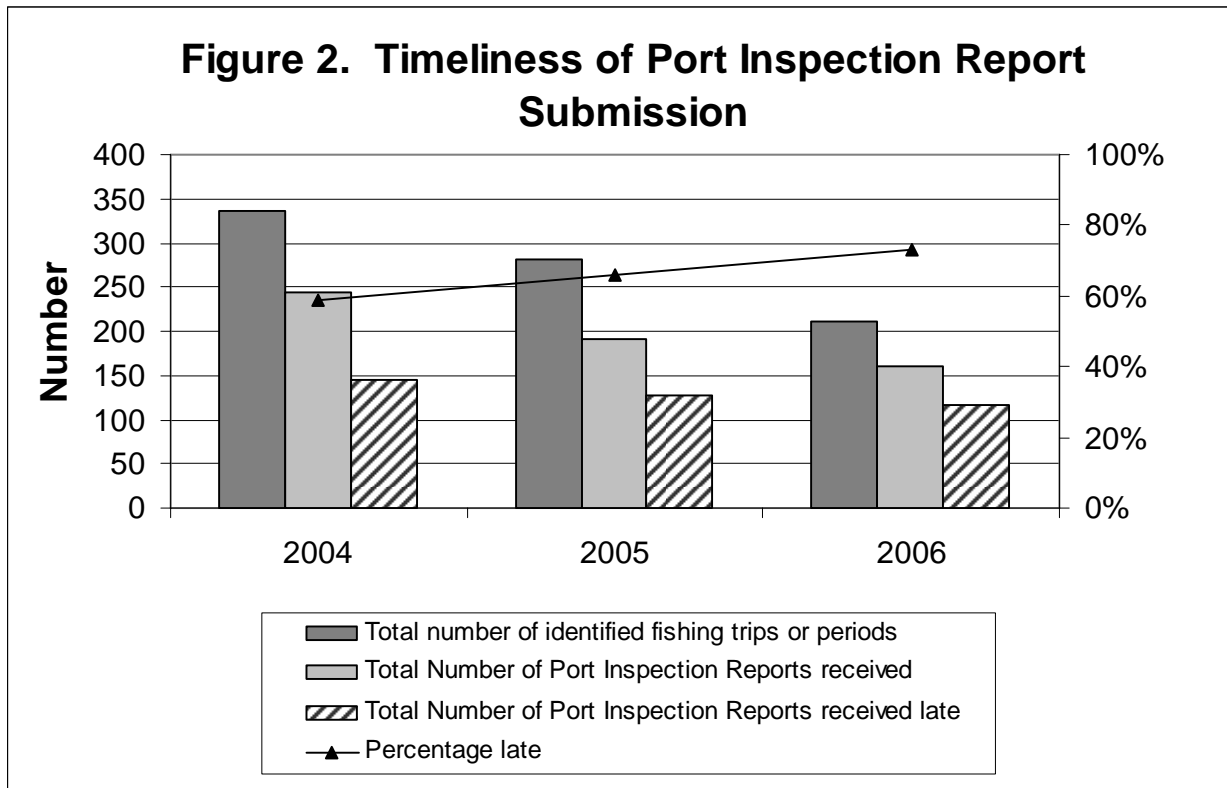


Table R-3. Timely submission of at-sea Inspection Reports

| Year | 2004 | 2005 | 2006 |
|--|------|------|------|
| Total Number of at-sea Inspections | 401 | 326 | 361 |
| Number of at-sea Inspections received late | 40 | 30 | 95 |
| Percentage of late at-sea Inspection Reports | 10% | 9% | 26% |

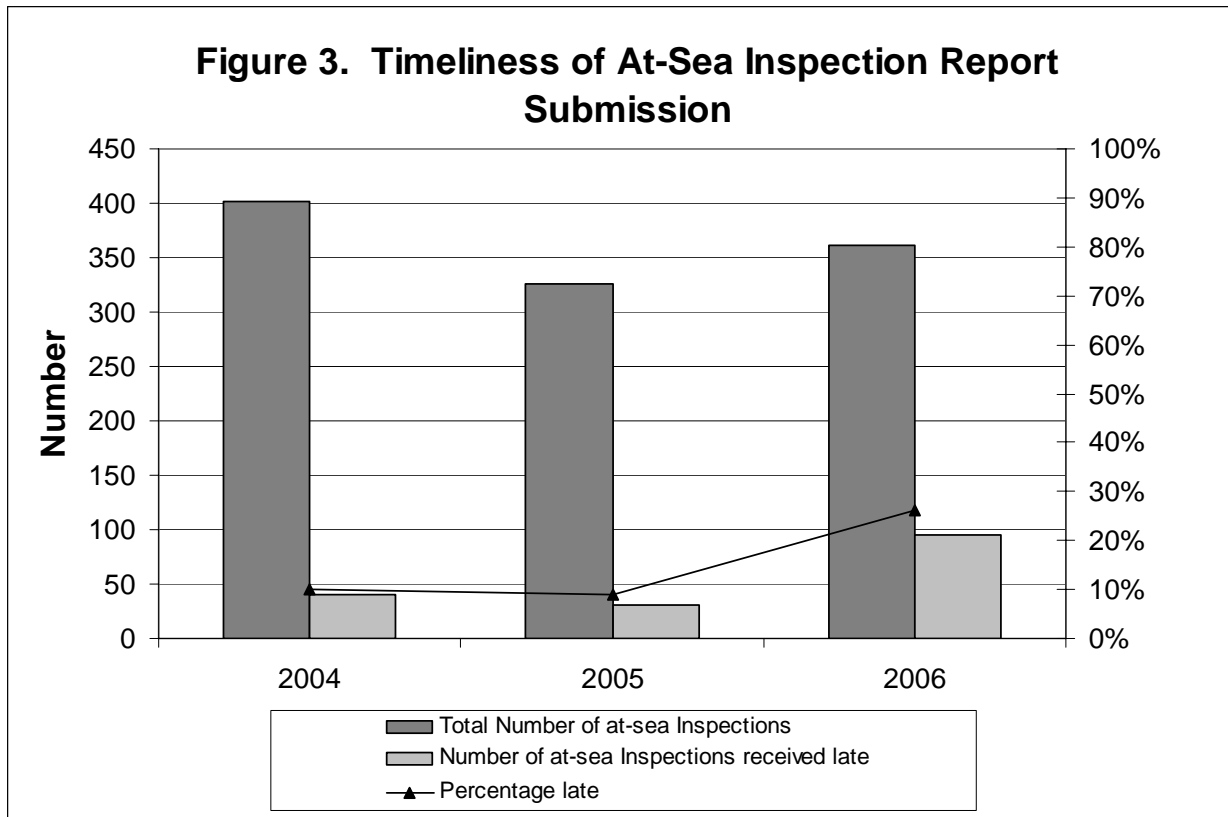


Table R-4. Timely submission of Observers Reports

| Year | 2004 | 2005 | 2006 |
|---|------|------|------|
| Total Number of Observers Reports | 211 | 170 | 114 |
| Number of Observers Reports received late | 176 | 131 | 87 |
| Percentage of late Observers Reports | 83% | 77% | 76% |

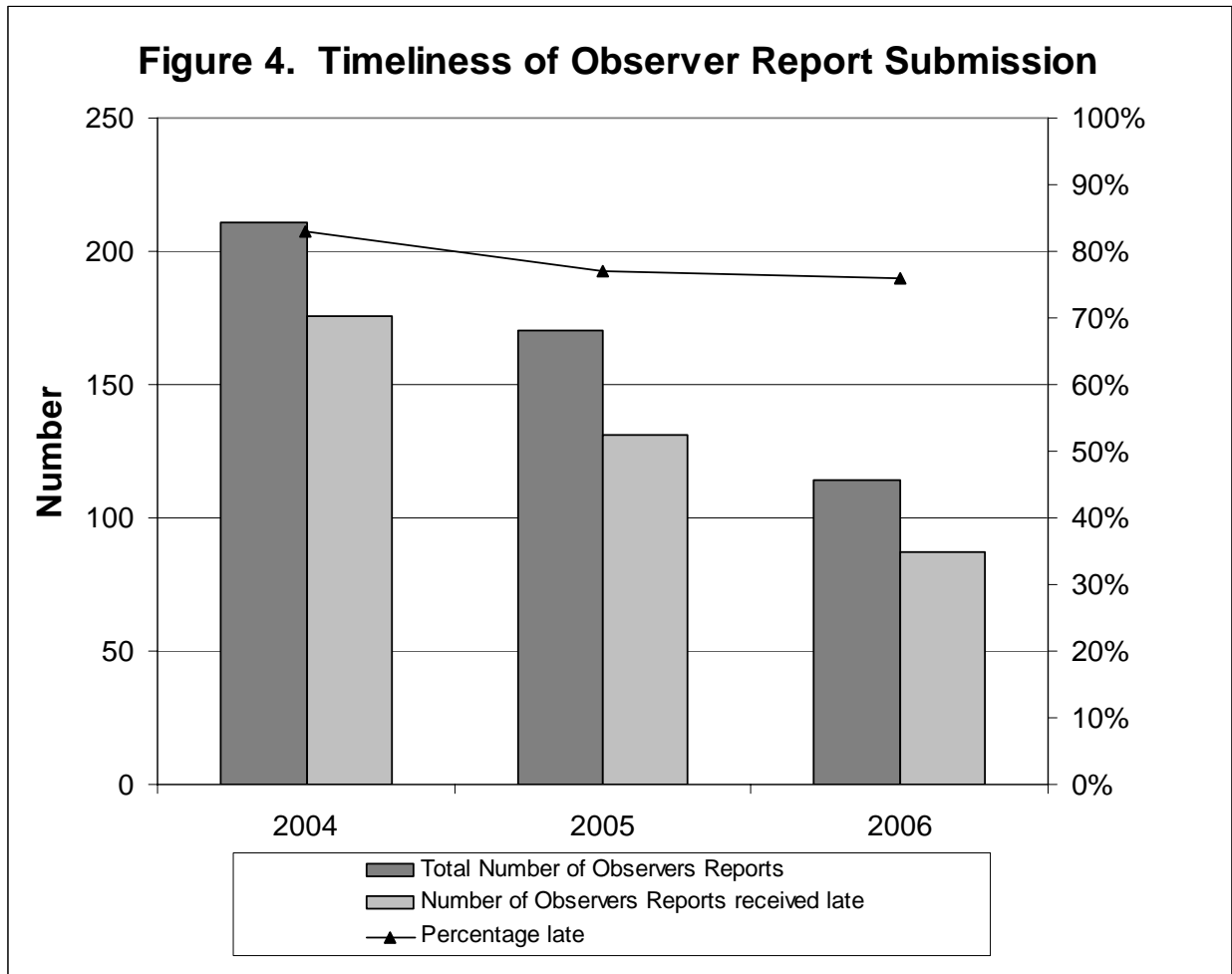


Table R-5A. Effort, at sea inspections, citations by fisheries type (2004)

| FISHERIES* | GRO | PRA | REB | Total |
|---|------------|------------|------------|--------------|
| Number of vessels | 63 | 33 | 48 | 134 |
| Days Present in NRA | 9966 | 5100 | 1414 | 16480 |
| Effort (days present x KW x 1000) | 13670.6 | 11810.3 | 3189.0 | 28669.9 |
| Number of at-sea inspections | 328 | 73 | 0 | 401 |
| Citations issued by category - from at-sea and (port) inspections | | | | |
| By-catch requirements | 3 (1) | 0 (0) | 0 (0) | 3 (1) |
| Catch communication violations | | | | |
| Fishing without authorization | 0 (1) | 1 (0) | 0 (0) | 1 (1) |
| Gear requirements - illegal attachments | 1 (0) | 0 (0) | 0 (0) | 1 (0) |
| Gear requirements - mesh size | 5 (2) | 0 (0) | 0 (0) | 5 (2) |
| Inspection protocol | 2 (0) | 0 (0) | 0 (0) | 2 (0) |
| Mis-recording of catches - inaccurate recording | 0 (6) | 0 (0) | 0 (0) | 0 (6) |
| Mis-recording of catches -stowage | | | | |
| Observer requirements | | | | |
| Product labeling | 0 (0) | 1 (0) | 0 (0) | 1 (0) |
| Quota requirements | 1 (0) | 0 (0) | 0 (0) | 1 (0) |
| Vessel requirements - capacity plans | 3 (0) | 0 (0) | 0 (0) | 3 (0) |
| VMS requirements | 1 (0) | 0 (0) | 0 (0) | 1 (0) |
| Total At-Sea Citations | 16 | 2 | 0 | 18 |
| Total Citations | 26 | 2 | 0 | 28 |

GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; RED = redfish in Divs. 1F2J ** Some vessels switched directed species within the year.

Table R-5B. Effort, at sea inspections, citations by fisheries type (2005)

| FISHERIES* | GRO | PRA | REB | Total |
|---|------------|------------|------------|--------------|
| Number of vessels | 50 | 27 | 53 | 116 |
| Days Present in NRA | 6948 | 3558 | 1784 | 12290 |
| Effort (days present x KW x 1000) | 9326.2 | 8164.4 | 4277.2 | 21767.8 |
| Number of at-sea inspections | 270 | 55 | 1 | 326 |
| Citations issued by category - from at-sea and (port) inspections | | | | |
| By-catch requirements | 2 (3) | 0 (0) | 0 (0) | 2 (3) |
| Catch communication violations | | | | |
| Fishing without authorization | 0 (0) | 1 (0) | 0 (0) | 1 (0) |
| Gear requirements - illegal attachments | 2 (0) | 1 (0) | 0 (0) | 3 (0) |
| Gear requirements - mesh size | 3 (1) | 0 (0) | 0 (0) | 3 (1) |
| Inspection protocol | 3 (1) | 1 (0) | 0 (0) | 4 (1) |
| Mis-recording of catches - inaccurate recording | 5 (1) | 1 (0) | 0 (0) | 6 (1) |
| Mis-recording of catches -stowage | 5 (0) | 0 (0) | 0 (0) | 5 (0) |
| Observer requirements | 0 (0) | 1 (0) | 0 (0) | 1 (0) |
| Product labeling | 2 (0) | 1 (0) | 0 (0) | 3 (0) |
| Quota requirements | | | | |
| Vessel requirements - capacity plans | 2 (0) | 0 (0) | 0 (0) | 2 (0) |
| VMS requirements | 0 (0) | 1 (0) | 0 (0) | 1 (0) |
| Total At-Sea Citations | 24 | 7 | 0 | 31 |
| Total Citations | 30 | 7 | 0 | 37 |

* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; RED = redfish in Divs. 1F2J** Some vessels switched directed species within the year.

Table R-5C. Effort, at sea inspections, citations by fisheries type (2006)

| FISHERIES* | GRO | PRA | REB | Total |
|---|------------|------------|------------|--------------|
| Number of vessels | 45 | 21 | 42 | 92 |
| Days Present in NRA | 5908 | 1776 | 979 | 8663 |
| Effort (days present x KW x 1000) | 9015.1 | 4298.5 | 2101.6 | 15415.2 |
| Number of at-sea inspections | 277 | 76 | 8 | 361 |
| Citations issued by category - from at-sea and (port) inspections | | | | |
| By-catch requirements | 2 (2) | 0 (0) | 0 (0) | 2 (2) |
| Catch communication violations | 0 (1) | 0 (0) | 0 (0) | 0 (1) |
| Fishing without authorization | | | | |
| Gear requirements - illegal attachments | 2 (0) | 2 (0) | 1 (0) | 5 (0) |
| Gear requirements - mesh size | 0 (0) | 0 (0) | 1 (0) | 1 (0) |
| Inspection protocol | 0 (0) | 1 (0) | 0 (0) | 1 (0) |
| Mis-recording of catches - inaccurate recording | 3 (8) | 0 (0) | 0 (0) | 3 (8) |
| Mis-recording of catches -stowage | 5 (0) | 1 (0) | 0 (0) | 6 (0) |
| Observer requirements | | | | |
| Product labeling | 1 (4) | 2 (0) | 0 (0) | 3 (4) |
| Quota requirements | 0 (1) | 0 (0) | 0 (0) | 0 (1) |
| Vessel requirements - capacity plans | 1 (0) | 0 (0) | 0 (0) | 1 (0) |
| VMS requirements | | | | |
| Total At-Sea Citations | 14 | 6 | 2 | 22 |
| Total Citations | 30 | 6 | 2 | 38 |

* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; RED = redfish in Divs. 1F2J** Some vessels switched directed species within the year.

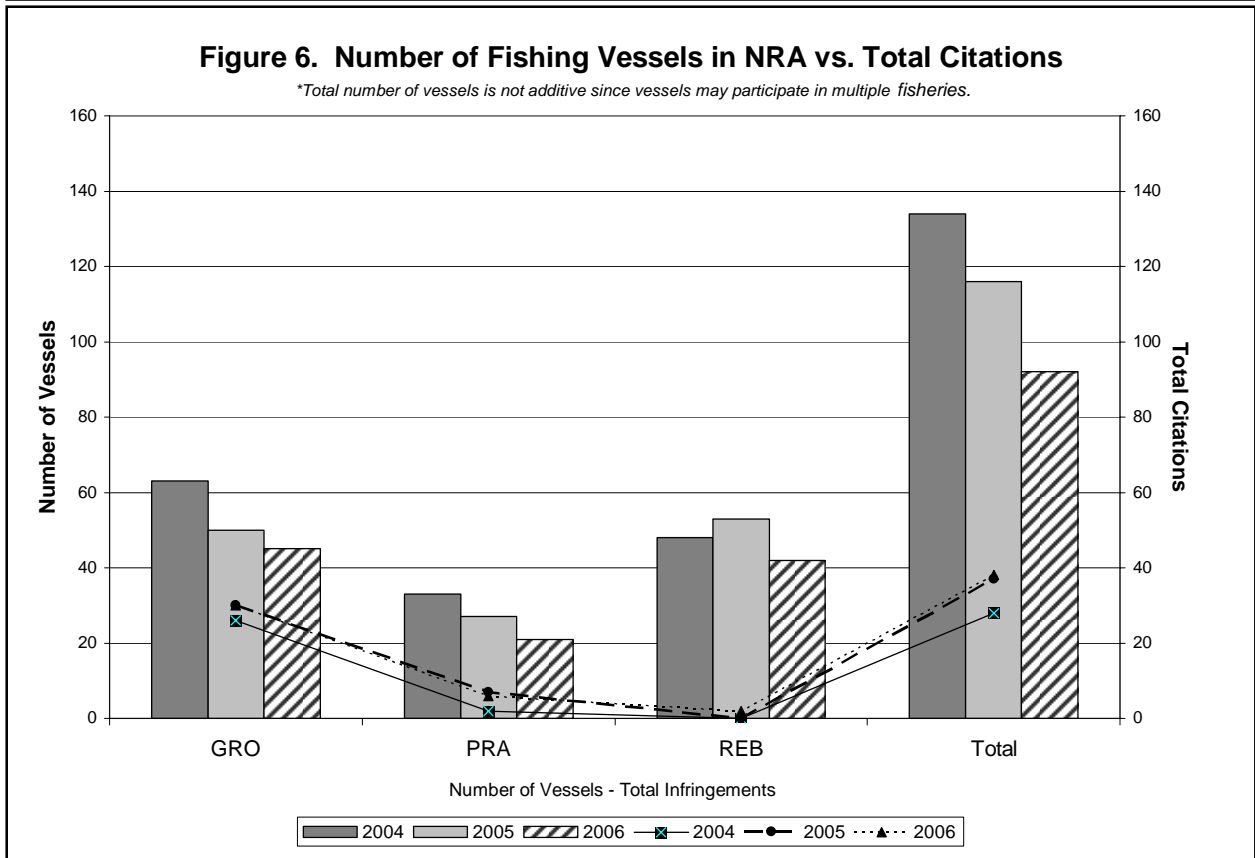
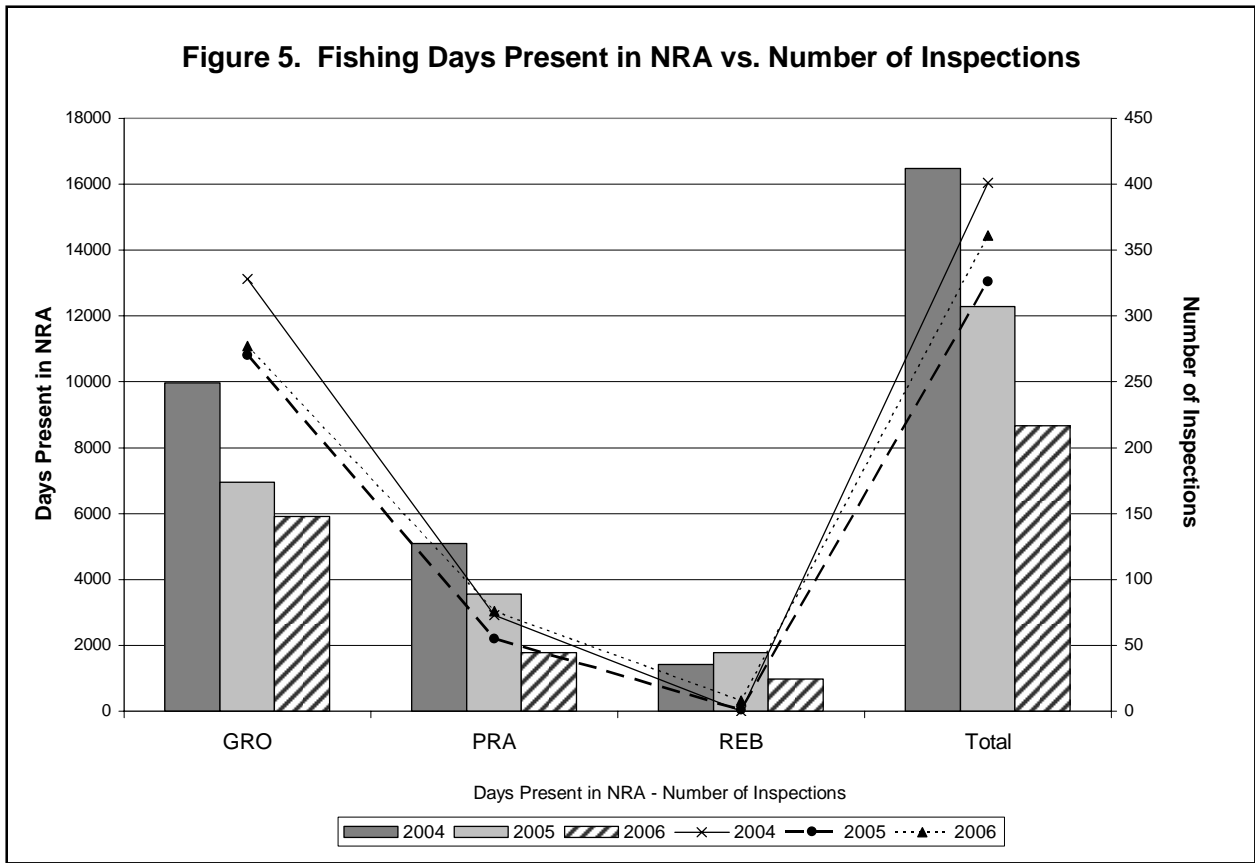


Table R-6. Resolution of Citation Cases (as of July 2007)

| Year | 2004 | 2005 | 2006 |
|----------------------------------|-------------|-------------|-------------|
| Number of Citation Cases Issued* | 24 | 26 | 29 |
| Number of Citation Cases Solved | 24 | 19 | 11 |

* Number of at-sea and port inspection reports with citations.
Reports serving to confirm previously reported AI incidents are not counted.

Table R-7A. Inspections/Days Present and Citations/Inspections (2004)

| 2004 | GRO | PRA | REB | Total |
|------------------------------|------------|------------|------------|--------------|
| Number of vessels | 63 | 33 | 48 | 134 |
| Days Present in NRA | 9966 | 5100 | 1414 | 16480 |
| Number of at-sea inspections | 328 | 73 | 0 | 401 |
| Total At-Sea Citations | 16 | 2 | 0 | 18 |
| Inspections/Days | 3.3% | 1.4% | 0.0% | 2.4% |
| Citations/Inspections | 4.9% | 2.7% | 0.0% | 4.5% |

Table R-7B. Inspections/Days Present and Citations/Inspections (2005)

| 2005 | GRO | PRA | REB | Total |
|------------------------------|------------|------------|------------|--------------|
| Number of vessels | 50 | 27 | 53 | 116 |
| Days Present in NRA | 6823 | 3558 | 1909 | 12290 |
| Number of at-sea inspections | 270 | 55 | 1 | 326 |
| Total At-Sea Citations | 24 | 7 | 0 | 31 |
| Inspections/Days | 4.0% | 1.5% | 0.1% | 2.7% |
| Citations/Inspections | 8.9% | 12.7% | 0.0% | 9.5% |

Table R-7C. Inspections/Days Present and Citations/Inspections (2006)

| 2006 | GRO | PRA | REB | Total |
|------------------------------|------------|------------|------------|--------------|
| Number of vessels | 45 | 21 | 42 | 92 |
| Days Present in NRA | 5908 | 1776 | 979 | 8663 |
| Number of at-sea inspections | 277 | 76 | 8 | 361 |
| Total At-Sea Citations | 14 | 6 | 2 | 22 |
| Inspections/Days | 4.7% | 4.3% | 0.8% | 4.2% |
| Citations/Inspections | 5.1% | 7.9% | 25.0% | 6.1% |

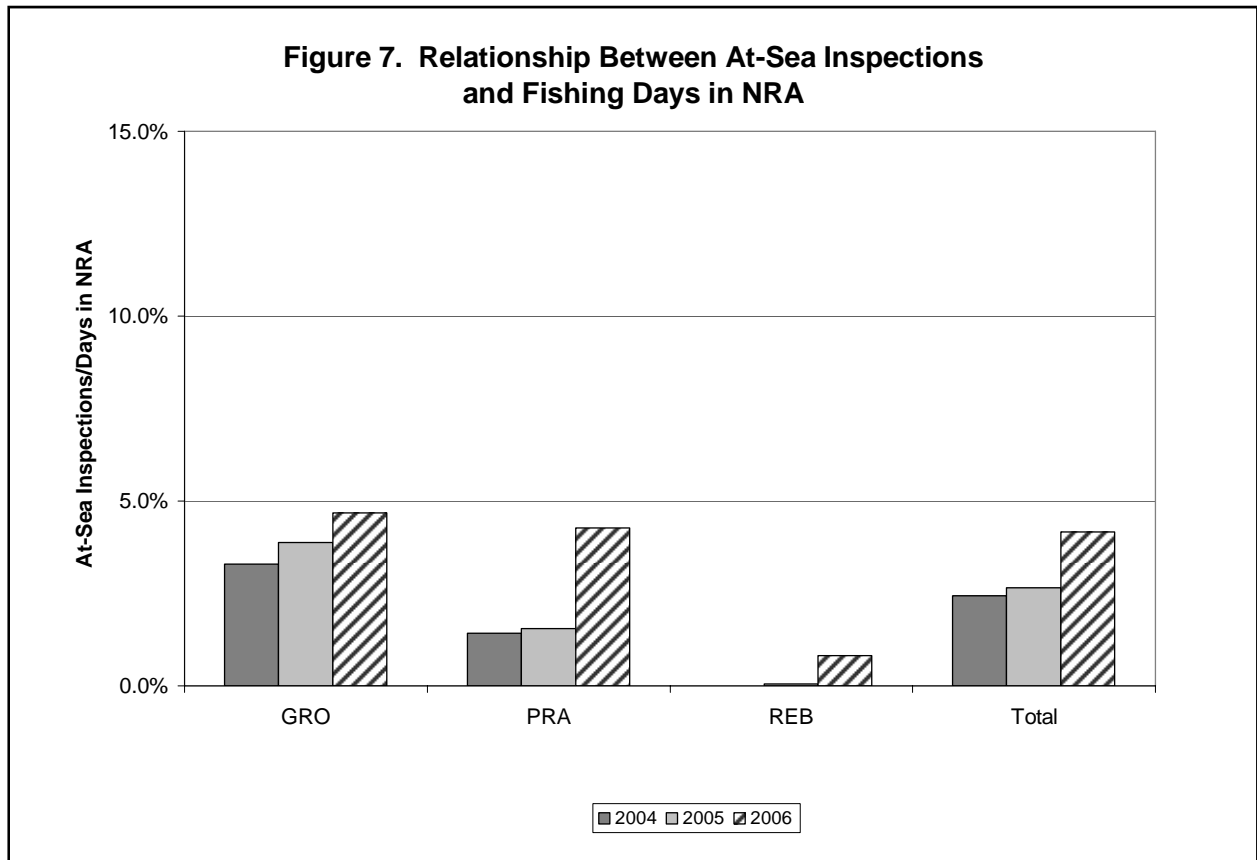
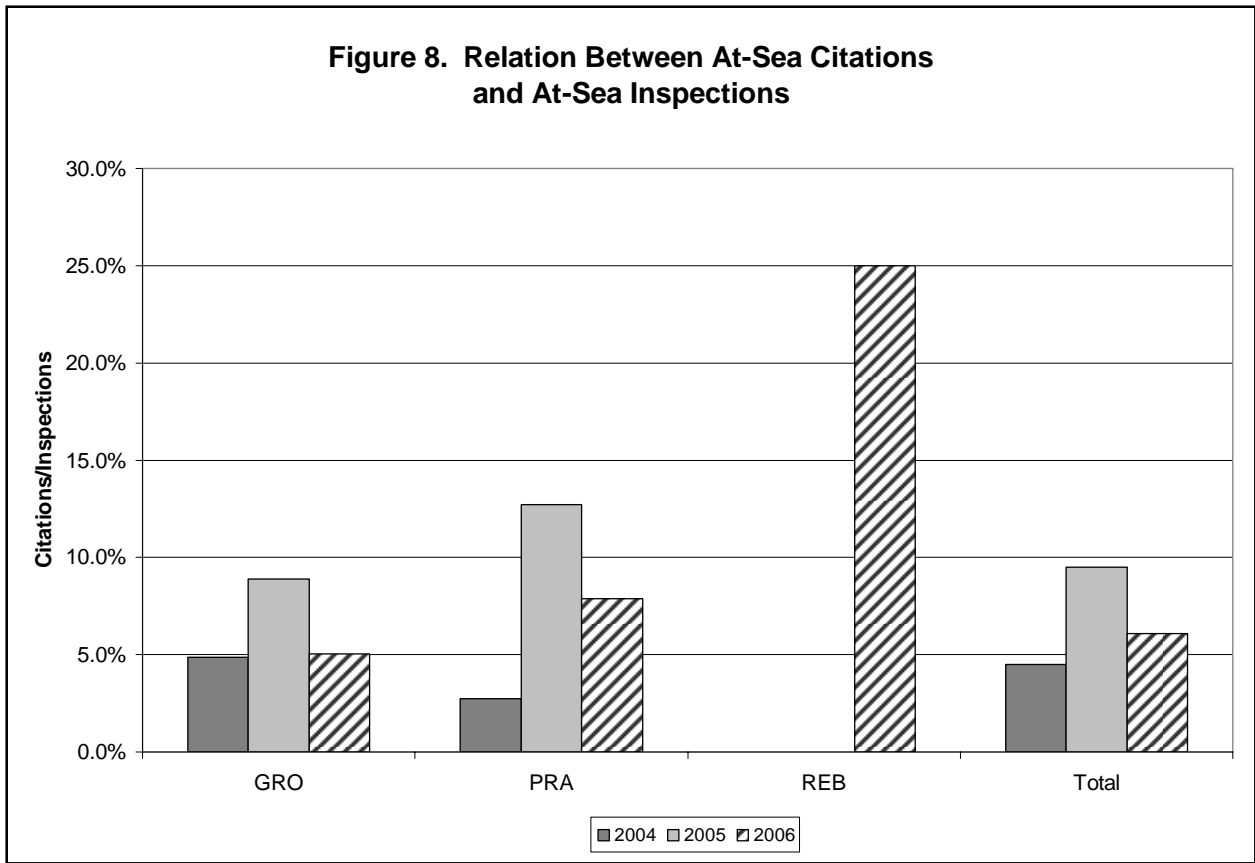


Figure 8. Relation Between At-Sea Citations and At-Sea Inspections



Annex 21. Boarding Ladders
(STACTIC WP 07/2 now FC Doc 07/10)

Background:

At the NAFO Inspectors Workshop held in Brussels during 25th to 27th January 2005, the inspectors expressed a need for a reinstatement of provisions concerning the construction and use of boarding ladders into the then present NAFO CEM (FC Doc. 04/1). Following the STACTIC meeting in Reykjavik in April 2005, Denmark (in respect of Greenland and Faeroe Islands) took the task of looking into this issue.

A proposal regarding boarding ladders (STACTIC W.P. 05/22) was tabled at the STACTIC annual meeting in Tallin, September 2005. The proposal was turned down as the mandate to effect these changes was questioned. Greenland has reconsidered the proposal and has found no legal implications. A similar proposal has been adopted by NEAFC in 2006 and is included as Annex 14 in NEAFC scheme of control and enforcement.

In the present CEM only one sentence describes boarding ladders:

Article 30 – Obligations of Vessel Masters During Inspection

1. The master of a fishing vessel shall:

- c) provide a boarding ladder which is in conformity with recommendations concerning pilot ladders adopted by the International Maritime Organisation*

In the International Maritime Organisation (IMO), Torremolinos protocol of 1993 the following recommendations are stated concerning pilot ladders:

Chapter VI - Protection of the crew

(7) Embarkation ladders

- (a) Handholds shall be provided to ensure a safe passage from the deck to the head of the ladder and vice versa.*
- (b) The steps of the ladder shall be:*
 - (i) made of hardwood, free from knots or other irregularities, smoothly machined and free from sharp edges and splinters, or of suitable material of equivalent properties;*
 - (ii) provided with an effective non-slip surface either by longitudinal grooving or by the application of an approved non-slip coating*
 - (iii) not less than 480 mm long, 115 mm wide and 25 mm in depth, excluding any non-slip surface or coating;*
 - (iv) equally spaced not less than 300 mm or more than 380 mm apart and secured in such a manner that they will remain horizontal.*
- (c) The side ropes of the ladder shall consist of two uncovered manila ropes not less than 65 mm in circumference on each side. Each rope shall be continuous with no joints below the top step. Other materials may be used provided the dimensions, breaking strain, weathering, stretching and gripping properties are at least equivalent to those manila rope. All rope ends shall be secured to prevent unravelling.*

The above-mentioned recommendations from the IMO are scarce compared to the provisions in the NAFO CEM (FC/DOC. 02/9). The IMO provisions have been designed with a near port boarding in mind, and are not intended for boarding vessels at high seas. The provisions in the IMO lack descriptions of ladder efficiency, purpose, maintenance, replacement of steps, batten requirements, gateway passage, lighting of ladder, lifebuoy, ladder placement and rigging supervision.

Provisions regarding mechanical pilot hoists are not included in the CEM. Since the usages of mechanical pilot hoists are becoming more frequent on larger vessels, Denmark (in respect of Greenland and the Faeroe Islands) believes that the CEM should include provisions regarding the usage of such a device. The European Maritime Pilots' Association (EMPA) has some recommendations concerning mechanical pilot hoists. Denmark (in respect of Greenland and the Faeroe Islands) therefore suggests that the CEM being amended accordingly.

Proposal:

To ensure safe boarding of the inspectors it would be most adequate if detailed provisions are reinstated in the CEM carried onboard the inspection vessels. Denmark (in respect of Greenland and the Faeroe Islands) suggests an amendment of the boarding ladder provisions stated in the CEM. It is recommended to incorporate the enclosed annex, an amended version of the boarding ladder provisions in the previous CEM. This will in addition necessitate an amendment of Article 30, paragraph 1 (c). Furthermore an implementation of provisions regarding mechanical pilot hoists will require an additional section (Article 30, 1. (d)). Following these recommendations Article 30 will be altered as following:

Article 30 – Obligations of Vessel Masters During Inspection

1. The master of a fishing vessel shall:

- c) provide a boarding ladder constructed and used as described in **Annex nn**.
- d) if a mechanical pilot hoist is provided, ensure that its ancillary equipment are of a type approved by the national administration. It shall be of such design and construction as to ensure that the pilot can be embarked and disembarked in a safe manner including a safe access from the hoist to the deck and vice versa. A pilot ladder complying with the provisions of paragraph 1.c of this article shall be kept on deck adjacent to the hoist and available for immediate use.

ANNEX nn**CONSTRUCTION AND USE OF BOARDING LADDERS**

1. A boarding ladder shall be provided which shall be efficient for the purpose of enabling inspectors to embark and disembark safely at sea. The boarding ladder shall be kept clean and in good order.
2. The ladder shall be positioned and secured so that:
 - (a) it is clear of any possible discharges from the vessel;
 - (b) it is clear of the finer lines and as far as practicable in the midlength of the vessel;
 - (c) each step rests firmly against the vessel's side.
3. The steps of the boarding ladder shall:
 - (a) be of hardwood or other material of equivalent properties, made in one piece free of knots; the four lowest steps may be made of rubber of sufficient strength and stiffness, or of other suitable material of equivalent characteristics;
 - (b) have an efficient non-slip surface;
 - (c) be not less than 480 mm long, 115 mm wide, and 23 mm in thickness, excluding any non-slip device or grooving;
 - (d) be equally spaced not less than 300 mm or more than 380 mm apart;
 - (e) be secured in such a manner that they will remain horizontal.
4. No boarding ladder shall have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder and any steps so secured shall be replaced, as soon as reasonably practicable, by steps secured in position by the method used in the original construction of the ladder. When any replacement step is secured to the side ropes of the boarding ladder by means of grooves in the side of the step, such grooves shall be in the longer sides of the steps.
5. The side ropes of the ladder shall consist of two uncovered manila or equivalent ropes not less than 60 mm in circumference on each side; each rope shall be left uncovered by any other material and be continuous with no joints below the top step; two main ropes, properly secured to the vessel and not less than 65 mm in circumference, and a safety line shall be kept at hand ready for use if required.
6. Battens made of hardwood, or other material of equivalent properties, in one piece, free of knots and between 1,8 and 2 m long, shall be provided at such intervals as will prevent the boarding ladder from twisting. The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed nine steps.
7. Means shall be provided to ensure safe and convenient passage for inspectors embarking on or disembarking from the vessel between the head of the boarding ladder or of any accommodation ladder or other appliance provided. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where such passage is by means of a bulwark ladder, such ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the vessel not less than 0,70 m or more than 0,80 m apart. Each stanchion shall be rigidly secured to the vessel's structure at or near its base and also at a higher point, shall be not less than 40 mm in diameter, and shall extend not less than 1,20 m above the top of the bulwark.
8. Lighting shall be provided at night so that both the boarding ladder overside and also the position where the inspector boards the vessel shall be adequately lit. A lifebuoy equipped with a self-igniting light shall be kept at hand ready for use. A heaving line shall be kept at hand ready for use if required.
9. Means shall be provided to enable the boarding ladder to be used on either side of the vessel. The inspector in charge may indicate which side he would like the boarding ladder to be positioned.
10. The rigging of the ladder and the embarkation and disembarkation of an inspector shall be supervised by a responsible officer of the vessel. The responsible officer shall be in radio contact with the bridge.
11. Where on any vessel constructional features such as rubbing bands would prevent the implementation of any of these provisions, special arrangements shall be made to ensure that inspectors are able to embark and disembark safely.

Annex 22. Definition of Transshipment
(STACTIC WP 07/3, Revised now FC Doc 07/11)

Background:

In 2006 the working group on the Reform of NAFO expressed a wish to define the concept of transshipment, but considered that this definition should appear in the NCEM and not in the Convention (Reform WG WP 06/16). STACTIC then determined that the definition should be incorporated into the NCEM. It was decided that, in the interest of harmonization, the NEAFC definition should be considered.

Proposal:

Denmark (in respect of Greenland and the Faeroe Islands) proposes an addition to the NAFO CEM Article 2 – Definitions regarding transshipment.

“Transshipment” means the transfer, over the side, of any quantity of fisheries resources or products thereof retained on board, from one fishing vessel to another.

Annex 23. Amendment to Annex XX (C) Product Form Codes
(STACTIC WP 07/19 now FC Doc 07/12)

In order to harmonize the Product Form Codes with NEAFC Product Form Code, it is proposed to revise Annex XX (C) of the Conservation and Enforcement Measures from:

| 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) |

to:

| 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 - Bone in - Frozen |
| G | Skinless Fillets - Boneless - Frozen |
| H | Skin on Fillets - Bone in - Frozen |
| I | Skin on Fillets - Boneless - Frozen |
| J | Salted Fish |
| K | Pickled Fish |
| L | Canned Products |
| M | Oil |
| N | Meal Produced from Round Fish |
| O | Meal Produced from Offal |
| P | Other (Specify) |

**Annex 24. Interim Measures to Prevent Significant Adverse Impacts on
Vulnerable Marine Ecosystems**

(FC WP 07/9, Revision 2 now FC Doc 07/18)

Background or Explanatory Memorandum

At the 2005 annual meeting, NAFO agreed to launch a process to modernize itself by incorporating and implementing modern fisheries management and conservation standards established by current international fisheries instruments, including the 1982 United Nations Convention on the Law of the Sea and the 1995 United Nations Fish Stocks Agreement.

As part of this process, the Fisheries Commission adopted a 2005 proposal (FC Doc. 05/7) for an ecosystem approach to fisheries (EAF) through interim measures which included a request to seek additional information on four seamounts located in the NAFO Regulatory Area.

In 2005, the United Nations (UN) Secretary-General published a report outlining actions taken by States and regional fisheries management organizations (RFMO) to address the impacts of fishing on vulnerable marine ecosystems in response to United Nations General Assembly (UNGA) Resolution 59/25.

At its 2006 Annual Meeting, NAFO adopted precautionary closure of four seamount areas based on the ecosystem approach to fisheries which included strict conditions under which exploratory fisheries could occur within these seamount areas.

Subsequent to the adoption of this measure, in its 2006 resolution, UNGA 61/105.

...83. Calls upon regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to adopt and implement measures, in accordance with the precautionary approach, ecosystem approaches and international law, for their respective regulatory areas as a matter of priority, but not later than 31 December 2008:

- (a) To assess, on the basis of the best available scientific information, whether individual bottom fishing activities would have significant adverse impacts on vulnerable marine ecosystems, and to ensure that if it is assessed that these activities would have significant adverse impacts, they are managed to prevent such impacts, or not authorized to proceed;
- (b) To identify vulnerable marine ecosystems and determine whether bottom fishing activities would cause significant adverse impacts to such ecosystems and the long-term sustainability of deep sea fish stocks, inter alia, by improving scientific research and data collection and sharing, and through new and exploratory fisheries;
- (c) In respect of areas where vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals, are known to occur or are likely to occur based on the best available scientific information, to close such areas to bottom fishing and ensure that such activities do not proceed unless conservation and management measures have been established to prevent significant adverse impacts on vulnerable marine ecosystems;
- (d) To require members of the regional fisheries management organizations or arrangements to require vessels flying their flag to cease bottom fishing activities in areas where, in the course of fishing operations, vulnerable marine ecosystems are encountered, and to report the encounter so that appropriate measures can be adopted in respect of the relevant site;.....

..84. Also calls upon regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to make the measures adopted pursuant to paragraph 83 of the present resolution publicly available;

.....91. Requests the Secretary-General, in cooperation with the Food and Agriculture Organization of the United Nations, to include in his report concerning fisheries to the General Assembly at its sixty-fourth session a section on the actions taken by States and regional fisheries management organizations and arrangements in response to

paragraphs 83 to 90 of the present resolution, and decides to conduct a further review of such actions at that session in 2009, with a view to further recommendations, where necessary;

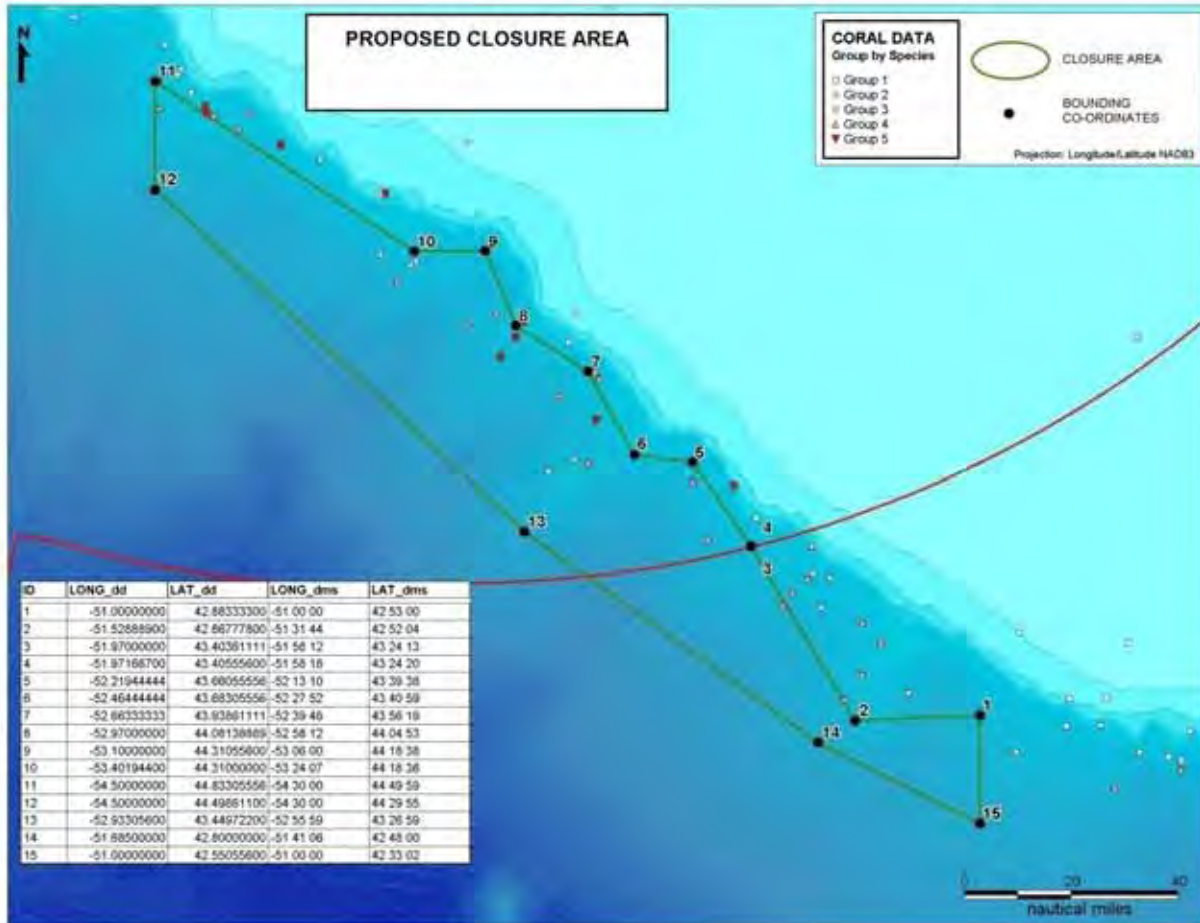
- Noting the commitment made by NAFO Members to implement an ecosystem approach to fisheries management as reflected in the 1995 United Nations Fish Stock Agreement, the 2001 Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem and the 2002 Johannesburg Declaration;
- Noting the commitment made by NAFO members to implement an ecosystem approach to fisheries management within NAFO, as reflected in the draft amended NAFO Convention;
- Noting the United Nations Resolution of November 22, 2006 on Sustainable Fisheries A/61/105 and in particular operational paragraph 83, calling upon Regional Fisheries Management Organizations to adopt and implement measures to address the impacts of bottom fisheries on vulnerable marine ecosystems;
- Conscious of the fact that the Security Council of the United Nations will report on such measures taken by States and Regional Fisheries Management Organizations in its report to the 2009 United Nations General Assembly;
- Conscious of the steps already taken by NAFO to address the impacts of fishing on seamounts found in the NAFO Regulatory Area (FC Doc 05/7 and 06/5);
- Noting the importance of taking precautionary steps to address the impacts of fishing on VME such as benthic habitats, communities and species in areas of the NAFO Regulatory Area; and
- Mindful of the ongoing collaborative efforts internationally at numerous specific scientific workshops and the existing and on-going efforts of ICES and the FAO regarding identification of VME and assessment of impacts affecting them, including the ongoing urgent work and intent of FAO to adopt technical guidelines on deep-sea fisheries on the high seas..

As part of a continuing commitment to implement UNGA Resolution A/61/105, it is proposed that NAFO adopt and implement interim measures to protect the deep sea area of the Regulatory Area and a establish coral protection zone in Division 3O.

Fisheries Commission recognizes the requirement to address precautionary action for non-fished waters in relation to protection of vulnerable marine ecosystems from significant adverse impact as well as the requirement for a full assessment process for current fishing in relation to vulnerable marine ecosystems. These matters will be on the agenda of a Special Intercessional Fisheries Commission Meeting to be held in Montreal, Canada in May 2008.

Coral Protection Zone

- As of January 1, 2008, and until December 31, 2012, the following area in Division 30 shall be closed to all fishing activity involving bottom contact gear. The closed area is defined by connecting the following coordinates (in numerical order and back to coordinate 1).



- Contracting Parties shall provide the Executive Secretary, in advance of the June 2009 Scientific Council meeting, all existing data from surveys and commercial fisheries that have taken place in this area. The Executive Secretary will forward this information to the Scientific Council for its review in determination of a data gathering program for corals.
- The measures referred to in this Article shall be reviewed in 2012 by the Fisheries Commission, based on the advice from the Scientific Council and a decision shall be taken on future management measures.
- Contracting Parties shall establish/incorporate a coral monitoring program into government and/or industry research programs.

**Annex 25. Ecology Action Centre (EAC) Statement to the NAFO Fisheries Commission
September 26, 2007**

Matthew Gianni, Political and policy advisor to the Deep Sea Conservation Coalition, of which the Ecology Action Centre, observer present here today, is a member. As many of you know, many DSCC member organizations were disappointed at the time with the outcome of the 2006 UN General Assembly (UN GA) resolution 61/105 in relation to high seas bottom fisheries and their impacts on vulnerable marine ecosystems. Nonetheless, after careful consideration, we have come to the conclusion that the resolution, if effectively implemented, could provide real protection to deep-sea ecosystems from the impact of unsustainable bottom fisheries. We have agreed that for the period of 2007-2008 we will work with flag States, RFMOS, and RFMO negotiating processes to fully and effectively implement the UN GA resolution.

We intend to actively participate in the Review process to be conducted by the UN GA in 2009. The agreement reached by UN GA in 2006 was the culmination of a multi year process of negotiation, extending back at least to 2004. All Contracting Parties to NAFO have committed to implement the UN GA agreement, in NAFO and other RFMO areas and areas under negotiation.

We are glad to see the leadership that Canada and the EU have shown in putting proposals forward here at the meeting this week to protect vulnerable marine ecosystems.

In our view, the EU proposal best and most fully reflects the provisions of the UN GA resolution, in particular its Part III in relation to closing areas where VMEs are known or likely to occur, unless assessments have been conducted and effective conservation measures are in place to prevent significant adverse impacts on VMEs. We also see strengths in the Canadian proposal, particularly in its Article 1 provisions in relation to conducting assessments and Article 4 provisions in relation to establishing a process through the Scientific Council through which to conduct assessments and develop criteria to identify VMEs.

The member organizations of the Deep Sea Conservation Coalition have a keen interest in the outcome of the NAFO meeting this week as a test of the commitment of the Contracting Parties to implement UN GA Resolution 61/105 and provide full and effective protection to deep-sea corals, sponges and other vulnerable marine ecosystems. .

(In the interests of time, we limited our verbal statement to the subject of VMEs, however, we intended to also make a statement on the US Elasmobranch proposal. The statement is below.)

We want to express our strong support for the proposal introduced by the US to prohibit the possession of porbeagle shark, in the NRA.

We are cognizant of the application for CITES listing of porbeagle sharks; the IUCN listing of the NW Atlantic population of porbeagles as endangered; the Canadian COSEWIC designation of porbeagles as endangered within Canadian waters and subsequent advice to list porbeagle on Schedule 1 of Canada's Species at Risk Act; and the NW Atlantic population assessment of 12% mature females as compared to 1960 estimates with a projected 100 year recovery time, to 1960 levels.

Recognizing that NAFO does not manage pelagic species, but in light of the incidences of bycatch of porbeagle in fisheries in the NRA, we see the US proposal as an important step towards reducing bycatch, increasing protection and supporting recovery of this species.

Thank you.

**Annex 26. Statements from WWF to the NAFO Fisheries Commission
September 26, 2007**

Vulnerable Marine Ecosystem Protection

WWF is encouraged by the direction of the respective proposals to assess the impacts of bottom fishing and protect Vulnerable Marine Ecosystems in the NAFO Regulatory Area.

In our view, three things need to happen this week:

First, NAFO must agree on a clear and rigorous process and strategy for meeting the requirements of Article 83 of the 2006 UNGA Resolution on Sustainable Fisheries.

Second, as a precautionary measure, we must immediately freeze the footprint of bottom fishing by closing all areas currently not being fished to all fishing – including exploratory fishing – until proper scientific impact assessments are complete and Vulnerable Marine Ecosystems have been identified and protected.

Finally, we must protect known coral concentrations on the southwest slope of the Grand Banks.

3NO Cod Recovery

North Atlantic cod recovery is a global priority for WWF. Members of our global network are actively working on this issue in Canadian and European waters, in addition to efforts within RFMOs such as NAFO.

Specific to 3NO cod, we are encouraged by the proposal to develop a recovery plan for this severely depleted stock. However, we are concerned about the apparent lack of consensus on the need for a recovery plan given the recent scientific advice and the potential economic value of a recovered 3NO cod stock. The advice from Scientific Council is clear: bycatch must be reduced for cod to have any chance of recovery. We urge the Fisheries Commission to commit to a comprehensive recovery plan that includes an immediate bycatch reduction target of 50% from 2006 levels. To take no action on this issue would be inconsistent with a reformed NAFO, international commitments, and the growing expectations from the marketplace.

Annex 27. Amendment to Article 3 of the NAFO CEM
(FC WP 07/25 now FC Doc 07/19)

Add to Article 3 of the NAFO Conservation and Enforcement Measures

6. Where no agreement can be reached by the Fisheries Commission on a NAFO managed stock, through either consensus or vote, the Fisheries Commission shall maintain the existing relative percentage quota shares for that stock, as reflected in Annex I. This shall be deemed to be a proposal of the Fisheries Commission pursuant to Articles XI and XII of the Convention for the succeeding calendar year.

PART II

Report of the Standing Committee on International Control (STACTIC)

**29th Annual Meeting, 24-28 September 2007
Lisbon, Portugal**

1. Opening of the Meeting (Chair: Mads Nedergaard, DFG)

The Chairman opened the meeting at 2:00pm at the Hotel Altis, Lisbon, Portugal and welcomed representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre-et-Miquelon), Iceland, Japan, Norway, Russia, the United States, Cuba and the NAFO Secretariat to the annual STACTIC meeting.

He noted the lengthy agenda, the work of Fisheries Commission and the need to focus on the completion of a compliance report, as well as the comments made at the Fisheries Commission concerning the importance of the port state controls paper.

No opening statements were made.

2. Appointment of Rapporteur

Mr. Brent Napier (Canada) was appointed rapporteur.

3. Adoption of Agenda

The Chair introduced the agenda and opened the floor to comments.

Mindful of the lengthy agenda, Canada noted that, as a result of Fisheries Commission and/or bilateral discussions, there may be a requirement to table new proposals that fit within the scope of agenda item 7.

The agenda, as attached, was adopted. (Annex 1).

4. Compliance review 2005 and 2006 including review of reports of apparent infringements

The Chair introduced the item and reminded representatives that a working group, made up of participants from Canada, the EU, Denmark (in respect of the Faroe Islands and Greenland), and France (in respect of St. Pierre-et-Miquelon) with the support of the NAFO Secretariat, had been established to review the compliance data tables and develop recommendations to be presented to STACTIC at the annual meeting in 2007. The Chair called upon the representative of Canada to provide a synopsis of the Working Group meeting that took place in Copenhagen July 23-24, 2007.

The representative of Canada introduced STACTIC Working Paper 07/21 and provided a summary of the Working Group's terms of reference, process and suggested table-by-table configurations. He described the group's overarching objective of developing tables that would facilitate STACTIC's compliance evaluation through the reduction of existing redundancies and more concise trend analysis. The representative of Canada explained that, for clarity, two table types were designated: Compilation Tables (C-tables) that were of a confidential nature and provided only to individual Contracting Parties for their respective information and follow-up and Report Tables (R-tables) that would provide STACTIC with the basis for the Compliance Review.

Representatives from Canada, the United States and Denmark (in respect of the Faroe Islands and Greenland) drafted and presented a compliance assessment.

The representative of the EU indicated that other elements that should be considered include: differentiating between serious and other citations and comments on the effectiveness of port and at-sea inspection in relation to the number of serious infringements detected and a cost-benefit analysis of at-sea and port inspections.

The representative of Canada acknowledged comments of the EU representative but noted that the purpose of the compliance review is to evaluate the level of compliance in the NRA, not to do a cost-benefit analysis of the various enforcement tools. In addition, the representative of Canada highlighted the fact that at-sea inspections provide valuable information as part of a process that makes port inspections more effective. As an example he indicated that at-sea inspections may raise suspicions about possible infringements that can then be fully investigated when the vessel arrives in port.

The representative of Canada emphasized that this should be regarded as only a starting point and that STACTIC should strive to go beyond simple data compilation, by building on the process in future meetings, to allow for improved identification of compliance issues within the NAFO Regulatory Area (NRA). As an example, the representative of Canada pointed to the recent Scientific Council Report which detailed signification allocation overruns averaging 25% for the last three years on Greenland halibut stocks and indicated that STACTIC would be remiss if issues such as this were not covered and addressed in the compliance assessment process.

The representative of the EU indicated the Scientific Council's comment on quota overruns of Greenland halibut is not relevant to this assessment. He stated that the inclusion of scientific estimates of Greenland halibut catches was not appropriate for consideration as an assessment indicator because it was difficult to quantify the use of scientific data in this regard. Furthermore the inclusion of scientific data in the compliance review could compromise the relationship between scientists and fishermen.

The representative of Canada disagreed and indicated that STACTIC would not be fulfilling its mandate if it did not comment on information related to significant threats to NAFO regulated species, specifically Greenland halibut. Furthermore, the representative of Canada indicated that the Scientific Council had provided this information without prompting, effectively putting the onus on STACTIC to address this issue of concern or risk being negligent in its duties. The representative of the EU indicated that he could not accept the inclusion of this element for reasons cited during the discussion.

After some discussion it was agreed that the compliance assessment report would not address the Greenland halibut issue, and that Canada's concerns on this issue would be reflected in the minutes of the meeting.

It was agreed to adopt and submit the compliance assessment report to the Fisheries Commission (STACTIC Working Paper 07/33).

5. Review of STACFAC's former mandate with regards to STACTIC's new role and responsibilities

The Chair opened the agenda item and asked the representative of the United States to provide an outline of STACTIC Working Paper 07/27.

In order to establish general Rules of Procedure that would allow for possible future inclusion of IUU lists from other RFMO's, the representative of the United States amended the proposal and tabled STACTIC Working Paper 07/27 (revised).

It was agreed to submit the proposal to the Fisheries Commission for adoption (STACTIC Working Paper 07/27 (revised)).

6. Review of current IUU list pursuant to NAFO CEM Article 49.3

The Chair opened this agenda item and indicated that a review of NAFO's updated IUU list, found in STACTIC Working Paper 07/28, was required. The Chair asked the NAFO Secretariat to provide a quick summary of the updated table. The NAFO Secretariat indicated that only one vessel had been added to the list since STACTIC's intersessional meeting in June and pointed out that a vessel on the IUU list had changed name, ownership and call-sign had become flagged to Cuba.

The representative of Cuba was advised that it would be necessary to make the appropriate representation with NEAFC's Permanent Committee on Control and Enforcement (PECCOE), in advance of its meeting in October, to explore the possibility of having the vessel removed from the NEAFC IUU list.

The Chair concluded that the vessel would remain on the NAFO IUU list until it made the appropriate representations at NEAFC and would not be authorized to fish in the NRA until it was removed from NEAFC's/NAFO IUU lists.

The representative of Norway introduced STACTIC Working Paper 07/29 and explained that the proposal calls for the broadening of the scope of the NAFO IUU provisions by amending Article 49 paragraphs 6 and 8 through the incorporation of IUU blacklists from two other Atlantic RFMO's: the Commission for the Conservation of Antarctic Marine Resources (CCAMLR) and the South East Atlantic Fisheries Organization (SEAFO) in the same fashion, and with the same objective, as the NEAFC blacklist. The representative of Norway noted that the current IUU blacklists are having the desired impact on IUU activity, however the global nature of this issue requires a more global solution as IUU vessels are apt to change jurisdiction when blacklisted in a specific RFO. He stated that the tuna RFMO's were not included as they were currently involved in a similar IUU blacklist sharing initiative.

The representative of the United States expressed concern that the proposal may go beyond what the NAFO Convention and Rules of Procedure would allow. The representative of Norway cited sections in Article 19 and Article 2 of the Convention that appear to allow for this expansion in scope of the NAFO IUU list, but was open to further discussion on the issue.

The representative of Norway concluded that, on the basis of the comments and discussion with other Contracting Parties, Norway will defer the part of the proposal concerning the amendment of Article 49 paragraph 8 pending the conclusion of the NAFO Convention reform and the additional information that would be gained by attending upcoming meetings of SEAFO and CCAMLR. The representative of Norway however, indicated that, in order to facilitate the use of NAFO's IUU list by other RFMO's, the proposed changes to Article 49.6 should be dealt with separately. At the suggestion of the Chair, Norway submitted STACTIC Working Paper 07/29 (revised), which proposes to amend only Article 49.6, and STACTIC Working Paper 07/32 which proposes to take up the proposed amendment to Article 49.8 at the annual STACTIC meeting in 2008.

It was agreed to submit STACTIC Working Paper 07/29 (revised) to Fisheries Commission for adoption.

It was agreed to consider STACTIC Working Paper 07/32 at the annual meeting in 2008.

7. Possible Amendments of Conservation and Enforcement Measures

i. Product labelling by species/stock area

The Chair reminded representatives that, after some discussion, there was general agreement on STACTIC WP 07/13 at the June intersessional in Poland.

The representative of the EU indicated that there was a minor editorial inconsistency in the current proposal and tabled STACTIC WP 07/13 (revised). The representative of Canada supported the revised working paper and reminded representatives of the agreement, forged at the intersessional meeting in Gdynia, to evaluate these measures one year from the date that the measures come into effect. The representative of the EU acknowledged the agreed upon evaluation and reminded delegates that the measures would not take effect until July 1, 2008.

The representative of the EU was pleased to note that there were no objections to the proposal, however indicated that internal EU discussion had prompted the need for further review of STACTIC WP 07/13 (revised).

The Chair noted that this subject could be revisited at a later date.

ii. Strengthening ropes, bags, topside chafers

The Chair re-introduced STACTIC WP 07/11 and recalled that representatives generally support the proposal, however indicated that the representative of the EU had requested time to consult with domestic industry.

The representative of the EU provided an update, advising that the EU had consulted with industry and that of the three types of topside chafers identified in Annex XV of the NAFO Conservation and Enforcement Measures (NCEM's): ICNAF-type, multiple flap-type and large-mesh (modified polish-type), domestic industry had advised that only the large-mesh type was potentially detrimental to conservation and could support its removal from the list of authorized topside chafers. He explained that the large-mesh type was not in compliance with the general rule and should therefore be eliminated. As for the other types of chafer described in Annex XV he considered that a cautious approach should be taken. The representative of the EU indicated that, in any event, the NCEM's already provided language prohibiting the obstruction of the net and that it could not support a general prohibition.

The representative of Canada responded that, in Canada's view, the other types can also be detrimental to the conservation of fish stocks and should therefore be banned. He pointed out that the information provided by some Contracting Parties indicated that these types of net attachments had been banned in their respective domestic regulations.

The Chair noted that there was no resolution on this issue and indicated that this item could be revisited at a later date.

iii. Notification and catch reporting requirements in 3L and 3M shrimp fisheries

The Chair opened the agenda item and called for Iceland to discuss STACTIC Working Paper 07/24. The representative of Iceland explained the background, provided a comprehensive summary of the proposed solution and indicated that the solution would require only inclusion of the Catch report as all of its data elements already existed in the current system. The reporting procedures would also open the possibility of regular catch reporting using the same report template.

The representative of the EU questioned the usefulness of providing (24) hour notification to the NAFO Secretariat as this did not generate any follow-up action. It is an obligation under Article 12.2 for flag-State Contracting Parties to ensure that only one vessel could fish for shrimp in 3L at any one time. Against this background he suggested that the prior notification to the NAFO Secretariat be deleted.

It was agreed that a clear reporting requirement be established for vessels entering and leaving Division 3L with a realistic prior notification period of (1) hour.

It was agreed that the proposal be submitted to the Fisheries Commission for adoption (STACTIC Working Paper 07/24 (revised)).

iv. Accurate catch reporting

a. Automated COE/COX comparison between NAFO and NEAFC reports

The representative of Iceland introduced STACTIC Working Paper 07/25 and provided a brief narration of the background and content. The representative of Iceland offered that, under the current system, the automatic COE/COX comparison discussed in the proposal would not be possible due in large part to data quality issues. Therefore an intermediate solution to notify flag-State FMC's of missing reports would be needed. The Chair thanked Iceland for the work on this proposal and stressed the need to address the data quality issue. The representative of the EU echoed these sentiments, however voiced concerns over the workload this would create for the NAFO Secretariat as, at present, the COE/COX reports still had to be dealt with manually. The representative of Iceland indicated that the proposed solution would be fully automated and manual intervention should be minimal. The representative of Canada expressed gratitude for the effort and indicated that NAFO should be moving towards the eventual use of automated reports.

The representative of Iceland added that the issue of data integrity should be looked at in conjunction with the compliance report to shorten the process and make the assessment more accurate. The Chair agreed that the issue of data integrity was essential to address and acknowledge that the quality of data in both NAFO and NEAFC required improvement before proceeding on this initiative. The representative of Iceland agreed but indicated that data integrity improvement is a priority that should be addressed in the short-

term. The NAFO Secretariat added that, with the shift to a new service provider in 2008, it may be possible to better control the data management process and address some of the integrity issues.

The Chair observed that this issue was worth further discussion and electronic log books and reporting should be a future objective. The Chair noted that this subject could be revisited at a later date.

b. Stowage plan requirements

The Chair requested that Canada report on its intentions in relation to STACTIC WP 07/16. The representative of Canada indicated that he would not be re-tabling the proposal at this time as there appeared to be little support from other representatives. The representative of Canada added that based on the interpretation of other Contracting Parties, that indicated in cases where stowage plans did not meet the basic requirement outlined in the NCEM's a citation should be issued, Canada has decided to proceed along those lines when enforcing the measures in the NRA.

The representative of the EU reiterated that it would not be feasible to implement the measures as proposed by Canada given the volume of catch that would need to be recorded. The representative of the EU explained that stowage plans (he circulated an example of an acceptable stowage plan) allowed inspectors to gauge the potential for non-compliance and flag suspect vessels for validation during port inspections.

The representative of Norway observed that if masters operating in the NRA are having difficulties adhering to the current measures, complicating them could create even more difficulties.

The representative of Japan expressed concern that these proposals could be much more complicated than current measures.

The Chair remarked that discussions on this item had concluded and that no further action would be taken at this time.

c. Record of start/end coordinates for fishing activity

The Chair introduced the agenda item and recalled that representatives were asked to submit log book examples to facilitate discussion on STACTIC WP 07/18 and, to date, only Iceland and Russia had submitted log books examples. The Chair called upon other Contracting Parties to submit the requested documents. He went on to indicate that both of the examples submitted did in fact call for the provision of start and end coordinates.

The representative of Canada stated that Canada was interested in advancing this issue and would be open to text changes to its proposal that would allow for things to move forward.

The Chair added that start/end coordinates would be welcomed by Scientific Council to allow for analysis of fishing effort and patterns.

The representative of Norway indicated that, at present, the information on start/end coordinates was included in Norwegian log books but might be taken out when Norway moved to electronic log books.

The representative from Russia, Denmark (in respect of the Faroe Islands and Greenland) and Iceland all voiced support for the initiative and indicated that this information was already being collected in their respective log books.

The representative of the EU stated that the elements of the proposal needed further reflection as regard to linkages to other NCEM articles, in particular, concerning the implications of the by-catch requirements in Article 9 for fixed-gear fisheries.

The Chair noted that this subject could be revisited at a later date.

d. Consistency of Catch Reporting

The representative of Canada presented STACTIC Working Paper 07/31 and explained the proposed changes under Article 21 were intended to remove ambiguity and potential misinterpretation of the current requirement and ensure that important information on both catch and effort days for 3M shrimp was provided to the NAFO Secretariat by Contracting Parties. The representative of Norway supported the proposal and indicated that there was currently some mis-interpretation by some Contracting Parties that could be addressed by this proposal.

It was agreed that the language in the existing text was sufficient and that Contracting Parties must report both catch AND effort days for 3M shrimp.

It was agreed that the NAFO Secretariat be instructed to follow-up with a letter to Contracting Parties clarifying this interpretation.

v. Clarification regarding Article 15.2 on Chartering Arrangements

The representative of the EU presented STACTIC Working Paper 07/30 and detailed how the revision would afford a reasonable degree of flexibility to vessels engaged in chartering arrangements that wished to suspend and recommence activity within the same year. The representative of France (in respect of St. Pierre-et-Miquelon) supported the EU proposal.

It was agreed to revise the text to specify that the cumulative time of the charter period could not to exceed (6) months.

It was agreed to submit the proposal to the Fisheries Commission for adoption (STACTIC Working Paper 07/30 (revised)).

vi. Vessel monitoring system (Article 22.1)

The Chair asked the representative of Canada to re-present STACTIC Working Paper 07/10 and to elaborate on the objective. The representative of Canada indicated that the proposal remained unchanged from that provided at the June intersessional, however noted the Scientific Council report of June 21, 2007 which included a recommendation for shorter intervals than 2 hours for VMS reports.

The representative of Japan, who had asked for time to consult on this issue during the June intersessional in Gdynia, reported that although this change would have minor cost implications, it was an important proposal that warranted support.

The representative of the EU again questioned the rationale for this change in VMS reporting intervals and questioned whether an impact assessment had been conducted. The representative of the EU went on to describe how, in the EU inspection context the benefits of this change would not justify the additional cost.

The representative of Iceland supported the proposal and indicated that this was already in effect with Icelandic vessels and a requirement in bilateral agreements. Secondly, this would make the automatic entry an exit reports more accurate. The representative of Denmark (in respect of the Faroe Islands and Greenland) echoed these views and indicated that, domestically, this was a useful compliance tool. The representative of Russia voiced support for the concept but indicated that he would not wish this to impact Contracting Party contributions to NAFO. The representative of the United States supported the proposal and indicated that this was already the practice in the United States and that some fisheries even had shorter intervals than (1) hour. The representatives of Norway and France (in respect of St. Pierre-et-Miquelon) also supported this initiative.

The representative of the EU voiced concern that hourly VMS reporting was already provided for under NCEM Article 52 and that this could be seen as an added control that affects the balance between vessels operating with and without observers. The representative of Russia reiterate concerns regarding the potential increase in contribution cost to Contracting Parties and indicated that to better harmonize with NEAFC the VMS reporting interval should

remain at (2) hours. The representative of Iceland support the Russian representative's point on harmonization but indicated that perhaps it would be better if NEAFC would harmonize with NAFO on (1) hour VMS reporting intervals.

The Chair noted that this subject could be revisited at a later date.

vii. Port state measures

The representative of Norway introduced STACTIC WP 07/1(revised) and acknowledged that there was much work to do on this initiative. He hoped that progress could be made at the annual meeting and agreement could be reach at STACTIC on the (4) basic principles of port state measures: notification (master to enter port), confirmation (flag-State confirms legitimacy of catch), authorization (by port-State to land catch) and transparency of process (dissemination of related forms/data by NAFO Secretariat).

The representative of the EU praised Norway for advancing the issue of port state measures and indicated that the work in this regard was important for the eventual integration of port state measures within NAFO's NCEM's. The representative of the EU noted that the scope section of the proposal required clarification. He also commented on the need to examine the text as it relates to domestic vessels, as the borrowed text from NEAFC's was intended to only deal with foreign Contracting Parties and some inconsistencies were evident.

The representative of the EU highlighted some other inconsistencies related to references to NCEM Articles, such as Article 33, which was intended only to deal with activity in the NRA and NCEM Articles related to the Non-Contracting Party (NCP) schemes which did not apply to Contracting Party vessels. The representative of Norway indicated that references to Article 33 were in place to avoid having to duplicate the list but that Norway was open to editorial changes that would address this and other references of concern. Another concern voiced by the representative of the EU was the requirement for 100% inspection of vessels landing NRA fish or fish products. The concern was that one of the rationales for the adoption of the port state measures was to allow for a reduction in port inspections, as was the case in NEAFC, effectively reducing resource constraints while still maintaining effective controls.

The representative of the United States commended Norway for its efforts in this regard and indicated that the United States welcomed the opportunity to work with other Contracting Parties to advance this issue at NAFO. Echoing the EU's opinion that this was a positive step forward the representative of the United States expressed concerns over the clarity of the scope and questioned why NCP issues were not addressed. The representative of Norway indicated that NCP scheme was not addressed to avoid complications at this early stage.

The representative of Canada thanked Norway for this excellent discussion paper and the opportunity to collaborate on this important issue. The representative of Canada expressed hope that, at a minimum, agreement could be reached on the (4) basic principles outlined by Norway, as this would allow for the advancement of this issue. The representative of Canada pointed out that the scope of the Norwegian proposal, specifically 100% port inspections for vessels that fished in the NRA, is the same as the current requirement under the NCEM's. He stated that Canada would be unable to support any reduction to this requirement at this time. He also suggested that STACTIC should re-consider, at future meetings, proposals that had been made in the past related to standardized port inspection protocols and methodologies.

The representative of Russia shared the feelings of gratitude conveyed by others but remarked that Russia shared some of the concerns flagged by Canada and the United States.

The representative of Iceland again welcomed Norway's proposal but cautioned that the incorporation of the new measures must be done carefully given the number of changes required within the NCEM's. The representative of Iceland also agreed with the general principles outlined by Norway and shared the EU's view that port inspections could be reduced from the proposed 100% threshold. With the view to further advancing this important initiative, the representative of Iceland suggest the creation of a Working Group to work on the text with the view to allowing STACTIC to proceed with this issue at its next meeting.

The representative of Denmark (in respect of the Faroe Islands and Greenland) applauded Norway's work on this initiative and indicated that she had no objections to the principles but recognized that some work remained on specific issues.

The representative of Japan thanked Norway but reiterated the point he had made during the intersessional in Gdynia that the required (3) day notification period identified in Article 42 of the proposal would be difficult for Japan to comply with and indicated that provisions found in the former version, that allowed Contracting Parties to make provisions for other notification periods, had been altered to eliminate this desirable option and now only provided this flexibility to port State Contracting Party.

The representative of the EU suggested that trying to retro-fit measures intended to meet other objectives may not be the way to proceed and that perhaps the development of port state measures in a NAFO context should begin by defining clear objectives, then developing a scheme to address them. The Chair reflected that there were already port state measures incorporated within the existing NCEM's, so there is no pressing urgency to adopt something immediately, however elaborated that many Contracting Parties in NAFO were also members of NEAFC and having a port state measures scheme in NAFO that was aligned with the NEAFC scheme would be desirable. The representative of the EU shared that the success of the NEAFC scheme was that the scope was specific enough to allow for broader measures. The representative of Russian disagreed with the EU opinion and noted that the NEAFC scheme had expanded beyond its original scope.

Given the magnitude of the task at hand, the representative of Norway suggested that a specific intersessional meeting of STACTIC should be convened to allow work on this issue to progress. Representatives of Canada, the United States and the EU agreed that this was required but recommended that exclusive time be allocated at the next intersessional, in lieu of having two intersessionals. The representative of Norway supported this approach and agreed to prepare a revised proposal that would incorporate comments provided during the discussion.

It was agreed that the next STACTIC intersessional should focus primarily on this matter.

viii. Electronic reporting, satellite tracking and observers

The representative of Canada informed representatives that STACTIC WP 07/17 (revised) was developed on the basis of comments/discussion that took place on this issue during the June intersessional in Gdynia. The changes were suggested as a means of updating the NCEM's to reflect the transition of the provisions found in chapter VII from pilot project to permanent measures.

It was agreed to submit STACTIC Working Paper 07/17 (revised) to Fisheries Commission for adoption.

ix. Clarification of Article 10.1(e) and Annex I.A

The representative of Russia introduced STACTIC Working Paper 07/26 and explained that the proposal called for the reference to *Sebastes Mentella* in Article 10.1(e) to be stricken from the text to provide for consistency within the NCEM's.

The representative of the EU questioned whether the words "oceanic" and "pelagic" should also be deleted.

The Chair clarified that the desire to harmonize with NEAFC accounted for the need to differentiate in the current NCEM's. The representative of Norway added that previously the gear requirements called for 130mm mesh for redfish, however the desire to harmonize with NEAFC prompted the existing text.

The representative of the United States voiced concerns over the ability to enforce different gear types for the different redfish stocks.

The representative of the EU, Canada and the United States sought further clarification on issues of stock, gear and proper species codes. The representative of Iceland suggested that the only required change was to the addition of the species code "REB" in the annual quota table as the other elements are accurate as defined in the current text.

The representative of the EU suggested that a revised working paper, that included an amended quota table, be drafted for consideration by STACTIC. The representative of Russia agreed to return to the next STACTIC intersessional with a revised working paper.

This issue was deferred to the next STACTIC intersessional.

x. Port Inspection Report

The representative of the EU introduced STACTIC WP 07/14 (revised) and explained that the rationale for the proposal was to have important information regarding infringements, not presently on the form, included. The representative of the EU elaborated that a field was also provided for domestic infringements to alleviate the need for a second report. The representative of Iceland questioned the NAFO Secretariat about whether this report could be produced in an electronic format and received an affirmative reply.

It was agreed to submit STACTIC Working Paper 07/14 (revised) to Fisheries Commission for adoption.

8. Other Matters

i. Coral Protection

The Chair requested clarification on this agenda item that had been suggested by Canada. The representative of Canada informed the Chair that it was Canada's original intention to table an information paper on this subject but that a decision had been made to address this issue at the Fisheries Commission instead.

ii. Information regarding the 2008 Intersessional CWP Meeting

The NAFO Secretariat informed STACTIC representatives that the next FAO intersessional Coordination Working Party (CWP) meeting would be hosted by NAFO in 2008 in Dartmouth, Nova Scotia, Canada. STACTIC was informed that the meeting would address in detail the subject of VMS data and their scientific uses.

The representative of Iceland added that a related questionnaire had been circulated by the FAO on domestic VMS processes and encouraged those who had not yet submitted responses to do so in order to facilitate work in this area.

iii. Time and place of the next STACTIC meeting

The representative of Denmark (in respect of the Faroe Islands and Greenland) graciously agreed to host the next STACTIC intersessional meeting in Nuuk, Greenland, time and venue to be determined.

9. Adoption of Report

The report was adopted by the representatives.

10. Adjournment

The meeting adjourned at 2:35pm on Thursday, September 27, 2007.

Annex 1. Agenda

1. Opening by the Chair, Mads Nedergaard (DFG)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compliance review 2005 and 2006 including review of reports of apparent infringements
5. Review of STACFAC's former mandate with regards to STACTIC's new role and responsibilities
6. Review of current IUU list pursuant to NAFO CEM Article 49.3
7. Possible Amendments of Conservation and Enforcement Measures
 - i. Product labeling by species/stock area
 - ii. strengthening ropes, bags, topside chafers
 - iii. notification and catch reporting requirements in 3L and 3M shrimp fisheries
 - iv. accurate catch reporting
 - a. Automated COE/COX comparison between NAFO and NEAFC reports
 - b. Stowage plan requirements
 - c. Record of start/end coordinates for fishing activity
 - d. Consistency of catch reporting (e.g. provisional catch reports, log books and trip reports)
 - v. Clarification regarding Article 15.2 on chartering arrangements
 - vi. Vessel monitoring system (Article 22.1)
 - vii. Port state measures
 - viii. Electronic reporting, satellite tracking and observers
 - ix. Clarification of Article 10.1(e) and Annex I.A
 - x. Port Inspection Report
8. Other matters
 - i. Coral Protection
 - ii. Information regarding the 2008 Intersessional CWP Meeting
 - iii. Time and Place of the Next STACTIC Meeting
9. Adoption of Report
10. Adjournment

SECTION III
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Intersessional Meeting
30 April – 07 May 2008
Montreal, Quebec, Canada**

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Report of the Fisheries Commission Intersessional Meeting

(FC Doc. 08/4)

30 April – 07 May 2008

Montreal, Canada

1. Opening by FC Chair, Vladimir Shibanov

The meeting was opened by the Chair, Vladimir Shibanov (Russia) on Wednesday, 30 April 2008. Representatives from all Contracting Parties except Republic of Korea were present. (Annex 1)

2. Election of FC Chair

Vladimir Shibanov (Russia) was re-elected as the Chair of the Fisheries Commission for another term.

3. Appointment of Rapporteur

Ricardo Federizon (Secretariat) was appointed rapporteur.

4. Adoption of Agenda

The agenda as previously circulated was adopted. (Annex 2)

5. Admission of Observers

The Executive Secretary apprised the body of the admission of observers following the Fisheries Commission Rules of Procedure. The South-East Atlantic Fisheries Organisation (SEAFO) was represented by the European Union (EU), the North Atlantic Marine Mammal Commission (NAMMCO) was represented by Norway and the North East Atlantic Fisheries Commission (NEAFC) by Denmark (in respect of Faroe Islands and Greenland). Representatives of the Ecology Action Centre (EAC), the Sierra Club of Canada (SCC), and the World Wildlife Fund–Canada (WWF) were also present as Observers.

Part I – On 3L and 3M Shrimps (agenda item 6 – 11, 30 April – 02 May)

6. Introductory Remarks

Canada made an opening statement welcoming the delegates (Annex 3), which was followed by introductory remarks from Denmark (in respect of the Faroe Islands and Greenland) (Annex 4), EU and Russia.

7. Review of SC information and recommendations

Don Power (SC Chair) presented the scientific advice from the SC which conducted a scientific evaluation on the shrimp stocks of Divs. 3LNO and 3M during 24 October – 1 November 2007. Details of the advice and recommendations can be found in Part C, Section 4 of the 2007 Scientific Council Reports. The highlights are as follows:

On 3LNO shrimp,

- Biomass: Significant increase in the index of total biomass between 1995 and 2001 followed by stability at a high level. Both spring and autumn indices of female biomass (SSB) have been increasing since 1999.
- Recruitment: Autumn survey data indicated that the 2003 year-class was average while the 2004 year-class was the highest in that time series. Spring indices suggest the 2002 and 2003 year-classes were below average and 2004 and 2005 year-classes were the highest in that series.
- Exploitation rate: The index of exploitation has remained below 14%.
- State of the Stock: Total biomass indices have been stable at a high level since 2001. The female biomass (SSB) indices have been increasing since 1999. The stock appears to be well represented by a broad range of size groups; the stock biomass index has not declined at the observed levels of exploitation. The above average recruitment in 2004 is expected to be present in the fishery during 2007 and that from 2005 is expected to enter the fishery in 2008.
- Recommendation: The Scientific Council advises that the most recently implemented TAC at 25 000 t be maintained for 2008 and 2009 in order to monitor the impact on the stock. The inverse variance weighted

average fishable biomass from the last four surveys is 184 000 t. A catch of 25 000 t would result in a value of the exploitation index of 13.6%. Scientific Council recommends continuation of the existing regulations that the fishery be restricted to Div. 3L and the use of a mandatory sorting grate with a maximum bar spacing of 22 mm.

On 3M shrimp,

- Commercial CPUE Indices: for both biomass and female biomass showed increasing trends from 1996 to 2007.
- Biomass: RV Index of female biomass increased from 1997 to 1998 and has since fluctuated without trend.
- Recruitment: 2002 year-class appears large, but the 2003-2005 year-classes appear weak.
- Exploitation rate: Relative exploitation rate has been decreasing since 2003 (mostly due to decreasing catches).
- State of the Stock: Indices of biomass are at a relatively high level but there are indications of a decline in recruitment, which may affect the 2008 fishery.
- Recommendation: The Scientific Council noted there is insufficient information on which to base predictions of annual yield potential for this resource and is therefore unable to advise on a specific TAC for 2008 and 2009. Although there is serious concern about the implications to the fishery and future stock production from the poor recruitment estimated for the 2003, 2004 and 2005 year-classes, indices of biomass (standardized CPUE and female biomass (SSB) from surveys) remain stable at their highest observed level. However, in light of the poor prospect for this stock, the Scientific Council recommends that the exploitation level for 2008 and 2009 should not exceed the 2005 and 2006 levels. This corresponds to catches in the range of 17 000 to 32 000 t.

The EU remarked that it could not understand the serious concerns of the Scientific Council with regard to the future status of 3M shrimp in view of the consistently high biomass and the reduction of fishing effort. Regarding 3L shrimp, the SC Chair was asked about the possible implications if the recommended TAC of 25,000 t would be increased to 30,000 t. The SC Chair responded that the impact on the stock by such increased fishery was not possible to predict and that the exploitation would increase from 13.6 to 16.3%.

8. Review of statistical information on catch

Two working papers by the Secretariat (FC WP 08/2 and FC WP 08/3) were discussed and the Secretariat was requested by Contracting Parties to update some of the statistics contained in the tables (FC WP 08/3, Revision 3) (Annex 5).

9. Review of management systems/options for shrimp in Division 3M

a. Current System

Some Contracting Parties, particularly Iceland, expressed concerns that the current effort allocation scheme for 3M shrimp could lead to over-fishing and that they would therefore prefer that a TAC and quota system be implemented. Others were of the view that the effort allocation is working well and could be maintained if Contracting Parties were unable to find a satisfactory alternative, especially as the current level of fishing effort is not threatening to damage the shrimp stock and an increase in fishing effort appears unlikely in the near future.

b. Possible TAC-based quota allocation systems

The discussion on a quota allocation scheme revealed that Contracting Parties were not in agreement on the extent to which historical fisheries should influence a quota allocation scheme and which reference period should be used. While some were of the opinion that the 3M shrimp fisheries from 1993 to 2007 should form the basis for the quota distribution, others thought that the more recent years should have the greater impact on a new allocation scheme. Canada, EU, Russia tabled a number of proposals that reflected the different views (FC WP 08/7-Revision 1, FC WP 08/12-Revision 1, and FC WP 08/13). (Annexes 6-8).

Norway presented FC WP 08/14 (Annex 9) as a possible compromise solution. The EU and Canada expressed their view that the Norwegian proposal could present a basis for further discussions and urged delegates to continue seeking a compromise solution and not postpone the matter any further. Other Contracting Parties, however, were not able to accept the Norwegian proposal as a way forward. Denmark (in respect of Faroe Islands and Greenland) put forward a proposal (FC WP 08/16) based simply on

historical catches in the entire fishing period (1993-2007) (Annex 10). The matter remained unresolved during this meeting and the current allocation scheme will be maintained.

10. Shrimp in Division 3L

a. Management Measures

The EU tabled a proposal to lift the limitation to one vessel per flag State Contracting Party for the shrimp fishery in Division 3L as well as to eliminate the seasonal fishery closure for this stock (FC WP 08-11) (Annex 11). The EU explained that the proposed changes would ensure consistency with the management measures of Canada as the coastal State sharing the resource. Concerns were voiced that the proposed alterations could increase misreporting between Divisions 3L and 3M and have a negative effect on the enforcement of the shrimp management measures; and that STACTIC should review the implications of these measures with respect to compliance. The proposal was not adopted at this time; it was, however, decided to discuss the matter further at the next Annual Meeting in September 2008.

The EU also submitted a proposal to request the Scientific Council to advise on the current distribution of shrimp in Divisions 3LNO as well as the relative distribution inside and outside the NAFO Regulatory Area (FC WP 08/10) (Annex 12). The Chair of the Scientific Council explained that a recent scientific research document exists that provides up-to date information on the distribution of this stock (SCR 07/91) with the conclusion that the stock distribution appears to be largely unchanged since that which was determined in 1999. After some discussion on this matter (see also Canadian statement, Annex 13), the FC adopted the EU proposal and suggested that the SC provides its advice on the distribution of shrimp in Divisions 3LNO at the Annual Meeting in September 2008.

Agenda items 10b and 10c were not discussed separately and therefore the following text addresses them as a whole.

b. TAC

c. Quotas

Denmark (in respect of the Faroe Islands and Greenland) tabled a proposal to allocate the quotas for shrimp in Division 3L and at the same time to increase the 2008 TAC of this stock from 25,000 to 30,000 t (FC WP 08/8) (Annex 14). Denmark (in respect of the Faroe Islands and Greenland) underlined that the existing regime was not a genuine allocation and was only adopted as a preliminary measure in 1999, but has been rolled over each year since without consensus on the basis for the division of shares. While some Contracting Parties expressed their support for an increased TAC in view of the positive development of this stock, others were not ready to accept the proposed allocation scheme at this time. A possible new allocation scheme for 3L shrimp was addressed by delegates during bilateral consultations as well as in plenary sessions but remained without conclusion. Norway presented a proposal (FC WP 08/9) (Annex 15) as a possible way forward, however, the DFG could not accept the proposal. After much discussion, the matter remained unresolved.

11. Decisions for 2008 and 2009 management measures, TAC and allocations in Divisions 3L and 3M

The following decisions were reached:

- There are no changes to the current management regime of shrimp in Division 3M in 2008.
- The modification to the seasonal closure and vessel restrictions for shrimp in 3L will be discussed at the Annual Meeting 2008.
- The Scientific Council is requested to provide advice in September 2008 on the current distribution of shrimp in Divisions 3LNO including the relative distribution inside and outside the Canadian EEZ.
- There are no changes to the current TAC and quota allocation for shrimp in 3L in 2008.
- It was noted that Canada would present information to STACTIC and seek advice at the July 2008 Intersessional Meeting with respect to the:
 - possible impact of removing the seasonal closure and vessel limits on compliance; and
 - review of possible misreporting in the current shrimp fisheries in Divisions 3L and 3M.

Several Contracting Parties, including the EU, Canada and Denmark (in respect of the Faroe Islands and Greenland), expressed their disappointment that the NAFO Contracting Parties had been unable to resolve the matters for which this meeting was convened. Canada gave the following statement:

Canada offered to host to this meeting with expectations of progress towards a resolution on both the 3L and 3M shrimp issues.

In our continued effort to strengthen NAFO, despite our disagreements with DFG on their catch history and claim, we opened our ports to DFG and hosted this intersessional meeting in Montreal to try to remove the annual objections on both 3M and 3L shrimp.

Canada was ready to contribute a significant share towards a multilateral arrangement on 3L shrimp as reflected in FC WP 08/9.

We appreciate the efforts of other parties who have travelled long ways, held bilateral consultations and tabled generous proposals towards the resolution of the 3L shrimp issue, Norway in particular.

In the end, we are extremely disappointed that our efforts were not accepted by our colleagues from DFG with regards to 3L shrimp. We are very disappointed in the failure.

DFG gave the following statement:

The delegation of DFG notes that this meeting has represented the first substantial and meaningful treatment of the question of allocation of 3L shrimp and we have welcomed the willingness of all Contracting Parties to discuss the issue in earnest and help resolve it. DFG is equally disappointed that it has not been possible to achieve consensus at this meeting, but we do not share the view of Canada and others that the issue does not warrant further discussion. The proposal put forward by DFG (FC WP 08/8) represents a further concession on the part of DFG compared with similar proposals presented in previous years, and it was tabled as a basis for further negotiation. Although the Norwegian proposal was not acceptable to DFG, it has assisted in clarifying, for the first time, the gap between views on the issue. DFG is therefore surprised that other Parties, not least Canada as the major stakeholder in this stock, are so ready to conclude that the issue is beyond resolution. DFG does not share this conclusion.

Part II – On Vulnerable Marine Ecosystems (agenda item 12 – 17, 05 – 07 May)

12. Introductory Remarks

Canada (Annex 16), European Union, Denmark (in respect of the Faroe Islands and Greenland) (see Annex 4), USA (Annex 17), Iceland, Norway and Ukraine gave opening remarks. The EAC, SCC, and WWF, as well, gave opening statements expressing the importance of this meeting and their expectations (Annexes 18-20).

13. Review of the UNGA Resolution 61/105

The Chair referred to the United Nations General Assembly (UNGA) Resolution 61/105 and highlighted the relevant points of this document, particularly point 83 which calls upon RFMOs to take action to regulate bottom fisheries and adopt and implement measures not later than 31 December 2008. Delegates pointed out that the FAO Draft International Guidelines for the Management of Deep-sea Fisheries in the High Seas from February 2008 are relevant with regard to the development of measures for the protection of Vulnerable Marine Ecosystems (VMEs) in the NRA.

Agenda items 14 to 16 were not discussed separately and therefore the following text addresses them as a whole.

14. Assessment Processes for fisheries and vulnerable marine ecosystems in the context of the Regulatory Area

15. Measures to mitigate significant adverse impacts on vulnerable marine ecosystems

16. Exploratory Fishing Protocol

Canada and EU presented their proposals (FC WP 08/4- Revision 1 and FC WP 08/5) and the USA presented its discussion paper (FC WP 08/6). Many Contracting Parties expressed their general support to the ideas contained in the proposals and discussion paper. It was agreed to identify and discuss the major elements addressed in either one or both of the proposals as follows:

- a) Definitions
- b) Prohibition of bottom fisheries
- c) Identification of fishing areas(Mapping)
- d) Fishing activities in new fishing grounds (Exploratory fishing)
- e) Assessment of bottom fishing by the Scientific Council
- f) Encounters with VMEs
- g) Review Procedure
- h) Establishment of a Working Group Fishery Managers and Scientists on Vulnerable Marine Ecosystems
- i) Formulation of Request to the Scientific Council
- j) Interim Measures.

Concerns were voiced that it might not be realistic for NAFO to undertake an assessment and adopt measures by the end of 2008. However, in view of the deadline specified in the UNGA Resolution, participants agreed that every effort should be made to start the process including a preliminary assessment and adoption of resulting measures in 2008.

USA suggested that in “fine-tuning” the tabled proposals, the definition of terms should be consistent with the FAO definitions and the language with the UNGA Resolution 61/105 and of the FAO draft guidelines, e.g. definitions of habitats and species.

Delegates agreed to Canada’s suggestion to establish an *Ad Hoc* Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems with the objective to make recommendations to the Fisheries Commission on the effective implementation of measures to prevent significant adverse impacts on VMEs. This FC Working Group will complement the already existing Scientific Council Working Group on Ecosystem Approach to Fisheries Management that will meet for the first time in May 2008, just before the Scientific Council meeting in June. This SC Working Group will address the 2007 FC request for scientific advice on identification of VMEs, impact of bottom fishing on VMEs and development of scientific methods for the longer term monitoring of the health of VMEs. The FC felt that it was necessary to clarify the 2007 request for scientific advice with language consistent with the FAO draft guidelines and **adopted** FC WP 08/18, Revision 2, as a supplement to the 2007 request for scientific advice (Annex 21).

Canada and the EU drafted a joint proposal which served as a basis for discussion and was revised several times taking into consideration the deliberations by Heads of Delegation. The joint proposal was **adopted** by the Fisheries Commission at the end of the meeting (FC WP 08/19, Revision 3, Annex 22). The adopted proposal consists of a new chapter with six articles for the 2008 NAFO Conservation and Enforcement Measures (Chapter I bis – Bottom Fisheries in the NAFO Regulatory Area) including an annex specifying the terms of reference and objectives of the FC *Ad Hoc* Working Group. An important part of the new joint working group’s task to establish operational guidance for the encounter provision should be to specify types of VMEs likely to be encountered in the NAFO Regulatory Area.

It was decided that Contracting Parties can send a maximum of three participants (at least one scientist and one fishery manager) to this Working Group with the exception of Denmark (with respect to the Faroe Islands and Greenland) that can send up to four participants. The Fisheries Commission also agreed that the first meeting of the *Ad Hoc* Working Group will be hosted by Canada and take place from 8 – 12 September 2008 in Montreal. The Fisheries Commission will consider the recommendations of the Working Group for adoption at the next NAFO Annual Meeting in September 2008.

17. Other matters

There were no other matters discussed.

18. Adoption of Report

The report will be circulated and adopted by electronic mail.

19. Adjournment

The EU, Canada, and USA expressed their satisfaction that NAFO Contracting Parties have made significant progress with regard to the protection of vulnerable marine ecosystems and thanked all Contracting Parties for their cooperation and constructive contributions to this end. During recent years, NAFO has already taken vital steps to protect the marine ecosystems in the Northwest Atlantic by closing large areas comprising seamounts and corals to bottom fishing and this meeting showed the continuous commitment of NAFO Contracting Parties to safeguard marine ecosystems. The WWF also presented a closing statement (Annex 23).

The meeting was adjourned 07 May 2008.

Annex 1. List of Participants

B=both sessions; S=Shrimp session only; V=VME session only

| | B | S | V |
|--|----------|----------|----------|
| <i>General Council Chair/NAFO President:</i> | | | |
| Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen Phone: +47 55 23 80 00 / 8139 – Fax: +47 55 23 80 90 – E-mail: terje.lobach@fiskeridir.no | X | | |
| <i>Fisheries Commission Chair:</i> | | | |
| Vladimir Shibarov, Deputy Head of Department of Science and Education, State Committee of Fisheries of the Russian Federation, 12 Rozhdestvensky boul., Moscow Phone: +7 495 621 4093 – Fax: +7 495 628 4798 – E-mail: persevy100@mail.ru | X | | |
| <i>Scientific Council Chair:</i> | | | |
| Don Power, Science Br., Fisheries and Oceans Canada, Newfoundland & Labrador Region, 80 East White Hills Rd., P. O. Box 5667, St. John's, NL A1C 5X1 Phone: +709 772 4935 – Fax: +709 772 4105 – E-mail: don.power@dfo-mpo.gc.ca | X | | |
| CANADA | | | |
| Head of Delegation | | | |
| David Bevan, Assistant Deputy Minister, Fisheries and Aquaculture Management, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6 Phone: +613 990 9864 – Fax: +613 990 9557 – david.bevan@dfo-mpo.gc.ca | X | | |
| Advisers | | | |
| Jim Baird, Associate Regional Director General, Newfoundland and Labrador Region, Fisheries and Oceans Canada, P. O. Box 5667, St John's, NL A1C 5X1 Phone: +709 772 2420 - Fax: +709 772 2387 – E-mail: jim.baird@dfo-mpo.gc.ca | X | | |
| Nadia Bouffard, Director, Resource Management - Special Projects, Fisheries and Oceans Canada, 200 Kent St., Ottawa, Ontario K1A 0E6 Phone: +613 998 3111 – Fax: +613 954 1407 – E-mail: bouffardn@dfo-mpo.gc.ca | | X | |
| Bill Brodie, Senior Science Coordinator / Advisor, NAFO, Newfoundland and Labrador Region, Science Br., 80 East White Hills Rd., P. O. Box 5667, St. John's, NL A1C 5X1 Phone: +709 772 3288 - Fax: +709 772 4105 - E-mail: bill.brodie@dfo-mpo.gc.ca | X | | |
| Jennifer Buie, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6 Phone: +613 990 0128 – E-mail: jenniferb@dfo-mpo.gc.ca | | | X |
| Bruce Chapman, Executive Director, Groundfish Enterprise Allocation Council, 1362 Revell Dr., Manotick, Ontario K4M 1K8 Phone: +613 692 8249 - Fax: +613 692 8250 - E-mail: bchapman@sympatico.ca | X | | |
| Tom Dooley, Director, Resource Policy, Dept. of Fisheries and Aquaculture, P. O. Box 8700, St. John's, NL A1B 4J6 Phone: +709 729 0335 – Fax: +709 729 1117 – E-mail: tdooley@gov.nl.ca | X | | |
| Marta Farsang, International Fisheries Officer, Fisheries and Aquaculture Management, International Affairs Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6 Phone: +1 613 990 9387 – Fax: +1 613 993 5995 – E-mail: marta.farsang@dfo-mpo.gc.ca | X | | |
| Wayne Follett, Regional Director General, Newfoundland and Labrador (NL) Region, Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1 Phone: +709 772 4417 – Fax: +709 772 6306 – E-mail: wayne.follett@dfo-mpo.gc.ca | X | | |
| Anne Frenette, Senior Advisor, International instruments, International Policy and Integration Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6 Phone: +613 990 7389 – Fax: +613 990 9574 – E-mail: frenetta@dfo-mpo.gc.ca | | | X |
| Neil Greig, Department Head, Economic Development and Fisheries Div., Makivik Corporation, P. O. Box 179, Kuujuaq, QC J0M 1C0 Phone: +819 964 2925 ext. 225 – Fax: +819 964 2613 – E-mail: n_greig@makivik.org | | | X |
| Sylvie Lapointe, Director, Highly Migratory and Anadromous Species, International Fisheries Directorate, Fisheries and Oceans Canada, 200 Kent St., Ottawa, Ontario K1A 0E6 Phone: +613 993 6853 – Fax: +613 993 5995 – E-mail: sylvie.lapointe@dfo-mpo.gc.ca | | | X |
| Brian McNamara, President, Newfoundland Resources Ltd., 90 O'Leary Ave., P. O. Box 13695, St. John's, NL Phone: +709 726 7223 – E-mail: nrl@nfld.com | | | X |

| | B | S | V |
|--|----------|----------|----------|
| Grace Mellano, Senior Policy Analyst, International Fisheries Policy, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6 Phone: +613 993 2539 – Fax: +613 990 9574 – E-mail: mellanog@dfo-mpo.gc.ca | | | X |
| Christine Penney, Director of Corporate Affairs, Clearwater Seafoods Limited Partnership, 757 Bedford Highway, Bedford, Nova Scotia B4A 3Z7 Phone: +902 457 2348 – Fax: +902 443 8443 – Email: cpenney@clearwater.ca | | X | |
| Rosalind Perry, Executive Director, Northern Coalition, 238 Mt. Scio Rd., St. John's, NL Phone: +709 722 4404 – Fax: +709 722 4454 – E-mail: rwalsh@nfld.net | | | X |
| Lori Ridgeway, Director General, International Policy and Integration, Fisheries and Oceans Canada, 200 Kent St., 14 th Floor, Ottawa, Ontario K1A 0E6 Phone: +613 993 1914 – Fax: +613 990 9574 – E-mail: ridgewayl@dfo-mpo.gc.ca | | | X |
| Bob Steinbock, Deputy Director, International Fisheries Directorate, Fisheries & Aquaculture Management, Fisheries and Oceans Canada, 200 Kent St., Ottawa, Ontario K1A 0E6 Phone: +613 993 1836 – Fax: +613 993 5995 – E-mail: steinbob@dfo-mpo.gc.ca | X | | |
| Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Fisheries & Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1 Phone : +709 772 8021 – Fax : +709 772 2046 – E-mail : leo.strowbridge@dfo-mpo.gc.ca | | X | |

CUBA

Head of Delegation

| | |
|--|----------|
| Martha Torres Soroa, International Relations, Ministry of the Fishing Industry, 5 th Ave. y 246, Playa, Ciudad Habana Phone: +53 7 209 7034 or +53 7 209 7282 - E-mail: mtorres@mip.telemar.cu | X |
|--|----------|

Adviser

| | |
|--|----------|
| Armando A. Guadarrama Garcia, Director Financiero, Pesport, Ave. La Pesquera s/n, Puerto Pesquero de la Habana, Habana Vieja 10100 Phone: +53 7 863-3854 or 862 4028 - E-mail: armando@pespor.telemar.cu | X |
|--|----------|

DENMARK (IN RESPECT OF FAROES AND GREENLAND)

Head of Delegation

| | |
|---|----------|
| Kate Sanderson, Head of International Relations, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, P. O. Box 347, FO-110 Torshavn, Faroe Islands Phone: + 298 35 32 47 - Fax: +298 35 30 37 - E-mail: kate@fisk.fo | X |
|---|----------|

Advisers

| | |
|--|----------|
| Joannis Danielsen, Department of Fisheries and Hunting, Greenland Home Rule, P. O. Box 269, DK-3900, Nuuk, Greenland Phone: +299 345315 - Fax: +299 324704 - E-mail: joda@gh.gl | X |
|--|----------|

| | |
|--|----------|
| Meinhard Gaardlykke, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, P. O. Box 347, FO-110 Torshavn, Faroe Islands Phone: +298 588016 – Fax: +298 313981 – E-mail: meinhardg@fve.fo | X |
|--|----------|

| | |
|---|----------|
| Helle I. Ø. Jørgensbye Hansen, Head of Section, Gronlands Fiskerilicenskontrol, Greenland Home Rule, Postbox 501, DK-3900 Nuuk, Greenland Phone: +299 34 53 76 – Fax: +299 32 32 35 – E-mail: hhan@gh.gl | X |
|---|----------|

| | |
|---|----------|
| Andras Kristiansen, Head of Department, Ministry of Fisheries and Natural Resources, Heykavegur 6A , P. O. Box 347, FO-110 Torshavn, Faroe Islands Phone: + 298 35 32 41 - Fax: +298 35 30 37 - E-mail: andrask@fisk.fo | X |
|---|----------|

| | |
|---|----------|
| Bjørn Kunoy, Special Advisor, Ministry of Foreign Affairs, Tinganes, FO-110 Tórshavn, Faroe Islands Telephone: +298 551056 – Fax: +298 351015 – E-mail: bjornk@mfa.fo | X |
|---|----------|

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

B S V

EUROPEAN UNION

Head of Delegation

John Spencer, Head of Unit, International and Regional Arrangements, European Commission, Directorate General for Maritime Affairs and Fisheries, 200 Rue de la Loi/Wetstraat, B-1049 Brussels, Belgium X
 Phone: +32 2 295 6858 - Fax: +32 2 295 5700 – E-mail: edward-john.spencer@ec.europa.eu

Advisers**(EU Commission)**

Fuensanta Candela Castillo, Principal Administrator, International Policy and Law of the Sea, European Commission, Directorate General for Maritime Affairs and Fisheries, 200 Rue de la Loi, 1040 Brussels, Belgium X
 Phone: +32 2 295 7753 – E-mail: maria.candela-castillo@ec.europa.eu

Alan Gray, Senior Administrative Assistant, International and Regional Agreements, European Commission, Directorate General for Maritime Affairs and Fisheries, 200 Rue de la Loi, 1040 Brussels, Belgium X
 Phone: +32 2 299 0077 – Fax: +32 2 295 5700 – E-mail: alan.gray@ec.europa.eu

Constantin Alexandrou, Advisor, European Commission, Directorate General for Maritime Affairs Fisheries, 200 Rue de la Loi, 1040 Brussels, Belgium X
 Phone: +32 2 296 9493 – E-mail: constantin.alexandrov@ec.europa.eu

Fred Kingston, Senior Adviser, Economic and Commercial Affairs, European Union, Delegation of the European Commission to Canada, 45 O'Connor Street, Suite 1900, Ottawa, Ontario, Canada K1P 1A4 X
 Phone: +613 238 6464 – Fax: +613 238 5191 – E-mail: fred.kingston@ec.europa.eu

(EU – Latvia)

Janis Stepanovs, Head of the Fisheries and Fish Resources Division, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV -1010 Riga X
 Phone: +371 6733 4527 - Fax: +371 6733 4892 - E-mail: janis.stepanovs@vzp.gov.lv

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

(EU Portugal)

Emilia Batista, Directora de Servicos, Departamento dos Recursos, Direccao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon X

Phone: +351 213 035 850 - Fax: +351 213 035 922 - E-mail: ebatista@dgpa.min-agriculture.pt
 António Schiappa Cabral, Secretario-Geral, Associaçao Dos Amradores Das Pescas Industriais (A.D.A.P.I.), Rua General Gomes de Araujo, Edificio Vasco Da Gama, Bloco C piso 1, 1399-005 Lisbon X
 Phone: +351 21 397 20 95 – Fax: +351 21 397 20 90 – E-mail: adapi.pescas@mail.telepac.pt

(EU – Estonia)

Kaire Martin, Fishery Resources Dept., Ministry of the Environment, Narva mnt 7a, 13172 Tallinn X
 Phone: +372 626 0718 - Fax: +372 626 0710 - E-mail: kaire.martin.@envir.ee

Toomas Tamme, Attorney-at-Law, Alvin, Rödl & Partner, Advokaadibüroo Roosikrantsi 2, 10119 Tallinn X
 Phone: +372 6110810 – Fax: +372 6110811 – E-mail: toomas.tamme@roedl.ee

Lauri Vaarja, Ministry of the Environment, Narva mnt 7a, 15172 Tallinn X
 Phone: +372 626 2895 – Fax: + 372 626 2801 – E-mail: laurivaarja@hot.ee

(EU – Lithuania)

Algirdas Rusakevicius, Deputy Director General, Fisheries Department under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius X
 Phone: +370 5 239 1186 – Fax: +370 5 239 1176 – E-mail: algirdasr@zum.lt

| | B | S | V |
|---|----------|----------|----------|
| (EU – Poland) | | | |
| Leszek Dybiec, Deputy Director, Ministry of Maritime Economy, Fisheries Department, Wispolna 30 str., 06-930 Warsaw | X | X | |
| Phone: +48 22 385 5770 - Fax: +48 22 385 5774 - E-mail: leszek.dybiec@minrol.gov.pl | | | |
| (EU – Spain) | | | X |
| Enrique De Cardenas, Secretaria General del Mar, Jose Ortega y Gasset, 57, 28006 Madrid, Spain | | | |
| Phone: +34 91 347 6110 – Fax: +34 91 347 6037 – E-mail: edecarde@mapya.es | | | X |
| Margarita Mancebo, Jefe de Area, Subdireccion General de Relaciones Pesqueras Internacionales, Direccion General de Recursos Pesqueros, Secretaria General del Mar, Jose Ortega y Gasset, 57, 28006 Madrid, Spain | | | |
| Phone: +34 91 347 61 29 - Fax: +34 91 347 60 42 – E-mail: cmancebo@mapya.es | | | X |
| Samuel J. Juarez, Counselor for Agriculture, 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: info@mapausa.org | | | |
| Juan Perez Pazo, Direccion Xeral Recursos Marinos-Conseueria de Pesca-Xuna de Galicia, Rua do Valino, 63, 15703 Santiago de Compostela | | | |
| Phone: +34 981 545020 – Fax: +34 981 545025 – E-mail: xoan.perez.pazo@xunta.es | | | |
| Pedro Sepúlveda, Secretaria General del Mar, Jose Ortega y Gasset, 57, 28006 Madrid, Spain | X | X | |
| Phone: +34 91 347 6137 – Fax: +34 91 347 6042 – E-mail: psepulve@mapya.es | | | |
| Alejandro Alvarez, Calle Animas 5, 3º, 36208 Vigo, Spain | | | X |
| Phone: +34 636 481100 – Fax: +34 986 209505 – E-mail: albri@albri.com | | | |
| Juan Manuel Liria Franch, Vicepresidente 1st, Confederación Española de Pesca (CEPESCA), C/Velazquez, 41, 4ºC, 28001 Madrid | | | X |
| Phone: +34 91 432 3489 – Fax: +34 91 534 3718- E-mail: feope@feope.com | | | |
| (EU – United Kingdom) | | | |
| Mike Rimmer, Sea Fisheries Conservation Div., Dept. For Environment, Food and Rural Affairs, Area D, 2nd Floor, Nobel House, 17 Smith Square, London SW1P 3JR | | | |
| Phone: +44 (0)20 7238 4656 – Fax: +44 (0)7238 4699 – E-mail: mike.rimmer@defra.gsi.gov.uk | | | |
| FRANCE (in respect of St. Pierre et Miquelon) | | | |
| Head of Delegation | | | |
| Charles Massa, Head - Office for Maritime Affairs and Fisheries, 1, rue Gloanec, B.P. 4206, 97500 Saint -Pierre-et-Miquelon | X | | |
| Phone: +508 41 15 36 – Fax: +508 41 48 34 – E-mail: charles.massa@equipement.gouv.fr | | | |
| Adviser | | | |
| Frédérique Deschamps, Local Association for Fisheries, BP 1748, 34 Rue Maréchal Foch, 97500 Saint-Pierre, St. Pierre et Miquelon | X | | |
| Phone: +508 41 36 97 – E-mail: fredeschamps2001@yahoo.fr | | | |
| Annie Parmentier, Ministry of Overseas Territories, 27, rue Oudinot, 75358 Paris | | | X |
| Phone: +53 69 23 85 – Fax: +53 69 20 60 – E-mail: annie.parmentier@outre-mer.gouv.fr | | | |
| ICELAND | | | |
| Head of Delegation | | | |
| <i>(HOD VME Session)</i> | | | |
| Stefán Ásmundsson, Department of International Affairs, Ministry of Fisheries and Agriculture, Skulagata 4, 150 Reykjavik | | | X |
| Phone: +354 545 8300 – Fax: +354 552 1160 – E-mail: stefan.asmundsson@slr.stjr.is | | | |
| <i>(HOD Shrimp Session)</i> | | | |
| Hrefna Karlsdóttir, Special Adviser, Department of International Affairs, Ministry of Fisheries and Agriculture, Skulagata 4, 150 Reykjavik | X | | |
| Phone: +354 545 8300 – Fax: +354 552 1160 – E-mail: hrefna.karlsdottir@slr.stjr.is | | | |

| | B | S | V |
|---|----------|----------|----------|
| Advisers | | | |
| Sveinn Hjörtur Hjartarson, Economist, Federation of Icelandic Fishing Vessel Owners, Borgartuni 35, 105 Reykjavik | | | X |
| Phone: +354 591 0309 – Fax: +354 591 0301 – E-mail: sveinn@iu.is | | | |
| Kristján Thórarinnsson, Federation of Icelandic Fishing Vessel Owners, Borgartuni 35, 105 Reykjavik | | | X |
| Phone: +354 591 0300 – Fax: +354 591 0301 – E-mail: k@liu.is | | | |

JAPAN

Head of Delegation

| | |
|---|----------|
| Yoshitsugu Shikada, Assistant Director, International Affairs Div., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907 | X |
| Phone: +81 3 3502 8460 – Fax: +81 3 3502 0571 – E-mail: yoshitsugu_shikada@nm.maff.go.jp | |

Advisers

| | |
|--|----------|
| Takeru Iida, Far Seas Fisheries Division, Resources Management Dept., Fisheries Agency, Government of Japan, 1-2-1Kasumigaseki, Chiyoda-ku, Tokyo 100-8907 | X |
| Phone:+81 3 35028111 ext. 6726- Fax:+ 81 3 35915824 –E-mail: takeru_iida@nm.maff.go.jp | |
| Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F Kanda Ogawa -cho, Chiyoda-ku, Tokyo 101-0052 | X |
| Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: ntakagi@jdsta.or.jp | |
| Takahisa Tanabe, Representative, Japan Fisheries Association, Halifax Office, Suite 1209 Duke Tower, 5251 Duke St., Halifax, Nova Scotia, Canada B3J 1P3 | X |
| Phone: +1 902 423 7975 – Fax: +1 902 425 0537 – E-mail: jfahfx@allstream.net | |

NORWAY

Head of Delegation

| | |
|--|----------|
| Sigrun M. Holst, Deputy Director General, Ministry of Fisheries and Coastal Affairs, Dept. of Marine Resources and Environment, P. O. Box 8118 Dep. NO-0032 Oslo | X |
| Phone: +47 22 24 65 76 - Fax: +47 22 24 95 85 - E-mail: sigrun.holst@fkd.dep.no | |
| Johán Williams, Director General, Ministry of Fisheries and Coastal Affairs, Dept. of Marine Resources and Environment, P. O. Box 8118 Dep. NO-0032 Oslo | X |
| Phone: +47 22 24 64 40 - Fax: +47 22 24 95 85 - E-mail: johan.williams@fkd.dep.no | |

Advisers

| | |
|--|----------|
| Elisabeth N. Gabrielsen, Adviser, Ministry of Fisheries and Coastal Affairs, Dept. of Marine Resources and Environment, P. O. Box 8118 Dep. NO-0032 Oslo | X |
| Phone: +47 22 24 64 56 - Fax: +47 22 24 95 85 - E-mail: elisabeth.gabrielsen@fkd.dep.no | |
| Carsten Hvingel, Research Scientist, Institute of Marine Research, P. O. Box 6404, N-9294 Tromsø | X |
| Phone: +47 77 60 9750 - +47 77 60 9701 – E-mail: carstenh@imr.no | |
| Odd Aksel Bergstad, Principal Research Scientist, Institute of Marine Research Flødevigen, N-4817 His | X |
| Phone: +47 37 05 90 19 - Fax: +47 37 05 90 01 – E-mail: oddaksel@imr.no | |
| Webjørn Barstad, Head of Department, Norwegian Fishermen's Association, P.O. Box 67 Sentrum, 6001 Aalesund | X |
| Phone: +47 70 10 14 60 - Fax: +47 70 10 14 80 - E-mail: webjorn@fiskebat.no | |

RUSSIA

Head of Delegation

| | |
|---|----------|
| Temur Tairov, Representative of the Russian Federation on Fisheries in Canada, 47 Oceanview Drive, Bedford, Nova Scotia, Canada B4A 4C4 | X |
| Phone: +1 902 832 9225 – Fax: +1 902 832 9608 – E-mail: rusfish@ns.sympatico.ca | |

B S V**Adviser**

Konstantin Gorchinsky, Senior Scientist, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk **X**
 Phone: + 7 8152 45 05 68 – Fax: + 7 8152 47 33 31 – E-mail: gorch@pinro.ru

UKRAINE**Head of Delegation**

Vasyl Chernik, Deputy Chairman of the State Committee for Fisheries of Ukraine, 45A Artema str., Kyiv 04053 (www.dkrg.gov.ua) **X**
 Phone/Fax: +38 044 226 2405 – E-mail: chvg46@users.ukrsat.com ; chvg46@gmail.com

UNITED STATES OF AMERICA**Head of Delegation**

Dean Swanson, Chief, International Fisheries Affairs Div., F/IA1, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Highway, Silver Spring, MD 20910 **X**
 Phone: +301 713 2276 – Fax: +301 713 2313 – E-mail: dean.swanson@noaa.gov

Representatives

Dean Swanson (see above)
 Maggie Raymond, US Commissioner, Associated Fisheries of Maine, P. O. Box 287, So. Berwick, ME 03908-0287 **X**
 Phone: +207 384 4854 – Fax: +207 384 2940 - maggieraymond@comcast.net

Advisers

Deirdre Warner-Kramer, Senior Atlantic Affairs Officer, Office of Marine Conservation, United States Department of State (Rm 2758), 2201 C Street NW, Washington, D.C. 20520-7878 **X**

Phone +1 202 647 2883 – Fax: +1 202 736 7350 – E-mail: warner-kramerm@state.gov
 Patrick Moran, Foreign Affairs Analyst, Office of International Affairs, F/IA-2, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Hwy., Silver Spring, MD 20910 **X**
 Phone: +301 713 2276 – Fax: +301 713 2313 – E-mail: pat.moran@noaa.gov

Elizabethann English, Office of International Affairs, F/IA-2, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Hwy., Silver Spring, MD 20910 **X**
 Phone: +301 713 2276 – E-mail: liz.english@noaa.gov

OBSERVERS**Ecology Action Centre (EAC)**

Susanna Fuller, Marine Conservation Coordinator, Ecology Action Centre (EAC), 2705 Fern Lane, Halifax, Nova Scotia, Canada **X**

Phone: +1 902 442 0199 – Fax: +902 405 3716 – E-mail: marine@ecologyaction.ca
 Matthew Gianni, Independent Advisor, Fisheries, Oceans, Biodiversity Cliostraat 29-2, 1077 KB Amsterdam, Netherlands **X**

Phone: +31 20 670 1666 – E-mail: matthewgianni@netscape.net **X**
 Beth Hunter, Greenpeace, 454 Laurier est., Montreal, Quebec
 Phone: +514 933 0021 ext. 16 – E-mail: beth.hunter@yto.greenpeace.org

Sierra Club of Canada (SCC)

B.K. Gray, Sierra Club of Canada, App. 512, 1025 Sherbrooke St., Montreal, Quebec H2L 1L4 **X**
 Phone: +514 805 9876 – E-mail: bkgray@gmail.com

| | | | |
|---|----------|----------|----------|
| Fred Winsor, Sierra Club of Canada, 53 Warbury Street, St. John's, NL A1E 1N9 | B | S | V |
| Phone: +709 738 3781 – E-mail: fwinsor@nfld.com | X | | |

World Wildlife Fund (WWF)

| | | | |
|---|--|--|----------|
| Marty King, Director, North Atlantic Bycatch Campaign, WWF-Canada, Atlantic Region, 5251 Duke Street, Suite 1202, Halifax, Nova Scotia, Canada B3J 1P3 | | | X |
| Phone: +1 902 482 1105, ext. 29 – Fax: +1 902 482 1107 – E-mail: mking@wwfcanada.org | | | |

SECRETARIAT

| | | | |
|---|----------|----------|----------|
| Johanne Fischer, Executive Secretary (jfischer@nafo.int) | X | | |
| Ricardo Federizon, Fisheries Commission Coordinator (rfederizon@nafo.int) | X | | |
| Anthony Thompson, Scientific Council Coordinator (athompson@nafo.int) | | | X |
| Bev McLoon, Senior Personal Assistant to the Executive Secretary (bmcloon@nafo.int) | X | | |
| Cindy Kerr, Fisheries Information Manager (ckerr@nafo.int) | | X | |
| Adam Fancy, Intern (afancy@nafo.int) | | | X |

Annex 2. Agenda

Shrimp Management in Divisions 3L and 3M of the Regulatory Area Wednesday, April 30 to Friday, May 2, 2008

1. Opening by FC Chair, Vladimir Shibanov
2. Election of FC Chair
3. Appointment of Rapporteur
4. Adoption of Agenda
5. Admission of Observers
6. Introductory Remarks
7. Review of Scientific Council information and recommendations
8. Review of statistical information on catch
9. Shrimp in Division 3M
 - a. Review of management systems/options for Division 3M
 - i. Current System
 - ii. Possible TAC-based quota allocation systems
10. Shrimp in Division 3L
 - a. Management Measures
 - b. TAC
 - c. Quotas
11. Decisions for 2008 and 2009 management measures, TAC, and allocations in Divisions 3L and 3M

Protection of Vulnerable Marine Ecosystems from Significant Adverse Impacts Monday, May 5 to Wednesday, May 7, 2008

12. Introductory Remarks
13. Review of UNGA Resolution
14. Assessment processes for fisheries and vulnerable marine ecosystems in the context of the Regulatory Area
15. Measures to mitigate significant adverse impacts on vulnerable marine ecosystems
16. Exploratory Fishing Protocol
17. Other matters
18. Adoption of Report
19. Adjournment

Annex 3. Opening Statement by the Representative of Canada

I would like to welcome you all to Montreal. For some of you, it might have been the first time looking at Mount Royal and the Oratory from the plane upon descending, for others, recognizing these landmarks may have brought back pleasant memories. This time of year is beautiful in this part of Canada (Alberta still had -10 C and snow last week!) and I hope the weather will be just perfect for the weekend so you can truly enjoy this magnificent city.

I am looking forward to a constructive meeting. We have a lot of work ahead both on the 3L and 3M shrimp management, and again next week on Vulnerable Marine Ecosystems. Challenges exist but I believe we can achieve tangible results over the course of our deliberations.

Over the past two years, we have accomplished a great deal. We successfully reformed NAFO, including negotiations on such difficult issues as guiding principles, voting system and dispute settlement. These very ambitious and significant results were carried out in a relatively short time frame and have transformed our Organization into a strong, modernized RFMO. We are committed to continuing this modernization effort by moving forward with ecosystem-based management approaches to protect vulnerable marine ecosystems. Our future approaches should build on our recent success to protect seamounts and coral concentrations on the Grand Banks.

This week, our first objective is to consider management options related to 3L and 3M shrimp. Previous attempts by this organization to move forward on harmonization were not successful, however, we are confident that progress on this important issue can be achieved this week.

Secondly, we hope to make progress on a long-standing issue related to the 3L shrimp fishery. Canada is committed to reaching a reasonable and multi-lateral solution that is permanent and satisfactory to all.

Finally, we must meet our international commitments regarding vulnerable marine ecosystems and continue the work that has been underway since 2006 to protect such ecosystems. We have already closed areas where we know seamounts are present and established a Coral Protection Zone. We must now focus on implementing the remaining components of the United Nations General Assembly resolution, particularly those related to the assessment of fisheries. The UN Food and Agricultural Organization has not yet finalized its work on the Guidelines for the Management of Deep Sea Fisheries in the High Seas, so our discussions will truly be groundbreaking next week. I look forward to our exchanges, including the participation of ENGOs in this process.

I am looking forward to a good and productive six days and am confident that at the end of the meeting, we will have achieved another milestone in modernizing NAFO.

Thank you.

Annex 4. Opening Remarks by the Representative of Denmark (in respect of the Faroe Islands and Greenland)

The Faroe Islands & Greenland are pleased to be attending this extraordinary meeting of the Fisheries Commission and we would like to thank Canada for hosting the meeting. Our constructive cooperation over the past two years to reform the NAFO Convention has shown us the importance and value of setting dedicated time aside to deal with substantive issues that are difficult to address in full during the busy week of an annual meeting.

NAFO shrimp management

We welcome the opportunity to return to the issue of shrimp management in depth at this meeting, as issue of great importance for our delegation. Our views on the existing NAFO management of 3L shrimp are well known. The present system is not an allocation, but was adopted as a preliminary measure that was supposed to be fully reviewed in 2001. A review was attempted then but not successful, and the system has been rolled over from one year to the next ever since.

The aim in opening up the fishery in 2000 in a very limited way was the gradual development of the fishery. The fact that the fishery was proven to be a viable one has been in large part due to the efforts of Faroese fishing activities. In the years from 1994 to 1999 the Faroes made major contributions to research on this stock and exploratory catches showed clearly that this was a resource worth utilising under careful management.

Our delegation has tried to use the opportunity on two previous occasions when the TAC has been increased (2001 and 2005), to engage other Contracting Parties on alternative proposals, without this having generated any meaningful discussion. Other NAFO Parties have been content with rolling over the system since 1999, to which we have been forced to object.

As a provisional arrangement rather than a permanent allocation, it was not the intention to create a trading system through the transfer of small and economically unviable 3L shrimp shares. We have consistently abstained from voting on transfers due to our fundamental view that the arrangement for 3L shrimp does not represent a legitimate allocation, and should therefore not create an assumption that unused shares should remain at present levels or benefit from any further increases in the TAC.

But the TAC for 3L shrimp has been gradually increased to a level that makes the evenly divided shares under the preliminary measure start to look like fishable quantities. Despite this reality, we are not prepared to accept a solution that does not take fully into account the historical development and real interest in the fishery since its beginning.

The 3L shrimp stock is in very good shape and continues to grow. This gives us once more an opportunity to use a further increase in the TAC as mechanism through which we can once again try to resolve the outstanding issue of allocation. Hopefully this can provide us all with the flexibility to reach a consensus on this issue.

With regard to the issue of days versus quotas for 3M shrimp, we do not see this matter as an urgent conservation issue, given present patterns of fishery. But the present situation may indeed be the very reason that now is a good time to explore alternative management arrangements which can achieve consensus among all Parties. Reference periods and other parameters for translating days into quotas are the difficult issues in this regard, but we will be looking for a simple and transparent way forward.

Our delegation is participating at this meeting in order to negotiate and find solutions. We are highly motivated to do so, and we would in particular like to see the long-standing imbalance in 3L shrimp redressed. We therefore look forward to discussing constructively and in more detail with all other delegations over the next three days

Vulnerable Marine Ecosystems

Consideration of NAFO's implementation of UNGA resolution 105/61 at this meeting is well timed in relation to other on-going processes, not least the FAO technical consultations on Guidelines for the Management of Deep Sea Fisheries in which the Faroes now participate as newly admitted Assoc Member of FAO

Ecosystem-based fisheries management and protection of biodiversity are not new to us in NAFO, even though the mandate for addressing fisheries in the ecosystem has not yet been formally ratified through our reformed Convention. We have already established a coral protection zone which has closed a certain area to bottom contact gear and which requires Parties to incorporate coral monitoring into research programmes.

Our delegation feels very strongly that we must take a realistic and common sense approach to protecting VME's from significant adverse impacts from fisheries, and not put the cart before the horse. We need to focus on establishing a process that is appropriate to NAFO in both scale and detail. And we need to start by assessing the extent of the risk so we are all quite clear about the basis for our work in this area. We need to develop response mechanisms that can be implemented, where they are necessary, in a transparent manner based on the best available scientific knowledge.

This is why we can support a number of elements in both the EU and Canadian proposals, both in terms of mapping the footprint as well as setting up a more dedicated body of some kind to develop criteria and procedures and make recommendations for specific measures. We know from experience that it is difficult to deal with a lot of technical detail during an annual meeting. We also must take care to ensure full transparency in how such measures are proposed and implemented and a process in which all Parties feel able to participate in a meaningful way. This can take time, and UN deadlines are not always feasible when the rhetoric is translated into practical measures.

We must also acknowledge that the fishermen and skippers themselves are the best source of information on gear interaction, and their cooperation both on mapping impacts and assessing appropriate mitigation responses should of course be sought and encouraged.

We see a potential for greater collaboration with NEAFC. Although North Atlantic fisheries are quite different from west to east, many of the broader issues could benefit from a more active exchange, such as through joint Working Groups to examine the details of principle, process and procedure.

Finally, Mr Chair, our delegation would like to stress, that this it is extremely important for NAFO to set clear objectives on these questions with a firm basis in our own agreed objectives as a regional fisheries management organisation. It is here in the Northwest Atlantic, where our fisheries take place and where the voices of relevant stakeholders can be heard, that we must agree on objectives and measures for how best to implement ecosystem-based fisheries management.

Annex 5. Catch and Effort Data re 3L and 3M Shrimp (1993-2007)
(FC WP 08/3, Revision 3-compiled by the Secretariat)

The Secretariat has compiled the following background information concerning 3L and 3M shrimp stocks to assist Contracting Parties in their deliberations:

- Table 1 – NAFO catches of shrimps (mt) in Divisions 3L and 3M for 1993-2007 (Primary source: STATLANT 21)
- Table 2 – Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007)
- Table 3 – Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007)

Table 1. NAFO catches of shrimps (mt) in Divisions 3L and 3M 1996-2006 (as of 24 Apr 2008)

Primary Source: STATLANT 21 (see explanatory notes below)

| Division 3L | | | | | | | | | | | | | | | | |
|--------------------|--------------|--------------|-----------|------------|------------|------------|------------|--------------|--------------|--------------|---------------|---------------|---------------|---------------|---------------|----------------|
| | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007* | Grand Total |
| CAN-M | 2 | | | | | | 28 | 458 | 421 | 567 | | 716 | 707 | 1,332 | | 4,231 |
| CAN-N | | | | | | 82 | 50 | 3,921 | 4,589 | 4,835 | 9,953 | 9,597 | 10,788 | 16,664 | | 60,479 |
| CAN | | | | | | | | | | | | | | | 16,863 | 16,863 |
| CUB | | | | | | | | | 46 | 70 | 81 | | 136 | 239 | 245 | 817 |
| EU | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1,662 | 1,662 |
| E/ESP | | | | 4 | | | 11 | 40 | | | 151 | 140 | 154 | 251 | | 751 |
| E/EST | | | | | | | | 64 | 55 | 16 | 117 | 144 | 281 | 485 | | 1,162 |
| E/LTU | | | | | | | | 67 | 67 | 67 | 142 | 144 | 216 | 486 | | 1,189 |
| E/LVA | | | | | | | | 64 | 67 | 59 | 144 | 143 | 144 | 244 | | 865 |
| E/POL | | | | | | | | 40 | 54 | | 145 | 144 | 129 | 245 | | 757 |
| FRA-SP | | | | | | | | 67 | 67 | 36 | 144 | 106 | 147 | 245 | 245 | 1,057 |
| FRO | 1,789 | 1,865 | | 171 | 485 | 544 | 706 | 42 | 157 | 122 | 25 | 1,050 | 1,055 | 1,809 | 1,730 | 11,550 |
| GRL | | | | | | | | 34 | | | 672 | 294 | 302 | 451 | 450 | 2,203 |
| ISL | | | | | | | | 99 | | 54 | 133 | 104 | 140 | 85 | 0 | 615 |
| NOR | | | | | | | | 77 | | 1 | 67 | | 74 | 245 | 246 | 710 |
| RUS | | | 70 | | | | | 67 | 67 | 67 | | 141 | 146 | 248 | 111 | 917 |
| UKR | | | | | | | | | 57 | | 144 | 145 | | 121 | 0 | 467 |
| USA | | | | | | | | | 66 | 57 | 144 | | 136 | 245 | 245 | 893 |
| Grand Total | 1,791 | 1,865 | 70 | 175 | 485 | 626 | 795 | 5,040 | 5,713 | 5,951 | 12,062 | 12,868 | 14,555 | 23,395 | 21,797 | 107,188 |

| Division 3M | | | | | | | | | | | | | | | | |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007* | Total |
| CAN-M | 1,062 | 37 | 98 | 166 | | 28 | 91 | | | | | | | | | 1,482 |
| CAN-N | 2,129 | 1,005 | 870 | 742 | 784 | 435 | 383 | 104 | 295 | 8 | | | | 10 | | 6,765 |
| CAN | | | | | | | | | | | | | | | 0 | 0 |
| CUB | | | | | | | 120 | 46 | 1,037 | 1,537 | 1,462 | 969 | 964 | 1,126 | 0 | 7,261 |
| EU | | | | | | | | | | | | | | | 9,458 | 9,458 |
| E/DNK | 514 | 245 | 190 | | | 430 | 236 | | 93 | 359 | | | | | | 2,067 |
| E/ESP | 240 | 187 | 280 | 198 | 423 | 912 | 1,020 | 1,347 | 855 | 674 | 857 | 1,134 | 1,384 | 877 | | 10,388 |
| E/EST | | 1,051 | 2,380 | 1,973 | 3,239 | 5,533 | 10,835 | 12,143 | 9,851 | 13,681 | 12,851 | 13,444 | 12,009 | 5,651 | | 104,641 |
| E/GBR | | | | | | | | | | | 547 | | | | | 547 |
| E/LTU | | 863 | 980 | 1,585 | 1,785 | 3,107 | 3,370 | 3,529 | 2,701 | 3,321 | 3,744 | 4,802 | 3,652 | 1,246 | | 34,685 |
| E/LVA | | 324 | 679 | 1,253 | 997 | 1,191 | 3,080 | 3,105 | 2,961 | 1,892 | 3,533 | 3,059 | 2,212 | 1,330 | | 25,616 |
| E/POL | | | | | | 148 | 894 | 1,692 | 209 | | | 1,158 | 458 | 224 | | 4,783 |
| E/PRT | | | 17 | | 170 | 203 | 227 | 289 | 420 | 16 | | 50 | | | | 1,392 |
| FRA-SP | | | | | | | | 138 | 337 | 161 | | 423 | 487 | 183 | 741 | 2,470 |
| FRO | 7,076 | 4,998 | 5,815 | 8,429 | 7,386 | 9,271 | 9,086 | 7,207 | 11,871 | 7,680 | 12,648 | 4,952 | 2,457 | 1,150 | 2,313 | 102,339 |
| GRL | 3,788 | 2,275 | 2,400 | 1,107 | 104 | 866 | 576 | 1,734 | | 644 | 888 | | 70 | 793 | 0 | 15,185 |
| ISL | 2,195 | 2,355 | 7,481 | 20,680 | 7,197 | 6,572 | 9,148 | 8,736 | 5,063 | 5,754 | 4,715 | 3,567 | 4,014 | 2,099 | 0 | 89,576 |
| JPN | | | | | | | | 114 | 130 | 100 | 117 | | | | | 461 |
| NOR | 7,075 | 8,625 | 9,534 | 5,747 | 1,831 | 1,339 | 2,975 | 2,588 | 12,972 | 11,833 | 21,238 | 11,738 | 223 | 461 | 1,982 | 100,161 |
| RUS | 54 | 350 | 3,327 | 4,444 | 1,090 | | 1,103 | 7,070 | 5,687 | 1,176 | 3 | 654 | 266 | 46 | 76 | 25,346 |
| UKR | | | | | | | | | 348 | | 237 | 315 | | 282 | 0 | 1,182 |
| USA | | | | | | | | 629 | 758 | 96 | 762 | 952 | 1,235 | 1,258 | 1,287 | 6,977 |
| Total | 24,133 | 22,315 | 34,051 | 46,324 | 25,006 | 30,035 | 43,144 | 50,471 | 55,588 | 48,932 | 63,602 | 47,217 | 29,371 | 16,736 | 15,857 | 552,782 |

Explanatory Notes: Numbers in italics come from other sources.

- FRO 2006 3L and 3M Source: Monthly Provisional Catches

- GRL 2005-2006 3L and 3M Source: Monthly Provisional Catches

- FRA-SP 2004 - 2005 3L and 3M Source: Monthly Provisional Catches . Charter catches

- FRA-SP 2006 3L and 3M . Charter catches, as reported by EU/Estonia.

- USA 2000 3M . Charter catches, as reported by Estonia.

- USA 2001-2006 3L and 3M. Charter catches as reported by USA

*2007 values from Monthly Provisional Catches, except USA figure which was reported separately as charter catch.

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007) - cont.

| Contract Party | 2005 | | | | | 2006 | | | | | 2007 | | | | |
|----------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|
| | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M |
| Canada | 11277 | 10833 | 0 | 0 | 456 | 17937 | 18325 | 10 | 3 | 456 | 16863 | 18570** | 0 | 0 | 456 |
| Cuba | 136 | 144 | 1043 | 100 | 100 | - | 245 | - | - | 100 | 245* | 245 | - | 100 | |
| Estonia | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| EU | 999 | 1008* | - | 1866 | 3293 | 1687 | 1715* | - | 908 | 3293 | 1662 | 1715 | 9458 | 1171 | 3293 |
| Faroes | 1044 | 144 | 2341 | 217 | 1606 | 1809 | 245 | 1150 | 108 | 1606 | 1730 | 245 | 2313 | 144 | 1606 |
| France (SPM) | 147 | 144 | 487 | 45 | 100 | 245 | 245 | 183 | 17 | 100 | 245* | 245 | 741 | 65 | 100 |
| Greenland | 302 | 144 | 10 | 2 | 515 | 451 | 245 | 793 | 63 | 515 | 450 | 245 | 0 | 0 | 515 |
| Ireland | 71 | 144 | 4073 | 0 | N/A | 85 | 245 | 2099 | 0 | N/A | 0 | 245 | 0 | 0 | N/A |
| Japan | 0 | 0** | 0 | 0 | 100 | 0 | 0** | 0 | 0 | 100 | 0 | 0** | 0 | 0 | 100 |
| Korea | - | 144 | - | - | 100 | - | 0** | - | - | 100 | 0 | 0** | 0 | 0 | 100 |
| Latvia | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Lithuania | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Norway | 144 | 144 | 184 | 13 | 1985 | 239 | 245 | 433 | 32 | 1985 | 246 | 245 | 1982 | 104 | 1985 |
| Poland | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Russia | 144 | 144 | 268 | 59 | 2100 | 248 | 245 | 46 | 6 | 2100 | 111 | 245 | 76 | 13 | 2100 |
| Ukraine | - | 0** | - | - | 100 | 119 | 245 | 277 | 31 | 100 | 245* | 0** | 0 | 0 | 100 |
| USA | 137 | 144 | 1188 | 99 | 100 | - | 245 | - | - | 100 | 245* | 245 | 0 | 0 | 100 |
| GrandTotal | 14401 | 13137 | 9594 | 2401 | 10555 | 22820 | 22245 | 4991 | 1168 | 10555 | 21797 | 22245 | 14570 | 1497 | 10555 |

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to quota transfer.

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007)

| Contracting Party | 1996 | | | 1997 | | | 1998 | | |
|--------------------|---|--|---|---|--|---|---|--|---|
| | Actual Effort (fishing days) ¹ | Allocation (Fishing Days) ¹ | Allocated # of fishing vessels ² | Actual Effort (fishing days) ¹ | Allocation (Fishing Days) ¹ | Allocated # of fishing vessels ² | Actual Effort (fishing days) ¹ | Allocation (Fishing Days) ¹ | Allocated # of fishing vessels ² |
| Canada | 311 | 492 | 16 | 156 | 443 | 16 | 82 | 443 | 16 |
| Cuba | - | 100 | 1 | - | 100 | 1 | - | 100 | 1 |
| Estonia | 990 | 1852 | 6 | 1254 | 1217 | 6 | 1454 | 1217 | N/A |
| EU | - | 508 | 13 | 63 | 457 | 13 | 105 | 457 | 13 |
| Faroes | 1831 | 1785 | 11 | 1250 | 1606 | 11 | 1292 | 1606 | 11 |
| France (SPM) | - | 100 | 1 | 22 | 100 | 1 | - | 100 | 3 |
| Greenland | 202 | 572 | 15 | 31 | 515 | 15 | 113 | 515 | 15 |
| Iceland | 5256 | N/A | N/A | 1327 | N/A | 24 | 980 | N/A | N/A |
| Japan | - | 100 | - | - | 100 | N/A | - | 100 | N/A |
| Korea | - | 100 | N/A | - | 100 | N/A | - | 100 | N/A |
| Latvia | 504 | 544 | 4 | 439 | 490 | 4 | 402 | 490 | 4 |
| Lithuania | 918 | 638 | 7 | 611 | 579 | 7 | 866 | 579 | 7 |
| Norway | 1549 | 2206 | 32 | 329 | 1985 | 32 | 211 | 1985 | 32 |
| Poland | - | 100 | N/A | 100 | 100 | 1 | 40 | 100 | N/A |
| Russia | 2458 | N/A | 17 | 807 | 2600 | 18 | - | 2600 | 15 |
| Ukraine | - | 100 | N/A | - | 100 | 1 | - | 100 | 1 |
| USA | - | 100 | N/A | - | 100 | 1 | - | - | 1 |
| Grand Total | 14019 | 9197 | 122 | 6389 | 10492 | 150 | 5545 | 10492 | 118 |

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table, Annex 1.B of the CEM

⁵ Source: VMS reports

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007) - cont.

| Contracting Party | 1999 | | | 2000 | | | 2001 | | | | | |
|--------------------|---|--|---------------------|---|---|--|---------------------|---|---|--|---------------------|---|
| | Actual Effort (fishing days) ¹ | Allocation (Fishing Days) ¹ | Actual # of vessels | Allocated # of fishing vessels ² | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ² | Actual # of vessels | Allocated # of fishing vessels ² | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ² | Actual # of vessels | Allocated # of fishing vessels ² |
| Canada | 79 | 456 | | 16 | 261 | 456 | | 16 | - | 380 | | 16 |
| Cuba | 33 | 100 | | 1 | 22 | 100 | | 1 | 72 | 100 | | 1 |
| Estonia | 1651 | 1667 | | 8 | 1663 | 1667 | | 8 | 1180 | 1389 | | 8 |
| EU | 268 | 457 | | 13 | 252 | 457 | | 13 | - | 400 | | 13 |
| Faroes | 1051 | 1606 | | 8 | 972 | 1606 | | 8 | - | 1606 | | 8 |
| France (SPM) | - | 100 | | 1 | - | 100 | | 1 | 70 | 100 | | 1 |
| Greenland | 65 | 515 | | 14 | 223 | 515 | | 14 | - | 515 | | 14 |
| Iceland | 1222 | N/A | | 32 | 1094 | N/A | | N/A | - | N/A | | N/A |
| Japan | - | 100 | | 1 | 69 | 100 | | 1 | 61 | 100 | | 1 |
| Korea | - | 100 | | 1 | - | 100 | | 1 | - | 100 | | 1 |
| Latvia | 438 | 490 | | 3 | 489 | 490 | | 3 | 485 | 490 | | 4 |
| Lithuania | 620 | 579 | | 7 | 581 | 579 | | 7 | 550 | 579 | | 7 |
| Norway | 394 | 1985 | | 32 | 399 | 1985 | | 32 | 1559 | 1654 | | 32 |
| Poland | 104 | 100 | | 1 | 43 | 100 | | 1 | 9 | 100 | | 1 |
| Russia | 417 | 2100 | | 15 | 1411 | 2100 | | 15 | 948 | 1750 | | N/A |
| Ukraine | - | 100 | | 1 | | 100 | | 1 | 68 | 100 | | 1 |
| USA | | | | | | | | | 35 | 100 | | 1 |
| Grand Total | 6342 | 10455 | | 154 | 7479 | 10555 | | 123 | 5037 | 9463 | | 109 |

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table. Annex 1.B of the CEM

⁵ Source: VMS reports

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007) - cont.

| Contracting Party | 2002 | | | 2003 | | | 2004 | | | | | |
|--------------------|---|--|---------------------|---|---|--|---------------------|---|---|--|----------------------------------|---|
| | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ² | Actual # of vessels | Allocated # of fishing vessels ² | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ² | Actual # of vessels | Allocated # of fishing vessels ² | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ⁴ | Actual # of vessels ⁵ | Allocated # of fishing vessels ⁴ |
| Canada | - | 400 | - | 16 | - | 456 | - | 16 | 0 | 456 | - | 16 |
| Cuba | 12 | 100 | 10 | 1 | 10 | 100 | 1 | 1 | 100 | 100 | 1 | 1 |
| Estonia | 1594 | 1667 | 1458 | 8 | 1458 | 1667 | 8 | 8 | 1625 | 1667 | 8 | 8 |
| EU | 151 | 400 | 21 | 13 | 21 | 457 | 13 | 13 | 16 | 457 | 17 | 13 |
| Faroes | - | 1606 | 1410 | 8 | 1410 | 1606 | 8 | 8 | 600 | 1606 | 6 | 8 |
| France (SPM) | 40 | 100 | - | 1 | - | 100 | 1 | 1 | 58 | 100 | 0 | 1 |
| Greenland | 65 | 515 | 73 | 14 | 73 | 515 | 14 | 14 | 0 | 515 | 0 | 14 |
| Iceland | - | N/A | - | N/A | - | N/A | N/A | N/A | 0 | N/A | 1 | N/A |
| Japan | 38 | 100 | 54 | 1 | 54 | 100 | 1 | 1 | 0 | 100 | 0 | 1 |
| Korea | - | 100 | - | 1 | - | 100 | 1 | 1 | - | 100 | 0 | 1 |
| Latvia | 277 | 490 | 431 | 4 | 431 | 490 | 4 | 4 | 361 | 490 | 4 | 4 |
| Lithuania | 415 | 579 | 495 | 7 | 495 | 579 | 7 | 7 | 578 | 579 | 7 | 7 |
| Norway | 1240 | 1985 | 1774 | 32 | 1774 | 1985 | 32 | 32 | 978 | 1985 | 7 | 32 |
| Poland | - | 100 | - | 1 | - | 100 | 1 | 1 | 98 | 100 | 0 | 1 |
| Russia | 196 | 2100 | - | N/A | - | 2100 | N/A | N/A | 62 | 2100 | 0 | N/A |
| Ukraine | 10 | 100 | 41 | 1 | 41 | 100 | 1 | 1 | 42 | 100 | 1 | 1 |
| USA | 10 | 100 | 97 | 1 | 97 | 100 | 1 | 1 | 101 | 100 | 0 | 1 |
| Grand Total | 4038 | 10442 | 5864 | 109 | 5864 | 10555 | 109 | 109 | 4619 | 10555 | 32 | 109 |

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table. Annex 1.B of the CEM

⁵ Source: VMS reports

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007) - cont.

| Contracting Party | 2005 | | | 2006 | | | 2007 | | | | | |
|--------------------|---|--|--|---|---|--|--|---|---|--|--|---|
| | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ⁴ | Actual # of vessels ⁵ fishing | Allocated # of fishing vessels ⁴ | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ⁴ | Actual # of vessels ⁵ fishing | Allocated # of fishing vessels ⁴ | Actual Effort (fishing days) ³ | Allocation (Fishing Days) ⁴ | Actual # of vessels ⁵ fishing | Allocated # of fishing vessels ⁴ |
| Canada | 0 | 456 | - | 16 | 3 | 456 | 1 | 16 | 0 | 456 | - | 16 |
| Cuba | 100 | 100 | - | 1 | - | 100 | - | 1 | - | 100 | - | 1 |
| Estonia | - | - | - | - | - | - | - | - | - | - | - | - |
| EU | 1866 | 3293 | 16 | 33 | 908 | 3293 | 9 | 33 | 1171 | 3293 | 8 | 33 |
| Faroes | 217 | 1606 | 6 | 8 | 108 | 1606 | 3 | 8 | 144 | 1606 | 3 | 8 |
| France (SPM) | 45 | 100 | 1 | 1 | 17 | 100 | - | 1 | 65 | 100 | - | 1 |
| Greenland | 2 | 515 | 0 | 14 | 63 | 515 | 4 | 14 | 0 | 515 | - | 14 |
| Iceland | 0 | N/A | 1 | N/A | 0 | N/A | 1 | N/A | 0 | N/A | - | N/A |
| Japan | 0 | 100 | - | 1 | 0 | 100 | - | 1 | 0 | 100 | - | 1 |
| Korea | - | 100 | - | 1 | - | 100 | - | 1 | - | 100 | - | 1 |
| Latvia | - | - | - | - | - | - | - | - | - | - | - | - |
| Lithuania | - | - | - | - | - | - | - | - | - | - | - | - |
| Norway | 13 | 1985 | 2 | 32 | 32 | 1985 | 1 | 32 | 104 | 1985 | 2 | 32 |
| Poland | - | - | - | - | - | - | - | - | - | - | - | - |
| Russia | 59 | 2100 | - | N/A | 6 | 2100 | - | N/A | 13 | 2100 | - | N/A |
| Ukraine | - | 100 | 1 | 1 | 31 | 100 | 1 | 1 | - | 100 | - | 1 |
| USA | 99 | 100 | 1 | 1 | - | 100 | - | 1 | - | 100 | - | 1 |
| Grand Total | 2401 | 10555 | 25 | 109 | 1168 | 10555 | 20 | 109 | 1497 | 10555 | 13 | 109 |

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table. Annex 1.B of the CEM

⁵ Source: VMS reports

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007)

| Contracting Party | 1996 | | | | 1997 | | | | 1998 | | | | | |
|--------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|
| | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M |
| Canada | | | 166 | | 492 | | | 608 | | 443 | | 442 | | 443 |
| Cuba | | | - | | 100 | | | - | | 100 | | - | | 100 |
| Estonia | | | 1614 | | 1852 | | | 3166 | | 1217 | | 4803 | | 1217 |
| EU | | | 199 | | 508 | | | 569 | | 457 | | 1482 | | 457 |
| Faroese | | | 8767 | | 1785 | 485 | | 7335 | | 1606 | 344 | 9179 | | 1606 |
| France (SPM) | | | - | | 100 | | | - | | 100 | | - | | 100 |
| Greenland | | | 1099 | | 572 | | | 100 | | 515 | | 861 | | 515 |
| Iceland | | | 21077 | | N/A | | | 5671 | | N/A | | 5437 | | N/A |
| Japan | | | - | | 100 | | | - | | 100 | | - | | 100 |
| Korea | | | - | | 100 | | | - | | 100 | | - | | 100 |
| Latvia | | | 1253 | | 544 | | | 956 | | 490 | | 1190 | | 490 |
| Lithuania | | | 1567 | | 638 | | | 1708 | | 579 | | 3106 | | 579 |
| Norway | | | 5853 | | 2206 | | | 1974 | | 1985 | | 1315 | | 1985 |
| Poland | | | - | | 100 | | | 288 | | 100 | | - | | 100 |
| Russia | | | 4443 | | N/A | | | 1067 | | 2600 | | - | | 2600 |
| Ukraine | | | - | | 100 | | | - | | 100 | | - | | 100 |
| USA | | | - | | 100 | | | - | | 100 | | - | | 100 |
| Grand Total | | | 46038 | | 9197 | 485 | | 23442 | | 10492 | 344 | 27815 | | 10592 |

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007) - cont.

| Contracting Party | 1999 | | | | | | 2000 | | | | | | 2001 | | | | | |
|--------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----|--|--|
| | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | | | |
| | Canada | | | 385 | 456 | 456 | 364 | 5000 | 105 | 261 | 456 | 4990 | 5000 | 294 | - | 380 | | |
| Cuba | | | 119 | 100 | 100 | 0 | 67 | 46 | 22 | 100 | 46 | 67 | 797 | 72 | 100 | | | |
| Estonia | | | 10846 | 1667 | 1667 | 64 | 67 | 12196 | 1663 | 1667 | 70 | 67 | 9638 | 1180 | 1389 | | | |
| EU | | | 1265 | 457 | 457 | 0 | 67 | 1617 | 252 | 457 | 29 | 67 | 756 | - | 400 | | | |
| Faroes | | | 9199 | 1606 | 1606 | 36 | 67 | 7745 | 972 | 1606 | 71 | 67 | 12280 | - | 1606 | | | |
| France (SPM) | | | - | 100 | 100 | - | 67 | - | - | 100 | 67 | 67 | 408 | 70 | 100 | | | |
| Greenland | | | 576 | 515 | 515 | 34 | 67 | 1638 | 223 | 515 | 0 | 67 | 0 | - | 515 | | | |
| Iceland | | | 7643 | N/A | N/A | 0 | 67 | 7731 | 1094 | N/A | 14 | 67 | 5301 | - | N/A | | | |
| Japan | | | - | 100 | 100 | 0 | 67 | 114 | 69 | 100 | 0 | 67 | 130 | 61 | 100 | | | |
| Korea | | | - | 100 | 100 | - | 67 | - | - | 100 | - | 67 | - | - | 100 | | | |
| Latvia | | | 2765 | 490 | 490 | 67 | 67 | 3102 | 489 | 490 | 67 | 67 | 2984 | 485 | 490 | | | |
| Lithuania | | | 3370 | 579 | 579 | 67 | 67 | 3528 | 581 | 579 | 67 | 67 | 2702 | 550 | 579 | | | |
| Norway | | | 2976 | 1985 | 1985 | 67 | 67 | 2633 | 399 | 1985 | 31 | 67 | 13255 | 1559 | 1654 | | | |
| Poland | | | 707 | 100 | 100 | 58 | 67 | 316 | 43 | 100 | 64 | 67 | 196 | 9 | 100 | | | |
| Russia | | | 1126 | 2100 | 2100 | 67 | 67 | 7078 | 1411 | 2100 | 67 | 67 | 5687 | 948 | 1750 | | | |
| Ukraine | | | - | 100 | 100 | - | 67 | - | - | 100 | 57 | 67 | 348 | 68 | 100 | | | |
| USA | | | - | 100 | 100 | - | 67 | - | - | 100 | 66 | 67 | 411 | 35 | 100 | | | |
| Grand Total | | | 40977 | 10455 | 10455 | 824 | 6072 | 47849 | 7479 | 10555 | 5706 | 6072 | 55187 | 5037 | 9463 | | | |

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007) - cont.

| Contracting Party | 2002 | | | | | | 2003 | | | | | | 2004 | | | | | |
|--------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----|--|--|
| | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | | | |
| | Canada | 5188 | 5000 | 8 | - | 400 | 9102 | 10833 | 0 | - | 456 | 9944 | 10977* | 0 | 0 | 456 | | |
| Cuba | 70 | 67 | 153 | 12 | 100 | 146 | 144 | 81 | 10 | 100 | 145 | 144 | 969 | 100 | 100 | | | |
| Estonia | 16 | 67 | 13674 | 1594 | 1667 | 152 | 144 | 12732 | 1458 | 1667 | 144 | 144 | 13455 | 1625 | 1667 | | | |
| EU | 0 | 67 | 1045 | 151 | 400 | 117 | 144 | 161 | 21 | 457 | 159 | 144 | 2724 | 16 | 457 | | | |
| Faroes | 19 | 67 | 8509 | - | 1606 | 0 | 144 | 12622 | 1410 | 1606 | 1013 | 144 | 4932 | 600 | 1606 | | | |
| France (SPM) | 36 | 67 | 161 | 40 | 100 | - | 144 | - | - | 100 | 106 | 144 | 423 | 58 | 100 | | | |
| Greenland | 0 | 67 | 680 | 65 | 515 | 147 | 144 | 873 | 40 | 515 | 294 | 144 | 0 | 0 | 515 | | | |
| Iceland | 39 | 67 | 5351 | - | N/A | 102 | 144 | 4588 | - | N/A | 142 | 144 | 3519 | 0 | N/A | | | |
| Japan | 0 | 67 | 100 | 38 | 100 | 0 | 144 | 116 | 54 | 100 | 0 | 144 | 0 | 0 | 100 | | | |
| Korea | | 67 | | - | 100 | - | 144 | - | - | 100 | - | 144 | - | - | 100 | | | |
| Latvia | 59 | 67 | 1885 | 277 | 490 | 144 | 144 | 3453 | 431 | 490 | 119 | 144 | 2332 | 361 | 490 | | | |
| Lithuania | 67 | 67 | 3321 | 415 | 579 | 142 | 144 | 3744 | 495 | 579 | 144 | 144 | 4802 | 578 | 579 | | | |
| Norway | 67 | 67 | 11225 | 1240 | 1985 | 145 | 144 | 22874 | 1774 | 1985 | 148 | 144 | 10743 | 978 | 1985 | | | |
| Poland | 0 | 67 | - | - | 100 | - | 144 | - | - | 100 | 144 | 144 | 1124 | 98 | 100 | | | |
| Russia | 67 | 67 | 1145 | 196 | 2100 | 0 | 144 | 3 | - | 2100 | 141 | 144 | 654 | 62 | 2100 | | | |
| Ukraine | | 67 | | | 100 | 144 | 144 | 238 | 41 | 100 | 144 | 144 | 314 | 42 | 100 | | | |
| USA | 69 | 67 | 96 | 10 | 100 | 144 | 144 | 628 | 97 | 100 | 0 | 0** | 952 | 101 | 100 | | | |
| Grand Total | 5697 | 6072 | 47353 | 4038 | 10442 | 10485 | 13137 | 62113 | 5831 | 10555 | 12787 | 13137 | 46943 | 4619 | 10555 | | | |

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007) - cont.

| Contracting Party | 2005 | | | | | | 2006 | | | | | | 2007 | | | | | |
|--------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|-----------------|---------------|-----------------|-----------------------------|------------------------------|--|--|--|
| | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | 3L Catches (mt) | 3L Quota (mt) | 3M Catches (mt) | Reported fishing days in 3M | Allocated fishing Days in 3M | | | |
| Canada | 11277 | 10833 | 0 | 0 | 456 | 17937 | 18325 | 10 | 3 | 456 | 16863 | 18570** | 0 | 0 | 456 | | | |
| Cuba | 136 | 144 | 1043 | 100 | 100 | - | 245 | - | - | 100 | 245* | 245 | - | 100 | | | | |
| Estonia | | | | | | | | | | | | | | | | | | |
| EU | 999 | 1008* | | 1866 | 3293 | 1687 | 1715* | | 908 | 3293 | 1662 | 1715 | 9458 | 1171 | 3293 | | | |
| Faroes | 1044 | 144 | 2341 | 217 | 1606 | 1809 | 245 | 1150 | 108 | 1606 | 1730 | 245 | 2313 | 144 | 1606 | | | |
| France (SPM) | 147 | 144 | 487 | 45 | 100 | 245 | 245 | 183 | 17 | 100 | 245* | 245 | 741 | 65 | 100 | | | |
| Greenland | 302 | 144 | 10 | 2 | 515 | 451 | 245 | 793 | 63 | 515 | 450 | 245 | 0 | 0 | 515 | | | |
| Iceland | 71 | 144 | 4073 | 0 | N/A | 85 | 245 | 2099 | 0 | N/A | 0 | 245 | 0 | 0 | N/A | | | |
| Japan | 0 | 0** | 0 | 0 | 100 | 0 | 0** | 0 | 0 | 100 | 0 | 0** | 0 | 0 | 100 | | | |
| Korea | - | 144 | - | - | 100 | - | 0** | - | - | 100 | 0 | 0** | 0 | 0 | 100 | | | |
| Latvia | | | | | | | | | | | | | | | | | | |
| Lithuania | | | | | | | | | | | | | | | | | | |
| Norway | 144 | 144 | 184 | 13 | 1985 | 239 | 245 | 433 | 32 | 1985 | 246 | 245 | 1982 | 104 | 1985 | | | |
| Poland | | | | | | | | | | | | | | | | | | |
| Russia | 144 | 144 | 268 | 59 | 2100 | 248 | 245 | 46 | 6 | 2100 | 111 | 245 | 76 | 13 | 2100 | | | |
| Ukraine | - | 0** | - | - | 100 | 119 | 245 | 277 | 31 | 100 | 245* | 0** | 0 | 0 | 100 | | | |
| USA | 137 | 144 | 1188 | 99 | 100 | | 245 | | | 100 | | 245 | | 100 | | | | |
| Grand Total | 14401 | 13137 | 9594 | 2401 | 10555 | 22820 | 22245 | 4991 | 1168 | 10555 | 21797 | 22245 | 14570 | 1497 | 10555 | | | |

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Annex 6. 3M Shrimp Management Regime – Proposal by Canada
(FC WP 08/7, Revision 1)

This represents a modification to Canadian proposal related to 3M shrimp management.

- The proposal considers the current allocation key for effort days (including a proxy value for Iceland) as well as two history periods (1993-2006 and 2001-2006) to provide a blended percentage key
- The catch values have been updated and reflect those calculated by the Executive Secretary
- Each of the three sharing components were given equal weight (1/3-1/3-1/3)
- In addition, a base level of 320t was incorporated into the final key

| Contracting Party | Current Effort Key | | History 1 1993-2006 | History 2 2001-2006 | Blend (1/3-1/3-1/3) | Quota at blend | Top-up to 320t Base Level | Blend (1/3-1/3-1/3) with Adjustment for Base level Participation of 320t | |
|--------------------|--------------------|------------|---------------------|---------------------|---------------------|----------------|---------------------------|--|------------|
| | Allocated Days | % | % | % | % | t | | Quota | % |
| Canada | 456 | 3.69 | 1.54 | 0.12 | 1.78 | 855 | | 847 | 1.76 |
| Cuba | 100 | 0.81 | 1.35 | 2.71 | 1.63 | 780 | | 772 | 1.61 |
| Greenland | 515 | 4.17 | 2.83 | 0.89 | 2.63 | 1262 | | 1250 | 2.60 |
| Faroe Islands | 1606 | 13.00 | 18.63 | 15.59 | 15.74 | 7555 | | 7479 | 15.58 |
| European Union | 3293 | 26.65 | 34.29 | 42.55 | 34.50 | 16560 | | 16393 | 34.15 |
| France (SPM) | 100 | 0.81 | 0.32 | 0.61 | 0.58 | 278 | 43 | 320 | 0.67 |
| Iceland | 1800 | 14.57 | 16.68 | 9.64 | 13.63 | 6543 | | 6477 | 13.49 |
| Japan | 100 | 0.81 | 0.09 | 0.13 | 0.34 | 164 | 157 | 320 | 0.67 |
| Korea | 100 | 0.81 | 0.00 | 0.00 | 0.27 | 130 | 192 | 320 | 0.67 |
| Norway | 1985 | 16.07 | 18.29 | 22.36 | 18.90 | 9074 | | 8983 | 18.71 |
| Russian Federation | 2100 | 17.00 | 4.71 | 3.00 | 8.23 | 3952 | | 3912 | 8.15 |
| Ukraine | 100 | 0.81 | 0.22 | 0.45 | 0.49 | 237 | 84 | 320 | 0.67 |
| USA | 100 | 0.81 | 1.06 | 1.94 | 1.27 | 609 | | 603 | 1.26 |
| TOTALS | 12355 | 100 | 100 | 100 | 100.00 | 48000 | 476 | 47995 | 100 |

**Annex 7. EC Proposal for a TAC for 2009 and 2010, and a Quota
Allocation Scheme, for 3M Shrimp
(FC WP 08/12, Revision 1)**

| Party | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | Total | Average % | Science Contribution 3% | 97% Allocation | TOTAL | Adjusted Total Allocation |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|----------------|-------------------------------|-------------------|---------------|---------------------------------|
| | 104 | 295 | 8 | 0 | 0 | 0 | 10 | 0 | 417 | | | | | |
| Canada | 46 | 1,037 | 1,537 | 1,462 | 969 | 964 | 1,126 | 0 | 7,141 | 2.18% | | 59 | 59 | 400 |
| Cuba | 22,105 | 17,090 | 19,943 | 21,532 | 23,647 | 19,715 | 9,328 | 9,458 | 142,818 | 43.57% | 1,440 | 1,014 | 1,014 | 1,021 |
| EC | 138 | 337 | 161 | 0 | 423 | 487 | 183 | 741 | 2,470 | 0.75% | | 351 | 351 | 400 |
| FR (SPM) | 7,207 | 11,871 | 7,680 | 12,648 | 4,952 | 2,457 | 1,150 | 2,313 | 50,278 | 15.34% | | 7,142 | 7,142 | 7,192 |
| FI | 1,734 | 0 | 644 | 888 | 0 | 10 | 793 | 0 | 4,069 | 1.24% | | 578 | 578 | 580 |
| G'land | 8,736 | 5,063 | 5,754 | 4,715 | 3,567 | 4,014 | 2,099 | 0 | 33,948 | 10.36% | | 4,822 | 4,822 | 4,856 |
| Iceland | 114 | 130 | 100 | 117 | 0 | 0 | 0 | 0 | 461 | 0.14% | | 65 | 65 | 400 |
| Japan | 2,588 | 12,972 | 11,833 | 21,238 | 11,738 | 223 | 461 | 1,982 | 63,035 | 19.23% | | 8,954 | 8,954 | 9,017 |
| Norway | 7,070 | 5,687 | 1,176 | 3 | 654 | 266 | 46 | 76 | 14,978 | 4.57% | | 2,128 | 2,128 | 2,142 |
| Russia | | | | | | | | | | | | | | 400 |
| Korea | | | | | | | | | | | | | | |
| Ukraine | 0 | 348 | 0 | 237 | 315 | 0 | 282 | 0 | 1,182 | 0.36% | | 168 | 168 | 400 |
| USA | 629 | 758 | 96 | 762 | 952 | 1,235 | 1,258 | 1,287 | 6,977 | 2.13% | | 991 | 991 | 991 |
| TOTAL | 50,471 | 55,588 | 48,932 | 63,602 | 47,217 | 29,371 | 16,736 | 15,857 | 327,774 | 100.00% | 1,440 | 46,560 | 48,000 | 49,588 |

Annex 8. 3M Shrimp Management Regime (Proposal by Russian Federation)
(FC WP 08/13)

This proposal represents a 3M shrimp TAC and sharing key based on the following components:

- The current allocation key for effort days as well as two history periods (1993-2006 and 2001-2006) to provide a blended percentage key
- Three sharing components were weighted (50:25:25)
 - Current effort key – 50%
 - History 1 (1993-2006) – 25%
 - History 2 (2001-2006) – 25%
- The catch values have been updated and reflect those calculated by the Executive Secretary

| Contracting Party | Current effort key | | | History 1 | | History 2 | | Combined quota | |
|--------------------|--------------------|---------------|-----------------|---------------|-----------------|--------------|-----------------|----------------|-----------------|
| | Allocated days | % | MT | % | MT | % | MT | % | MT |
| Canada | 456 | 3.75 | 898.89 | 1.54 | 184.80 | 0.12 | 14.40 | 2.29 | 1098.09 |
| Cuba | 100 | 0.82 | 197.13 | 1.35 | 162.00 | 2.71 | 325.20 | 1.43 | 684.33 |
| Greenland | 515 | 4.23 | 1015.20 | 2.83 | 339.60 | 0.89 | 106.80 | 3.04 | 1461.60 |
| Faroe Islands | 1606 | 13.19 | 3165.83 | 18.63 | 2235.60 | 15.59 | 1870.80 | 15.15 | 7272.23 |
| European Union | 3293 | 27.05 | 6491.33 | 34.29 | 4114.80 | 42.55 | 5106.00 | 32.73 | 15712.13 |
| France (SPM) | 100 | 0.82 | 197.13 | 0.32 | 38.40 | 0.61 | 73.20 | 0.64 | 308.73 |
| Iceland | 1620 | 13.31 | 3193.43 | 16.68 | 2001.60 | 9.64 | 1156.80 | 13.23 | 6351.83 |
| Japan | 100 | 0.82 | 197.13 | 0.09 | 10.80 | 0.13 | 15.60 | 0.47 | 223.53 |
| Korea | 100 | 0.82 | 197.13 | 0.00 | 0.00 | 0.00 | 0.00 | 0.41 | 197.13 |
| Norway | 1985 | 16.30 | 3912.94 | 18.29 | 2194.80 | 22.36 | 2683.20 | 18.31 | 8790.94 |
| Russian Federation | 2100 | 17.25 | 4139.63 | 4.71 | 565.20 | 3.00 | 360.00 | 10.55 | 5064.83 |
| Ukraine | 100 | 0.82 | 197.13 | 0.22 | 26.40 | 0.45 | 54.00 | 0.58 | 277.53 |
| USA | 100 | 0.82 | 197.13 | 1.06 | 127.20 | 1.94 | 232.80 | 1.16 | 557.13 |
| TOTALS | 12175 | 100.00 | 24000.00 | 100.01 | 12001.20 | 99.99 | 11998.80 | 100.00 | 48000.00 |

Annex 9. Proposal by Norway on a TAC Allocation Scheme for 3M Shrimp
(FC WP 08/14)

Principles

The allocation scheme (Table 1) is based on both the current allocation (effort days) and on the realized fishing pattern 1996-2007 (catches). It weighs the effort allocation by 1/3 and the recent fishing pattern by 2/3. The realized fishing pattern is determined from the 1996-2007 catch history by giving increasing weights to the most recent years (see Fig. 1).

Table 1. Current effort allocation, weighted realized catch allocation and the weighted mean allocation (1/3effort:2/3weighted catch history).

| Contracting Party | Effort | | Catch (weighted) | | Combined |
|--------------------|--------------|--------------|------------------|--------------|--------------|
| | Days | Share | 1996-2007 | Share | |
| | | % | | Tons | |
| Canada | 456 | 3.75 % | 590 | 0.23 % | 1.40 % |
| Cuba | 100 | 0.82 % | 5744 | 2.21 % | 1.74 % |
| Faroese | 1606 | 13.19 % | 41098 | 15.78 % | 14.91 % |
| Greenland | 515 | 4.23 % | 3363 | 1.29 % | 2.27 % |
| European Union | 3293 | 27.05 % | 118332 | 45.43 % | 39.30 % |
| France (SPM) | 100 | 0.82 % | 1390 | 0.53 % | 0.63 % |
| Iceland* | 1620 | 13.31 % | 28877 | 11.09 % | 11.82 % |
| Japan | 100 | 0.82 % | 276 | 0.11 % | 0.34 % |
| Korea | 100 | 0.82 % | 0 | 0.00 % | 0.27 % |
| Norway | 1985 | 16.30 % | 46602 | 17.89 % | 17.36 % |
| Russian Federation | 2100 | 17.25 % | 8509 | 3.27 % | 7.92 % |
| Ukraine | 100 | 0.82 % | 949 | 0.36 % | 0.52 % |
| USA | 100 | 0.82 % | 4726 | 1.81 % | 1.48 % |
| TOTALS | 12175 | 100 % | 260456 | 100 % | 100 % |

*Adjusted to 90% effort allocation as for other countries.

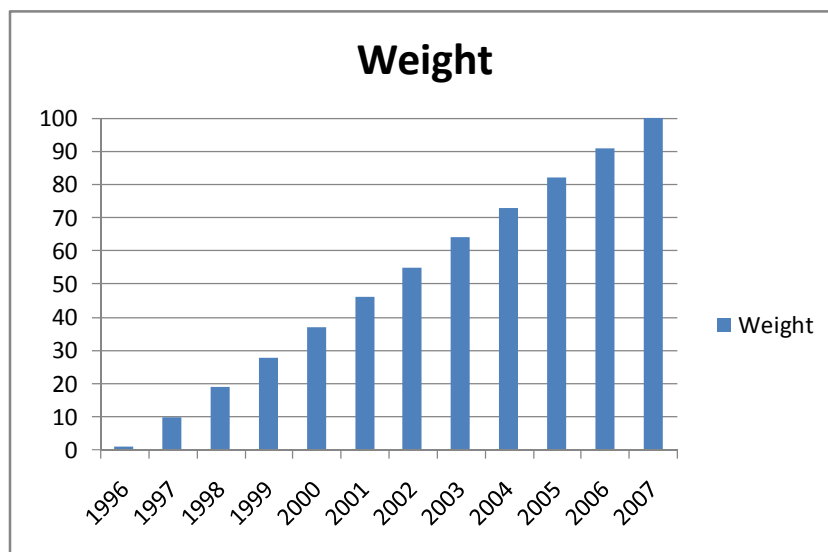


Figure 1. The catch weighting function: recent years are weighted higher than earlier years.

Annex 10. Proposal by DFG - 3M Shrimp
(FC WP 08/16)

Allocation is based on the catches 1993-2007.

The catch figure used for Iceland in 1996 has been adjusted to take into account that Iceland had no regulation for its fishery in that year.

| Contracting Party | Allocation | |
|-------------------|------------|-------|
| | tonnes | % |
| Canada | 706 | 1,5% |
| Cuba | 630 | 1,3% |
| Faroe Islands | 9.117 | 19,0% |
| Greenland | 1.333 | 2,8% |
| EU | 16.862 | 35,1% |
| France (SP) | 400 | 0,8% |
| Iceland | 6.380 | 13,3% |
| Japan | 400 | 0,8% |
| Korea | 400 | 0,8% |
| Norway | 8.675 | 18,1% |
| Russia | 2.201 | 4,6% |
| Ukraine | 400 | 0,8% |
| USA | 494 | 1,0% |
| | 48.000 | |

**Annex 11. Modification to the Conservation and Management Measures
Relating to Shrimp in Division 3L (Proposal by the EC)**
(FC WP 08/11)

1. The provision in the Conservation and Enforcement Measures, Article 14 - Area and Time Restrictions, point 1, in relation to the fishing prohibition period in Area 3L, is hereby deleted.
2. The provision in the Conservation and Enforcement Measures, Article 14 - Area and Time Restrictions, point 2, relating to the limitation of "...at any one time to one vessel per each flag state Contracting Party's allocation", is hereby deleted.

**Annex 12. Fisheries Commission request to the Scientific Council
on Shrimp in Division 3L (Proposal by the EC)**
(FC WP 08/10)

The Fisheries Commission, with the concurrence of the Coastal State, hereby requests that the Scientific Council provide updated information on the distribution on shrimp in Divisions 3L, 3N and 3O, as well as describe the relative distribution inside and outside the NAFO Regulatory Area.

Annex 13. Canadian Statement for FC on 3L Shrimp Distribution

Noting the information presented to Scientific Council in October 2007 in Scientific Council Research Document 07/091, it is obvious that there has not been a change in the distribution of shrimp in Division 3L with respect to the proportion in NAFO Regulatory Area (NRA).

When SC first provided advice to Fisheries Commission on 3L shrimp distribution, in 1999, available data from autumn surveys in 1995-1998 showed that 17.6% of the shrimp biomass in Div. 3L, on average, was located in the NAFO Regulatory Area (NRA). The data presented to SC in SCR 07/091 shows that the average percentage of biomass in the NRA in Div. 3L, from the full time series of autumn surveys (1995-2006), was identical at 17.6%.

The data presented to SC in SCR 07/091, using improved methodology for biomass calculation, show that the average percentage of biomass in the NRA in Div. 3L, from the full time series of autumn surveys (1995-2006), was 16.1%. Using the new methodology on the data from 1995-1998 results in an average of 15.1%.

Data from spring surveys in Div. 3L, from 1999-2007, showed that, on average, 21.3% of shrimp biomass in Div. 3L was in the NRA. When data from all available spring and autumn surveys are examined together, they indicate that, on average, 18.4% of shrimp biomass in Div. 3L was in the NRA.

Data from both spring and autumn time series show variation, but no long-term trends in the percentage of shrimp biomass in the NRA in Div. 3L.

**Annex 14. Proposal by Denmark (in respect of the Faroe Islands and Greenland) re
Allocation of Shrimp in 3L
(FC WP 08/8)**

| Allocation of shrimp in 3L | 2008 | 2008 Proposal |
|---------------------------------------|---------------|--------------------------|
| Canada | 20.824 | 23.259 |
| Cuba | 278 | 294 |
| DFG | [278] | 2.625 |
| EU | 1.392 | 1.470 |
| France-SP & Miquelon | 278 | 294 |
| Iceland | 278 | 294 |
| Japan | 278 | 294 |
| Korea | 278 | 294 |
| Norway | 278 | 294 |
| Russia | 278 | 294 |
| Ukraine | 278 | 294 |
| USA | 278 | 294 |
| | | |
| TAC | 25.000 | 30.000 |

Annex 15. Compromise Proposal by Norway on the Allocation of Shrimp in 3L
(FC WP 08/9)

| Allocation of shrimp in 3L | 2008 |
|---------------------------------------|-----------------|
| | Proposal |
| Canada | 20.824 |
| Cuba | 278 |
| DFG | 1.278 |
| EU | 1.392 |
| France-SP & Miquelon | 278 |
| Iceland | 278 |
| Japan | 278 |
| Korea | 278 |
| Norway | 278 |
| Russia | 278 |
| Ukraine | 278 |
| USA | 278 |
| | |
| TAC | 26.000 |

Annex 16. Introductory Remarks by Canada

Canada welcomed all participants to intersessional.

Canada emphasized the need for this meeting to complete unfinished business on VMEs, having already made progress in the last two years on seamounts and corals.

Canada believes that it is essential that we make real progress as we have already lost half year of implementation against commitments for the end of 2008, for not having adopted measures in Lisbon on outstanding aspects of the Resolution.

If we cannot agree to elements to be adopted here, we will be in a very difficult position to meet commitments by the end of the year. If we do not have anything to report to the United Nations General Assembly (UNGA) for the 2009 Review, the credibility of NAFO will be at stake.

We have negotiated the Resolution in good faith and would expect NAFO to be compliant.

At this meeting, we need to:

- * Adopt obligations in the NCEM text;
- * Establish terms of reference for any new bodies;
- * Decide on special requests for advice or work to the Scientific Council that is needed by September or the end of the year, starting with the June meeting of the Scientific council, and;
- * Set in train a process to establish a template and procedures for assessment of current fisheries.

Annex 17. Introductory Remarks by USA

We would like to thank the Government of Canada for hosting this intersessional and the NAFO Secretariat for their preparatory work.

At the highest levels of our Government, the United States has made it a priority to address the protection of vulnerable marine ecosystems, both within and beyond national jurisdiction, from fishing practices that have significant adverse impacts on those habitats. The United States has a new law, the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 that reflects this priority.

We therefore strongly support the provisions of UNGA Resolution 61/105 on the management of deep seas fisheries and the protection of VMEs, and the implementation of these measures by States and RFMOs by December 31, 2008. Without adoption and implementation of such measures, after December 31, 2008, bottom fishing activities on the high seas, including NAFO Convention waters, must cease.

The 2006 UNGA Resolution provisions encompass a range of elements that are not currently reflected in NAFO's conservation and management measures. The following are key elements, in our view, to be included in a revised or new NAFO conservation measure to address this important issue:

1. Elaboration of a process to assess whether bottom fishing would have significant adverse impacts on VMEs, and subsequent adoption of CEM to prevent significant adverse impacts.
2. Area closures where VMEs are known to occur or are likely to occur, unless conservation and management measures are adopted to prevent significant adverse impacts.
3. Elaboration of an encounter clause – e.g., ceasing bottom fishing if a VME is encountered until conservation and management measures are adopted for the site to prevent significant adverse impacts..
4. Provisions for cooperation to identify VMEs, and collect and share data.

We recognize the challenges associated with implementing these measures within a NAFO context. However, it is our shared responsibility here at this meeting to develop and agree to measures that reflect the requirements of 61/105. To not do so will send a message of failure not only to our stakeholders who are closely watching our progress but also to those regional bodies that will follow us.

We believe that the text on VMEs, SAI and assessment processes as developed and agreed at the FAO Technical Consultations earlier this year will provide necessary guidance to our discussions here.

We thank Canada and the EC for their helpful proposals to begin our discussions here today. It is clear to the US that while the proposals differ there is a fundamental commonality - the protection of vulnerable marine ecosystems from bottom fishing activities. We look forward to working with our colleagues around the table to operationalize this shared goal here in Montreal. The sooner we roll up our sleeves and put these proposals together the sooner we will be able to make real progress on this issue.

Annex 18. Introductory Remarks by EAC

Mr. Chairman, Contracting Parties,

On behalf of the Ecology Action Centre, based in Halifax, Nova Scotia, we are honored to be observers at this meeting. As part of the Deep Sea Conservation Coalition, an organization of over 60 groups across the globe, we encourage NAFO and its Contracting Parties to take a strong decision this week to implement the UNGA Sustainable Fisheries Resolution, 61/105.

At the time of its adoption, the UNGA Resolution was considered a compromise, and many of you here today, hoped for a stronger Resolution in New York in 2006. Because of this, we see no obstacle to implementing the Resolution in full.

We are encouraged by this meeting, and to hear the statements of Contracting Parties that clearly indicate an understanding of the importance of protecting the corals, sponges, and vulnerable fish species and ecosystems in the NAFO regulatory area from destructive fishing practices.

As one of the most established RFMOs, NAFO has the opportunity to be a leader in establishing a process to protect vulnerable marine ecosystems (VMEs) on the high seas.

We look forward to an agreed framework at the end of this meeting that sets the stage for the future of the Northwest Atlantic, in keeping with the UNGA resolution, and meets the deadlines that have been established. By December 31, 2008, we hope that NAFO brings into regulation protection of VMEs and destructive fishing practices.

Annex 19. Introductory Remarks by SCC

Introduction

After many years of attempting to manage fisheries with the focus on the sustainability of fish stocks, it appears that other factors associated with ocean environment, habitats, and ecosystems require more attention. Similarly, the invasive capacity of modern fishing technologies has come under considerable scrutiny over the past few decades especially with the recent scientific evidence on the destructive nature of some technologies and fishing practices. This proposal is presented as a response to this situation and offers some recommendations to facilitate the change to a healthy ocean strategy. The areas of focus include identifying and establishing zones to protect cold water corals and sensitive diverse deep-water areas, promoting gear conversion /buy back/retirement programs as a mechanism to make the transition to less intrusive fishing technologies, and promoting marine safety among fishing fleets and crews.

Protecting Cold Water Corals

One of the responses to the aforementioned situation has been the identification of highly-diverse, productive, and sensitive deep-water marine environments. In some jurisdictions efforts have been made to restrict human activity in such areas through the establishment of marine reserves or marine protected areas to provide the opportunity for the recovery of highly productive and diverse marine environments. By protecting umbrella species such as corals, this has provided shelter for other commercial and non-commercial fish species and is recognized by leading researchers in the scientific community to contribute to improving the health of the planet's oceans.

Over the past few years our organization has consulted with various independent university based scientists. Through these collaborations, discussions and shared research various sensitive, diverse, deep water areas off the coasts of Newfoundland and Labrador have been identified. Enclosed with this proposal are a series of charts which outline some of the significant cold water coral beds and sensitive, diverse deep-water areas. The decision to target these particular locations comes as a result of lengthy consultations with Dr Evan Edinger, Oceanographer, Memorial University whose area of research interest is cold water corals and Dr. Richard Haedrich, fish habitat biologist, Memorial University. Dr. Haedrich's area of interest is fish abundance and diversity. In 2007 they, along with Vonda Wareham, co-authored a scientific paper, "Patterns of groundfish diversity and abundance in relation to deep-sea corals distributions in Newfoundland and Labrador." (See Conservation and adaptive management of seamount and deep-sea coral ecosystems, George, R.Y. and S.D. Cairns, eds., 2007. The paper analyzed the association between groundfish and corals in Newfoundland and Labrador waters. The research findings indicated that when establishing closed areas for corals, the corals act as an umbrella species or flagship species and thus protect the capacity for abundance and diversity among other apparently unrelated fish species. The zones designated on the enclosed charts reflect those findings. It is our recommendation based on the best scientific information available that the zones as designated be closed.

Gear Conversion/Licence Buyback/Retirement Programs

It is a further recommendation of the Sierra Club of Canada that based on the evidence of the destruction wrought on the marine environment from bottom trawling the Northwest Atlantic Fisheries Organization encourage member states to adopt gear conversion/buyback/retirement programs to change how fishing is conducted in the North-west Atlantic. Adopting less intrusive, more benign fishing technologies will permit recovery within the natural habitats of the ocean floor and with it rejuvenation of commercial and non-commercial fish stocks. Establishing the closed areas mentioned above will require adjustments and transitions as part of the process to re-establish healthy ocean habitats within the Northwest Atlantic marine environment. To facilitate this process the Sierra Club of Canada recommends the Northwest Atlantic Fisheries Organization encourage its members to adopt licence buyback and retirement programs for those displaced though the closure of these sensitive abundant diverse deep-water areas.

Marine Safety

Finally, fishing technologies such as longlining for groundfish have been shown to have minimal effects on the ocean floor outside coral areas. From a work safety perspective, such technology is far safer than bottom trawling as the tasks of setting and retrieving the longline gear - a single line of thousands of baited hooks - is completed inside the ship. This work process contrasts with bottom or mid-water trawling which involves working outside on deck, handling very heavy nets, cables, and trawl doors; usually swinging from a large steel A-frame, situated above a ramp, located on the stern of the ship.

Summary

We propose three recommendations to foster the re-establishment of a healthy ocean environment in the Northwest Atlantic:

- Closing sensitive, diverse, abundant cold water coral areas as outlined in the enclosed charts.
- Encouraging member countries to establish gear conversion/licence buyback/retirement programs.
- Encouraging the use of benign fishing technologies to promote marine safety.

Annex 20. Introductory Remarks by WWF

WWF's *Measures of Success* for the May 2008 NAFO Intersessional Meeting

WWF is committed to working with NAFO and its Contracting Parties to restore ecosystem health, rebuild depleted fish stocks, and ensure fisheries are sustainable in the NAFO Regulatory Area (NRA). The protection of coldwater corals and other vulnerable marine ecosystems (VMEs) is an important step toward realizing this vision for the NRA and the broader Grand Banks region.

The 2006 United Nations General Assembly (UNGA) Resolution on Sustainable Fisheries (61/105) calls on regional fisheries management organizations – such as NAFO – to assess the impacts of bottom fishing and identify and protect VMEs by December 31, 2008. NAFO has taken some initial steps in this direction over the last two years by adopting measures to protect seamounts and corals in parts of the regulatory area.

The May 5-7th Intersessional Meeting in Montreal will be a success if the NAFO Fisheries Commission adopts a regulatory framework that ensures all components of Paragraph 83(a-d) of the UNGA Resolution are implemented by December 31, 2008 in a manner consistent with the FAO Guidelines for the Management of Deep-sea Fisheries in the High Seas.

The regulatory framework must:

- Mandate the Scientific Council to identify VMEs in the NRA by September 2008 through the systematic assessment and mapping of the best available species and habitat information; and
- Ensure that measures are in place by December 2008 to prevent any significant adverse impacts to VMEs from all fisheries in the NRA. These measures, must include, at a minimum:
 - The closure of all areas known or likely to contain VMEs to bottom fishing, and
 - Provisions that require vessels to immediately cease fishing and move away from areas where coldwater corals, sponges and other components of VMEs are encountered in the NRA.

The lack of detailed information on VMEs highlights the need to apply the precautionary approach, a principle that is specified in both the UNGA Resolution and the reformed NAFO Convention Text. Given the challenges of meeting the December 2008 deadline, WWF feels that interim measures would be appropriate to protect areas known or likely to contain VMEs until better information is available.

WWF is eager to work with NAFO, including the Scientific Council and all Contracting Parties, toward meaningful protection for VMEs. We have considerable expertise in regional-scale mapping of species and habitats for the identification of priority areas for conservation, and in developing practical conservation strategies.

Annex 21. Supplementary Request to Scientific Council
(FC WP 08/18, Revision 2 now FC Doc. 08/2)

At the 2007 Annual Meeting, Fisheries Commission requested Scientific Council advice as follows:

10. Recognizing the initiatives on vulnerable marine ecosystems (VME) Fisheries Commission requests the Scientific Council to:
- a) Develop initial methodologies for the identification of VME and assessment of individual fishing activities, drawing on relevant international information and objective standards and guidelines as may have been developed, as deemed appropriate for this work;
 - b) Assess, at least on a preliminary basis, using the best available scientific information and assessment methodology, whether individual bottom fishing activities would have significant adverse impacts on identified vulnerable marine ecosystems, with a view to reporting these findings to the Fisheries Commission and ensuring that additional conservation and management measures, where required, are recommended, through a Working Group of Fishery Managers and Scientists on Ecosystems Management, to the Fisheries Commission at its September 2008 meeting;
 - c) Develop appropriate scientific methods for the longer term monitoring of the health of VME.

Fisheries Commission further requests the Scientific Council to provide supplementary advice with respect to commitments related to UNGA Resolution 61/105 by:

For the NAFO Regulatory Area and using existing information:

1. Identifying vulnerable species and habitat-forming species that are documented/considered sensitive and likely vulnerable to deep-sea fisheries.
2. Identifying areas (mega-habitats) which are topographical, hydro-physical or geological features (including fragile geologic structures) known to support vulnerable species, communities, or habitats.
3. This identification process should draw on relevant international information as may have been developed and as deemed appropriate for this work.
4. Mapping locations of vulnerable marine ecosystems, if any, as well bottom substrate features contained therein.

Additionally, the following VME Data Collection Protocol is referred to Scientific Council for review and advice. Completion of this work is requested by September 2008 to facilitate a meeting of the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems.

Vulnerable Marine Ecosystem (VME) Data Collection Protocol

1.0 Observers on fishing vessels in the NAFO Regulatory Area who are deployed pursuant to Chapter III, Article 24 shall:

- i. Monitor any set for evidence of VME and the presence of vulnerable marine species.
- ii. For VME generally, record Species Code, Trip#, Set#, Vessel Name, Gear Type, Latitude/Longitude, Depth, Date and Name of Observer on datasheets, if possible,
 - Live animals should be measured and released, dead animals measured and sexed
 - Samples may be collected and frozen (eg: gonads from dead specimens), when requested by Scientific Council or the scientific authority in a Contracting Party
- iii. For deep-sea coral species, also collect as many samples as practicable for use in confirmation of species identification, genetic and geochemistry composition:
 - Collect a small (~5 cm) piece of each coral species and freeze in plastic bag, with a pre-printed waterproof label indicating Species Code, Trip#, Set#, Vessel Name, Gear Type, Latitude/Longitude, Depth, Date and Name of Observer.
 - For species with large skeletons (*Primnoa*, *Paragorgia*, *Paramuricea*, *Bathypathes*), collect as large a piece of the coral as possible, label with total weight and sub-sample weight, and freeze.
- iv. Samples should be provided to the scientific authority in a Contracting Party at the end of the fishing trip.

Observer and masters should refer to the NAFO Coral Species Identification Guide and other material provided by Scientific Council.

**Annex 22. Joint Proposal by Canada and the European Community for a new
Chapter Ibis of the NAFO Conservation and Enforcement Measures
Bottom Fisheries in the NAFO Regulatory Area
(FC WP 08/19, Revision 3 – now FC Doc. 08/3)**

Article 1. Purpose and definitions

1. The purpose of this chapter is to ensure the implementation by NAFO of effective measures to prevent significant adverse impacts of bottom fishing activities on vulnerable marine ecosystems known to occur or likely to occur in the Regulatory Area based on the best available scientific information. For the purposes of this Chapter, NAFO will take into account the guidance provided by the FAO in the framework of the Code of Conduct for Responsible Fisheries and any other internationally agreed standards, as appropriate.
2. The term 'bottom fishing activities' means bottom fishing activities where the fishing gear is likely to contact the seafloor during the normal course of fishing operations.
3. The term "existing bottom fishing areas" initially means areas where VMS data and/or other available geo-reference data indicating bottom fishing activities have been conducted at least in two years within a reference period of 1987 to 2007. This shall be revised regularly in accordance with Article 2.4.
4. The term "new bottom fishing areas" means all other areas within the Regulatory Area which are not defined as existing bottom fishing areas, including waters deeper than 2000 metres.

Article 2. Identification of existing bottom fishing areas (footprint)

1. In 2008, NAFO shall proceed to map existing bottom fishing areas within the Regulatory Area for bottom fishing activities. Mapping of trawling activity shall be given priority.
2. Contracting Parties with vessels involved in bottom fishing activities in the period of 1987-2007 shall, for the purpose of paragraph 1, submit during 2008 comprehensive maps of existing fishing areas to the Executive Secretary. Maps shall be based on VMS data and/or other available geo-reference data and expressed in as precise spatial and temporal resolution as possible. Contracting Parties may, in the future, consider the possibility of refining these maps on the basis of haul by haul information, if available.
3. The Executive Secretary shall compile maps submitted by Contracting Parties pursuant to paragraph 2. The Executive Secretary shall on that basis, as well as on any data available to it, produce a comprehensive map of existing fishing areas. The Executive Secretary shall forward this map to the Scientific Council for review and comment at its meeting in September 2008 and thereafter to the Fisheries Commission.
4. The comprehensive map of existing bottom fishing areas referred to in paragraph 3 shall be revised regularly to incorporate any new relevant information.

Article 3. Bottom fishing activities in new fishing areas

1. From 1 January 2009, all bottom fishing activities in new fishing areas or with bottom gear not previously used in the area concerned, shall be considered as exploratory fisheries and shall be conducted in accordance with an exploratory fisheries protocol to be adopted by the Fisheries Commission in 2008.
2. The exploratory bottom fishing shall be subject to the assessment procedure set forth in Article 4, with the understanding that particular care will be taken in the evaluation of risks of the significant adverse impact on vulnerable marine ecosystems, in line with the precautionary approach.
3. Contracting Parties shall communicate the exploratory fisheries protocol referred to in paragraph 1 to the Executive Secretary for forwarding to the Scientific Council for review and to all Contracting Parties for information, together with the information or preliminary impact assessment referred to in Article 4, paragraph 3 (i), below.
4. Contracting Parties shall provide promptly a report of the results of such activities to the Executive Secretary for circulation to the Scientific Council and all Contracting Parties.

5. Prior to commencing new bottom fishing activities based upon the results of exploratory fisheries conducted in the prior two years, the Fisheries Commission shall review the assessments undertaken in accordance with Article 4 below and the results of the fishing protocols implemented by the participating fleets, and shall:
 - i. establish conservation and management measures to prevent significant adverse impacts on vulnerable marine ecosystems from individual fishing activities and to ensure the long-term sustainability of deep sea fish stocks, or
 - ii. not authorize these fishing activities to proceed.
6. Contracting Parties shall ensure that vessels flying their flag conducting exploratory fisheries are equipped with a satellite monitoring device and have an observer on board.

Article 4. Assessment of bottom fishing

1. The Scientific Council, with the co-operation of Contracting Parties, shall identify, on the basis of best available scientific information, vulnerable marine ecosystems in the Regulatory Area and map sites where these vulnerable marine ecosystem are known to occur or likely to occur and provide such data and information to the Executive Secretary for circulation to all Contracting Parties
2. Proposed bottom fishing activities in the Regulatory Area for 2009 shall be subject to assessment by the Scientific Council in 2008, based on the best available scientific information, to determine if such activities, taking account of the history of bottom fishing in the areas proposed, would have significant adverse impacts on vulnerable marine ecosystems.
3. Thereafter, assessments shall follow the procedures below:
 - (i) Each Contracting Party proposing to participate in bottom fishing shall submit to the Executive Secretary information and an initial assessment, where possible, of the known and anticipated impacts of its bottom fishing activities on vulnerable marine ecosystems, in advance of the next meeting of the Scientific Council. These submissions shall also include the mitigation measures proposed by the Contracting Party to prevent such impacts. The Executive Secretary shall promptly forward these submissions to the Scientific Council and the Fisheries Commission.
 - (ii) The submission of such information shall be carried out in accordance with guidance developed by the Scientific Council, or, in the absence of such guidance, to the best of the Contracting Party's ability.
 - (iii) The Scientific Council shall undertake an assessment, according to procedures and standards it develops, and provide advice to the Fisheries Commission as to whether the proposed bottom fishing activity would have significant adverse impacts on vulnerable marine ecosystems and, if so, whether mitigation measures would prevent such impacts. The Scientific Council may use in its assessment additional information available to it, including information from other fisheries in the region or similar fisheries elsewhere.
4. The *ad hoc* Working Group of managers and scientists on VMEs, the terms of reference of which are attached, shall examine the advice of the Scientific Council and shall make recommendations to the Fisheries Commission in accordance with its mandate.
5. The Fisheries Commission shall, taking account of advice and recommendations provided by the Scientific Council and the *ad hoc* Working Group of scientists and managers, concerning bottom fishing activities, including data and information arising from reports pursuant to Article 5 adopt conservation and management measures to prevent significant adverse impacts on vulnerable marine ecosystems, that may include:
 - (a) allowing, prohibiting or restricting bottom fishing activities;
 - (b) requiring specific mitigation measures for bottom fishing activities;
 - (c) allowing, prohibiting or restricting bottom fishing with certain gear types, or changes in gear design and/or deployment; and/or
 - (d) any other relevant requirements or restrictions to prevent significant adverse impacts to vulnerable marine ecosystems.
6. Fisheries Commission will periodically ask Scientific Council and the ad hoc working group of managers and scientists on vulnerable marine ecosystems to provide advice to Fisheries Commission on the timing and requirement for assessment of a previously assessed bottom fishery.

Article 5. Encounters with vulnerable marine ecosystems

Contracting Parties shall require that vessels flying their flag cease bottom fishing activities in any site in the Regulatory Area where, in the course of fishing operations, evidence of vulnerable marine ecosystems is encountered, and report the encounter, including the location, and the type of ecosystem in question, to the Executive Secretary so that appropriate measures can be adopted in respect of the relevant site. Such sites will then be treated in accordance with Article 4, paragraph 5.

The *ad hoc* Working Group of managers and scientists shall develop, during 2008, operational procedures relating to these encounters, in accordance with its mandate.

Article 6. Review

The provisions of this chapter shall be reviewed by the Fisheries Commission at its Annual Meeting in 2011. The Commission shall biannually thereafter examine the effectiveness of these provisions in protecting vulnerable marine ecosystems from significant adverse impacts.

Terms of Reference**Ad Hoc Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems****Structure:**

An ad hoc Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems is established in 2008 which reports to the Fisheries Commission, consults with Scientific Council, and provides recommendations to Fisheries Commission.

The Working Group shall be comprised of fishery managers and scientists from Contracting Parties supported by advisors, as required, up to a maximum of three participants per Contracting Party. The Chair/Vice-chair shall be selected from participating fishery managers and scientists with both a fishery manager and a scientist represented in the two positions.

Consideration shall be given by the Fisheries Commission in 2010 to the continuation or dissolution of the working group.

Objective:

The main objective of the Working Group is to make recommendations to Fisheries Commission on the effective implementation of measures to prevent significant adverse impacts on vulnerable marine ecosystems.

Specific Duties:

The Working Group shall:

1. In examining the advice of Scientific Council to Fisheries Commission, evaluate risk and make recommendations on mitigation strategies and measures to avoid significant adverse impacts on vulnerable marine ecosystems, drawing on relevant international information¹.
2. Develop operational procedures in 2008 in relation to encounters of vulnerable marine ecosystems to prevent significant adverse impacts.
3. Review and finalize the attached Exploratory Fishery Protocol for new fishing areas including the development of templates for elements of the protocol for adoption by the Fisheries Commission in 2008.

Meetings:

The Working Group will meet at least once annually between the Meeting of Scientific Council and the Annual Meeting of NAFO and shall communicate regularly through teleconferences and electronically, as required.

¹ Including but not limited to the pending FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas

Exploratory Protocol for New Fishing Areas

The Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems will make recommendations on an Exploratory Fishery Protocol for New Fishing Areas. Until Fisheries Commission adopts a new protocol, the following protocol will apply.

The Exploratory Fishery Protocol for New Fishing Areas shall include:

- A harvesting plan which outlines target species, dates and areas. Area and effort restrictions should be considered to ensure fisheries occur on a gradual basis in a limited geographical area.
- A mitigation plan including measures to prevent significant adverse impact to vulnerable marine ecosystems that may be encountered during the fishery.
- A catch monitoring plan that includes recording/reporting of all species caught, 100% satellite tracking and 100% observer coverage. The recording/reporting of catch should be sufficiently detailed to conduct an assessment of activity, if required.
- A data collection plan to facilitate the identification of vulnerable marine ecosystems/species in the area fished.

Exploratory fisheries shall not commence until this information has been provided to the Executive Secretary and forwarded to all Contracting Parties and the Scientific Council for information.

Annex 23. Closing Remarks by WWF

Coming into this meeting WWF wanted to see a regulatory framework adopted that would ensure all components of Paragraph 83 of the UNGA Resolution were implemented before the deadline of December 31, 2008.

We feel the adopted framework will allow for full implementation of the UNGA Resolution. WWF recognizes this as an important step toward assessing the impacts of bottom fishing in the NAFO Regulatory Area (NRA), protecting vulnerable marine ecosystems (VMEs), and implementing the ecosystem approach.

We were pleased to see that the timelines in the framework are consistent with those put forth in the UNGA Resolution. We also like the supplementary request to Scientific Council, which gives this important advisory body a clear mandate for identifying VMEs before the Annual Meeting in September. Overall, the framework puts NAFO in a position to take decisive *on the water* action to protect VMEs in the NRA before the end of this calendar year.

We do, however, have a few concerns with the framework. For instance, we feel the idea of allowing exploratory fishing in previously un-fished areas is not consistent with the precautionary approach. We would prefer to see less intrusive research methods used in these areas.

Looking ahead, NAFO – in particular the SC – has a lot of work to do over the next few months to identify VMEs and contribute to fisheries assessments. These tasks will require a focused effort. We encourage all Contracting Parties to work together and to devote the necessary resources to addressing this challenge. As always, WWF is eager to contribute to these processes.

In summary, WWF supports the adopted regulatory framework and we encourage NAFO and its Contracting Parties to take a pragmatic but decisive approach in its implementation.

SECTION IV
(pages 227 to 262)

**Report of the Standing Committee on
International Control (STACTIC)
1-3 July 2008
Nuuk, Greenland**

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Report of the Standing Committee on International Control (STACTIC)
(FC Doc. 08/5)

1-3 July 2008
Nuuk, Greenland

1. Opening of the Meeting (Chair: Mads Nedergaard, Denmark in respect of the Faroe Islands and Greenland))

The Chairman opened the meeting at 10:00 am at the Cultural Centre Greenland, Nuuk, Greenland and welcomed representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Union (EU), France (in respect of St. Pierre-et-Miquelon), Iceland, Japan, Norway, Russia, the United States and the NAFO Secretariat to the STACTIC intersessional meeting. (Annex 1)

No opening statements were made.

2. Appointment of Rapporteur

Brent Napier (Canada) was appointed rapporteur.

3. Adoption of Agenda

The Chair introduced the agenda and opened the floor to comments.

The representative of the EU proposed the inclusion of an agenda item on the Omega gauge, time permitting, and the Chair indicated the item would be placed under agenda item 9. *viii Possible Amendments to the Conservation and Enforcement Measures.*

The Representative of Norway sought clarification as to the placement of the various STACTIC Working Papers (08/02, 08/03, 08/04, 08/05, 08/06, and 08/07) tabled by the NAFO Secretariat at the meeting. The NAFO Secretariat proposed placement for each and the agenda, as attached, was adopted. (Annex 2).

4. Compilation of fisheries report for compliance review (2004-2007), including review of Apparent Infringements

The Chair introduced the agenda item and asked the NAFO Secretariat to make a presentation on the compilation and 2007 annual compliance review process.

The NAFO Secretariat began the presentation of the STACTIC W.P. 08/3 with a brief background detailing the evolution of the compilation of fisheries reports and the compliance review process. This background was followed by an explanation of the populated compliance (C-tables) and report tables (R-tables) that dealt with Contracting Party reporting obligations and vessel compliance. Finally, the NAFO Secretariat went on to explain some graphical representations of several (key) trends, derived from the 2004-2007 compilation of fisheries reports, intended to stimulate discussion on possible methods of presenting the available compliance information.

The Chair thanked the NAFO Secretariat for its work and reminded Contracting Parties that work on the revised compliance review process was ongoing and open to improvement.

The Representative of the EU echoed the Chair's appreciation for the work done by the NAFO Secretariat but noted that it had reviewed the EU information included in the 2007 compilation tables and had some corrections to provide. The Representative of the EU also observed that the trends displayed in the presentation provided some interesting insight into the activity in the NAFO Regulatory Area, specifically pertaining to decreasing vessel and effort and relative increase in inspections. In this context, the Representative of the EU suggested that a broad discussion should be undertaken to determine, based on the trends, what compliance objectives NAFO should be focusing on and how they could be achieved in the most cost-effective and efficient manner.

The Chair requested that the Working Group, consisting of participants from Canada, the EU, Denmark (in respect of the Faroe Islands and Greenland), and the United States, reconvene to work with the NAFO Secretariat to review the compilation tables, and proposed trend presentation, in preparation for the annual compliance review that would be conducted/presented at the NAFO Annual Meeting September 2008.

The Representative of the EU pointed out that the NAFO Secretariat had requested, under this agenda item, clarification on whether apparent infringements concerning stowage plans were considered serious and compliance on closed area regulations on Vulnerable Marine Ecosystems (VME's) should be included in the compliance review. He offered that stowage plan apparent infringements should not be considered serious, as the stowage plan itself was simply a tool intended to facilitate inspections and that the true serious infringements were related to misreporting. On the issue of VME's, it was suggested that this should eventually be included in the compliance review, but indicated that it may be premature at present as there was still a need to establish criteria.

The Representative of Canada supported the opinion provided by the Representative of the EU on stowage plans, citing that a problem with a stowage plan may serve as an indication of other, more serious infringements, but that Canada was not treating the stowage plan infringements themselves as serious. Respecting VME's, the Representative of Canada noted that while not currently the case, at some point VME's, and specifically Article 15 – *Coral Protection Zone*, should be included in the compliance review, such is the case for seamounts identified in Article 14 – *Area and Time Restrictions*. The Representative of Norway supported the Canadian position.

The NAFO Secretariat noted that the compliance tables would be altered to reflect the clarification provided by the Representatives of Canada and the EU.

The Chair suggested that the issue of VME's, as it relates to compliance, should be referred to the Fisheries Commission to seek guidance on the issue but noted that further discussions on this issue could take place in the context of the annual compliance review during the NAFO Annual Meeting.

The agenda item was closed.

5. Review of IUU List pursuant to NAFO CEM Article 52.3

The Chair opened agenda item 5 and asked the NAFO Secretariat to speak on the issue.

The NAFO Secretariat introduced STACTIC W.P. 08/2 and detailed the changes (removals and additions) to the NAFO IUU list. Afterwards, the NAFO Secretariat sought clarification as to whether or not it was NAFO's intention to base its provisional list on the provisional list (A-list) of NEAFC.

The Representative of the EU noted that NEAFC was scheduled to meet and would be reviewing flag State applications for removal of vessels currently on the NEAFC IUU list (B-list).

The Chair remarked that there was no further information related to vessels on the NAFO IUU list and indicated that the NAFO IUU list would be further revisited at the Annual Meeting to take into account any changes that may occur on the NEAFC B-list.

The Representative of Norway opposed the notion that NAFO should base its provisional list on the NEAFC A-list as it was up to only the relevant organization to address the issue with the flag State and went on to indicate that the NEAFC Scheme, at present, only allowed for the transmission of the B-list to NAFO. This position was strongly supported by the Representative of the EU, who indicated that this would be a duplication of efforts that lead to confusion during respective investigations into the vessels status. These positions were supported by the Representative of Iceland, who also voiced concerns over delays in the adoption in NAFO of a vessel on the NEAFC IUU list and noted the need to avoid future delays.

The Chair acknowledged the positions and reflected on the fact that the 30 days protest period (Article 51.3 d) in NAFO may contributed to delays. The Representative of the United States remarked that the 30 day period was required to assure due process and to allow for parties to address the issue.

It was agreed that there were no changes required to the NAFO IUU list and that NAFO would not base its provisional list on the provisional list (A-list) of NEAFC

6. Port State Measures

The Chair introduced the agenda item and requested that Norway present its paper on Port State Measures.

The Representative of Norway provided a brief background on the evolution of its port state control discussion paper and reiterated the four basic principles (prior notification, flag State confirmation, port State authorization and transparency) that Norway felt were necessary to ensure a workable scheme. After this brief introduction, the Representative of Norway explained how proposed changes were characterized into four separate categories; changes required to the existing scheme, replacement provisions, changes in the Non-Contracting Party Scheme and required forms/annexes.

The Representative of the EU thanked Norway for the proposal and expressed support for a scheme that borrowed from other schemes but was adapted for NAFO. The Representative of the EU went on to indicate that he agreed with the four principles, as outlined by Norway, and suggested to add simplicity as a fifth, but cautioned against moving too quickly, particularly as IUU activity is not a major problem in the NAFO context. He reiterated the need to have a broader discussion on elements such as the observer scheme, electronic logbooks and joint inspections.

The Representative of the United States commented that it was important to ensure the scheme was consistent with what the FAO will adopt and wanted to ensure the scope did not cover vessels carrying catch that had already been landed. The Representative of the United States also wanted to ensure that nothing within the scheme would compromise a Contracting Party's right to allow port entry in cases where it was intending on taking enforcement action.

The Representative of Denmark (in respect of the Faroe Islands and Greenland) supported the EU points and urged Contracting Parties to keep it simple.

The Representative of Canada wanted to ensure, above all, that Fisheries Commission recovery plans, such as the Greenland halibut rebuilding plan, would not be in any way compromised by this scheme.

After the initial reading of the discussion paper, it was decided that due to the complexity of the issue, the Norwegian proposal would serve as a working draft that would become a STACTIC discussion paper (Annex 3). It was agreed that the STACTIC discussion paper would incorporate all the various Contracting Party positions and text suggestions. Once advanced as far as possible, the STACTIC discussion paper would be presented to Fisheries Commission.

The agenda item was deferred to the next STACTIC meeting.

7. Issues arising from the FC Intersessional Meeting requiring deliberation by STACTIC

The Chair introduced the agenda item and informed representatives that this issue stemmed from the 2008 Fisheries Commission intersessional (April 31-May 7, 2008) where STACTIC had been instructed to deliberate on the impact the removal of two existing 3L provisions (Article 14.1 and 14.2) could have on the 3L shrimp fishery.

The Representative of Canada provided a presentation (Annex 4) outlining the economic motivators for the ongoing compliance issue within the 3L shrimp fishery. The presentation also included a range of compiled compliance information and multi-year vessel cases that all strongly suggested misreporting between the 3L and 3M shrimp fisheries. Based on the available compliance information, it was the opinion of the Representative of Canada that the removal of existing compliance measures was premature and in fact, other such measures should be considered to address the ongoing misreporting issue.

The Representative of the EU acknowledged that there may be a misreporting issue but questioned what additional measures could be considered to address the issue. The Representative of Canada indicated that some thought should

be given to this issue and reiterated that, in the absence of new provisions, there should be a continuation of the existing provisions.

The Representative of Iceland suggested that one possible avenue to explore to address this issue might be enhanced communication of catches and strict reporting requirements. In the same vein, the Representative of Norway offered that daily reporting through electronic logbooks might be another option.

The Representative of Denmark (in respect of the Faroe Islands and Greenland) remarked that there were already strong measures such as observers and frequent inspections.

The Chair noted that discussions on this issue had been exhausted but recommended that Contracting Parties reflect on possible provisions to address the misreporting issues and STACTIC could entertain discussion on this subject at a later date.

Also under this agenda item the NAFO Secretariat took the opportunity to provide a briefing on the initiatives, working group, adopted NCEM measures (to be included in the 2009 NCEM publication) and related timelines respecting NAFO's response to UNGA Resolution 61/105, point 83 – RFMOs take action to regulate bottom fisheries and adopt and implement measures not later than 31 December 2008.

The Chair thanked the NAFO Secretariat for the briefing and closed the agenda item.

8. Lloyd's Register

The Chair opened the agenda item and asked the NAFO Secretariat to provide an update on the issue.

The NAFO Secretariat introduced STACTIC W.P. 08/4 and provided an update on the trial usage of the Sea Web service of the Lloyd's Register. Although not persistently called upon, the NAFO Secretariat found the service extremely helpful when required, particularly with respect to verifying information regarding IUU vessels.

The Chair indicated that, based on the NAFO Secretariat's findings, the service could be considered a useful tool. The Representatives of the EU and Canada supported the NAFO Secretariat's proposal for a three year continuation of service, to be re-evaluated in 2011.

The Chair noted that there was consensus on the continuation of the service and the agenda item was closed.

9. Possible Amendments of Conservation and Enforcement Measures

i. Product labelling by species/stock area (Article 22)

The Chair opened the agenda item and requested that the Representative of the EU introduce STACTIC W.P. 08/8.

The Representative of the EU provided a brief background on the issue and indicated that the EU proposal was intended to correct an oversight stemming from the adoption of FC Doc. 06/12 as one of a package of measures. The Representative of the EU maintained that the original intention of this measure was to prevent misreporting of shrimp catches but was inadvertently written in a way where it could be interpreted to apply to all species.

The Representative of Canada noted that data captured under this measure has proved to be a valuable compliance and inspection tool and, given that it has been in effect for two years, it no longer poses a significant burden on industry or vessel masters who have been operating under this condition.

The Representative of the EU reiterated that the provision was intended to address shrimp compliance issues and he did not see the logic of maintaining it as there was little operational benefit and it created a burden on industry. The Representative of Canada noted the Representative of the EU's concerns but maintained the position that the provision represented a useful compliance tool.

The Chair remarked that discussions on this item had concluded and that this item would be deferred to the next STACTIC meeting.

ii. Strengthening ropes, bags, topside chafers

The Chair introduced the agenda item and opened the floor to comments.

The Representative of the EU reminded Contracting Parties that there was agreement at the 2007 STACTIC meeting in Lisbon to the fact that large-mesh (modified Polish-type) topside chafers, permitted in Annex XV of the CEM, were not consistent with conservation practices and should be prohibited. He did however note that the other two types of topside chafers identified in Annex XV (ICNAF-type and multiple flap-type) did not represent a similar threat to conservation and should be permitted.

The Representative of Canada voiced his preference to ban all topside chafers in Annex XV, as outlined in the Canadian proposal (STACTIC W.P. 07/11), however agreed to revise the proposal to secure consensus.

The Chair noted that Canada would provide a revised proposal and deferred the issue to the next STACTIC meeting.

iii. Automated COE/COX comparison between NAFO and NEAFC reports

The Chair opened the agenda item and invited the Representative of Iceland to provide a synopsis of the issue.

The Representative of Iceland reminded Contracting Parties of the Icelandic working papers that were submitted on this issue (STACTIC W.P. 06/23 and 07/25) and of the conclusion that action was required to improve the accuracy of information within the NAFO database, as was being contemplated in NEAFC.

The Representative of the EU supported Iceland's conclusion and questioned whether the NAFO service provider (Sirius IT) could be called upon to provide support in this matter. Iceland supported this position. The Chair instructed the NAFO Secretariat to work with the service provider on this issue and noted that work with NEAFC would also be required to advance this issue.

The Chair noted that NAFO Secretariat would work with the service provider to explore options and report back to STACTIC on this issue. The item was deferred to the next STACTIC meeting.

iv. Record of start/end coordinates for fishing activity

The Chair called upon the Representative of Canada to provide a briefing on the status of STACTIC W.P. 07/18.

The Representative of Canada recalled that the EU had clarification issues with the proposal, specifically regarding whether fixed gear was also covered by the proposal. The Representative of Canada advised that the EU was informed of the intended implication of fixed gear after the meeting and questioned whether there were still areas that required clarification. The Representative of the EU responded that the proposal, if applicable to all tows, was excessive and must be limited to trial tows. The Representative of Canada agreed to redraft the proposal to reflect only trial tows.

The Chair noted that Canada would provide a revised proposal and deferred the issue to the next STACTIC meeting.

v. Vessel Monitoring System (Article 25.1)

The Chair opened the agenda item and requested that the NAFO Secretariat introduce STACTIC W.P. 08/7.

The NAFO Secretariat provided the basis and summary of the proposal which called for shorter VMS reporting intervals, from two hours to one hour, and the inclusion of speed and course information.

The Representative of France (in respect of St. Pierre-et-Miquelon), supported the proposal, citing that this was already its domestic practice. The Representatives of Canada, and Denmark (in respect of the Faroe Islands and Greenland) concurred with France (in respect of St. Pierre-et-Miquelon) on the same grounds. The Representative of Russia also supported the proposal, indicating that it would be beneficial to harmonize with NEAFC to make things simpler for vessel masters.

The Representative of the EU indicated that it was not needed in the current context but it may have some future merit in relation to VME's.

The Representative of Iceland supported the proposal and noted that NEAFC had agreed to move to 1hour reporting intervals, primarily to address VME issues. He elaborated that cost and workload issues that first existed are no longer concerns with advances in related technologies.

The Representative of the United States fully supported the proposal and noted that this scientific request should be honoured and VME provisions scheduled to be implemented in 2009 will require this provision.

The issue was deferred to the next STACTIC meeting.

vi. Clarification of Article 12.1.e (Gear Requirements) and Annex I.A (Quota Table)

The Representative of Russia withdrew his concerns on this issue, however Denmark (in respect of the Faroe Islands and Greenland) indicated that there was a linkage issue and agreed to draft a proposal to address the problem.

The Chair noted that Denmark (in respect of the Faroe Islands and Greenland) would provide a revised proposal on this issue and deferred the issue to the next STACTIC meeting.

vii. Clarification on Article 26.1.e (Communication of Catches)

The Chair noted that this was an editorial exercise, and with the consensus of Contracting Parties, instructed the NAFO Secretariat to make the necessary change. The NAFO Secretariat agreed and will incorporate the proposed change.

The agenda item was closed.

viii. Omega Gauge

The Chair introduced the agenda item and asked the Representative of the EU to speak on the issue.

The Representative of the EU indicated that the usage of Omega gauge will be adopted in the EU in September 2009 and encouraged Contracting Parties to consider the adoption in NAFO given the relative advantages of the automated gauge over conventional gauges.

The Chair encouraged the Representative of the EU to circulate trial and usage information to Contracting Parties and to submit a proposal for the next STACTIC meeting, if desired.

The Chair noted that this subject could be revisited at a later date.

ix. Inconsistency of Language in NAFO CEM Articles 14 and 15 (STACTIC W.P. 08/5)

The Chair provided a brief explanation of the issue and opened the floor to comments.

The Representative of the United States voiced support for using the same term in both sections and noted that different terms are used in various organizations. He also suggested that it would be useful to define the term for bottom contact gear consistent with the draft FAO technical guidelines on deep-sea fishing within the measures.

The Chair noted that the United States would provide a proposal on this matter and deferred the issue to the next STACTIC meeting.

10. Electronic Submission of Port Inspection Report

The Chair opened the agenda item and requested that the NAFO Secretariat provide a summary of the issue.

The NAFO Secretariat provided a brief background on the issue and sought guidance in relation to further work in this area. The Representative of the EU communicated his desire to advance this issue in a broader discussion on the NAFO compliance scheme, noting that it may be premature to proceed at this time, but added that initiatives that facilitate more efficient and effect work are welcome. The Representative of Canada indicated that a new Canadian Observer contract may create some opportunity to develop more electronic reporting.

The Chair encouraged Contracting Parties to work towards electronic submissions to ease paper burden and create efficiencies.

The Chair noted that this subject could be revisited at a later date.

11. Other matters

i) Election of Chair

The Representative of the United States proposed that Mads Nedergaard (Denmark in respect of the Faroe Islands and Greenland) be re-appointed as Chair.

There was consensus on the suggested appointment and Mads Nedergaard was re-appointed as STACTIC Chair.

12. Time and Place of next meeting

The next meeting of STACTIC will take place at the NAFO Annual Meeting, 22-26 September 2008 in Vigo, Spain.

13. Adoption of Report

The report was adopted by the representatives.

14. Adjournment

The meeting adjourned at noon on Thursday, July 3rd, 2008.

Annex 1. List of Participants

CANADA

Head of Delegation

Randy Jenkins, Chief, Enforcement Programs, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6

Phone: +613 990 0108 – Fax: +613 – E-mail: randy.jenkins@dfo-mpo.gc.ca

Advisers

Marta Farsang, International Fisheries Officer, Fisheries and Aquaculture Management, International Affairs Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6

Phone: +1 613 990 9387 – Fax: +1 613 993 5995 – E-mail: marta.farsang@dfo-mpo.gc.ca

Brent Napier, Staff Officer, International Fisheries Enforcement, Fisheries and Oceans Canada, 8E-234, 200 Kent St., Ottawa, Ontario K1A 0E6

Phone: +613 998 3805 – Fax: +613 990 9557 – E-mail: brent.napier@dfo-mpo.gc.ca

Steve Neves, Legal Officer, Oceans and Environmental Law Division, Lester B Pearson Building, 125 Sussex Dr., Ottawa, Ontario K1A 0G2

Phone: +613-996-2643 – Fax: +613-992-6483 – E-mail: steve.neves@international.gc.ca

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

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

Ben Whelan, NAFO Compliance Unit, Fisheries and Oceans Canada, Newfoundland & Labrador Region, Fisheries Management Br., P. O. Box 5667, St. John's, NL A1C 5X1

Phone: +709 772 0928 – Fax: +709 772 4327 – E-mail: benedict.whelan@dfo-mpo.gc.ca

DENMARK (IN RESPECT OF FAROE ISLANDS AND GREENLAND)

Head of Delegation

Helle I. Ø. Jørgensbye Hansen, Head of Section, Gronlands Fiskerilicenskontrol, Greenland Home Rule, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345000 – Fax: +299 324704 – E-mail: hhan@gh.gl

Advisers

Meinhard Gaardlykke, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, FO-110 Torshavn, Faroe Islands

Phone: +298 588016 – E-mail: meinhardg@fve.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: martink@fve.fo

Mads Trolle Nedergaard, Fiskerilicensinspektor, Head of Unit, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345377 - Fax: +299 323235 - E-mail: mads@gh.gl

Mads Rossing Lund, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299-345373 – Fax: +299 323235 – Email: marl@gh.gl

Julius Peedah, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland

Email: jupe@gh.gl

Toke Fridorff-Hansen, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland

Email: tofh@gh.gl

EUROPEAN UNION

Head of Delegation

Willem Brugge, European Commission, Fisheries Directorate-General, Rue Joseph II, B-1000 Brussels, Belgium
Phone: +32 2 295 5137 – Fax: +32 2 296 2338 – E-mail: willem.brugge@ec.europa.eu

Advisers

Jose Mesquita, Assistant Policy Officer - Desk Officer International Waters, Maritime Affairs and Fisheries (MARE.D.2), European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium
Phone: +32 2 296 0706 – Fax: +32 2 296 3985 – E-mail: jose.mesquita@ec.europa.eu

Aronne Spezzani, European Commission, Fisheries Directorate-General, Rue Joseph II, B-1000, Brussels, Belgium
Phone: +32 2 295 9629 – Fax: +32 2 296 2338 – E-mail: aronne.spezzani@ec.europa.eu

Emilia Batista, Directora de Servicos, Departamento dos Recursos, Direccao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon

Phone: +351 213 035 850 - Fax: +351 213 035 922 - E-mail: ebatista@dgpa.min-agriculture.pt

Carlos Chamizo Catalan, Jefe de Servicio de Inspeccion Pesquera, Pº de la Castellana, 112 Madrid 28046

Phone: +34 91 437 8313 – Fax: +34 01 347 1512 - Email: cchamizo@mapya.es

Pedro Sepúlveda, Secretaria General del Mar, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 6137 – Fax: +34 91 347 6042 – E-mail: psepulve@mapya.es

Meit Grossmann, Environmental Inspectorate, Dept. of Fisheries Protection, Kopli 76, 10416 Tallinn, Estonia

Phone: +372 696 2218 – Fax: +372 696 2237 – Email: meit.grossmann@kki.ee

Ole Tougaard, 56 Rue de la Loi, 1/86, B-1049 Brussels, Belgium

Phone: +32 2 295 009 - Email: ole.tougaard@ec.europa.eu

FRANCE (in respect of St. Pierre et Miquelon)

Head of Delegation

Florence Paillard, Chargée de mission, Ministère de l'agriculture et de la pêche, Direction des pêches maritimes et de l'aquaculture, Bureau du contrôle des pêches, 3 place de Fontenoy, 75007 Paris 07 SP

Phone: +33 49 55 60 43 – Fax: +33 1 49 55 82 00 – E-mail: Florence.paillard@agriculture.gouv.fr

Adviser

Didier Saouzanet, Office for Maritime Affairs and Fisheries, 1, rue Gloanec, B.P. 4206, 97500 Saint -Pierre-et-Miquelon

Phone: +508 41 1535 – Fax: +508 41 78 34 – E-mail: Didier.saouzanet@developpement-durable.gouv.fr

ICELAND

Head of Delegation

Gylfi Geirsson, Commander, Icelandic Coast Guard, Skogarhlid 14, 105 Reykjavik

Phone: +354 545 2071 – Fax: +354 545 2040 – E-mail: gylfi@lhg.is

Adviser

Audunn Agustsson, Icelandic Directorate of Fisheries, Dalshraun 1, 201 Hafnarfiordur

Phone: +354 569 7960 – Fax: +354 569 7990 – E-mail: audunn@fiskistofa.is

JAPAN

Head of Delegation

Takeru Iida, Far Seas Fisheries Division, Resources Management Dept., Fisheries Agency, Government of Japan, 1-2-1Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3502 8111 ext. 6726 – Fax: + 81 3 3591 5824 – E-mail: takeru_iida@nm.maff.go.jp

Adviser

Noriaki Takagi, Director, Executive Secretary, Japan Overseas Fishing Association, NK-Bldg. 6F,3-6 Kanda Ogawa -cho, Chiyoda-ku, Tokyo 101-0052, Japan
 Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: ntakagi@jdsta.or.jp

NORWAY**Head of Delegation**

Stein-Age Johnsen, Senior Legal Adviser, Resource Management Dept., Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen
 Phone: +47 55 23 80 00 / 8124 – Fax: +47 55 23 80 90 – E-mail: stein-age.johnsen@fiskeridir.no

Adviser

Gunnstein Bakke, Senior Adviser, Control Section, Directorate of Fisheries, Strandgaten 229, Postboks 2009 Nordnes, NO-5817 Bergen
 Phone: +47 99 10 54 52 – Fax : +47 55 23 80 90 – E-mail : gunnstein.bakke@fiskeridir.no

RUSSIA**Head of Delegation**

Temur Tairov, Representative of the Russian Federation on Fisheries in Canada, 47 Oceanview Drive, Bedford, Nova Scotia, Canada B4A 4C4
 Phone: +1 902 832 9225 – Fax: +1 902 832 9608 – E-mail: rusfish@ns.sympatico.ca

UNITED STATES OF AMERICA**Head of Delegation**

Deirdre Warner-Kramer, Senior Atlantic Affairs Officer, Office of Marine Conservation, United States Department of State (Rm 2758), 2201 C Street NW, Washington, D.C. 20520-7878
 Phone +1 202 647 2883 – Fax: +1 202 736 7350 – E-mail: warner-kramerdm@state.gov

Advisers

Allison McHale, Fishery Policy Analyst, Sustainable Fisheries Div., US Dept. of Commerce, NOAA, National Marine Fisheries Service, 1 Blackburn Dr., Gloucester, MA 01930
 Phone: +978 281 9103 – Fax: +978 281 9135 – E-mail: allison.mchale@noaa.gov
 Gene S. Martin, Jr., Attorney, Office of the General Counsel, National Oceanic and Atmospheric Administration, Northeast, 1 Blackburn Dr., Gloucester, MA 01930
 Phone: +1 978 281 9242 – Fax: +1 978 281 9389 – E-mail: gene.s.martin@noaa.gov
 E. J. Marohn, CDR, Fisheries Enforcement, First Coast Guard District (dre), 408 Atlantic Avenue, Boston, MA 02110-3350
 Phone: +617 223 8685 – Fax: +617 223 8074 – E-mail: Edward.J.Marohn@uscg.mil

SECRETARIAT

Ricardo Federizon, Fisheries Commission Coordinator (rfederizon@nafo.int)
 Cindy Kerr, Fisheries Information Manager (ckerr@nafo.int)

Annex 2. Agenda

1. Opening by the Chair, Mads Nedergard (DFG)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compilation of fisheries report for compliance review (2004-2007), including review of Apparent Infringements.
5. Review of IUU List pursuant to NAFO CEM Article 52.3
6. Port State Measures
7. Issues arising from the FC Intersessional Meeting requiring deliberation by STACTIC
8. Lloyd's Register
9. Possible Amendments to Conservation and Enforcement Measures
 - i) Product labelling
 - ii) Strengthening ropes, bags, topside chafers
 - iii) Automated COE/COX comparison between NAFO and NEAFC reports
 - iv) Record of start/end coordinates of fishing activity
 - v) Vessel Monitoring System (Article 25.1)
 - vi) Clarification on Article 12.1.e (Gear requirements) and Annex I.A (Quota Table)
 - vii) Clarification on Article 26.1.e (Communication of Catches)
 - viii) Omega Gauge
 - ix) Inconsistency of Language in NAFO CEM Articles 14 and 15
10. Electronic Submission of Port Inspection Report
11. Other matters
 - i) Election of Chair
12. Time and Place of next meeting
13. Adoption of Report
14. Adjournment

Annex 3. Discussion Paper for New NAFO Regulations on Port State Control

A discussion paper for new NAFO regulations on port State control was presented by Norway at the intersessional meeting of STACTIC in June 2007. A revised version of the paper formed the basis for the discussions in STACTIC during the 2007 Annual Meeting in Lisbon. In the meeting it was decided that the next STACTIC intersessional meeting in July 2008 should focus primarily on the port State control. Norway undertook to present a second revision of the paper that would take into consideration comments provided by the Contracting Parties.

The draft provisions in the discussion paper are based on the following four basic principles that in our view are necessary to make a consistent Port State Control Scheme work:

1. Prior notification. The master of the vessel has to present a prior notification to the competent authorities.
2. Confirmation from the flag State. Released by the prior notification form which is sent by the port State to the flag State. The flag State confirms the legal status of the catch by answering yes or no to four questions. The form is then returned to the port State.
3. Authorisation to land or tranship. Such authorisation is given by the port State if the flag State has confirmed the legal status of the catch by answering yes to all four questions. No authorisations shall be given if this is not the case. By derogation an exception can be made, but the catch can not be released from storage before the required confirmation is given.
4. Transparency. The forms containing the prior notification, the confirmation and the authorisation are posted on the secure part of the website.

The North East Atlantic Fisheries Commission (NEAFC) introduced port State control on May 1, 2007 based on the above mentioned principles. The system is simple and has worked well since the introduction. Illegal landings have been stopped and the flow of information between the vessels, contact points and the NEAFC Secretariat is functioning well. The industry has welcomed the system since it provides the best guarantee possible at the time of landing that the catch is legally caught.

The level of inspection in the NEAFC Port State Control Scheme is set at 15 % of all landings. All inspections shall be documented by using a special form which is posted at the secure part of the website when completed.

By introducing the confirmation from the flag State, the system goes a bit beyond the provisions in the draft Global Agreement on Port State Measures currently being developed in Food and Agricultural Organisation of the United Nations (FAO). At the same time the system is simplified since the inspections can focus mainly on verifying the information provided in the prior notification. All other aspects, whether the vessel is authorised or not, what quota it has been allocated and so on, is dealt with by the flag State in the confirmation process.

Part I of the paper contains amendments to the existing CEM that are necessary as a consequence of introducing the new Chapter V.

Part II contains a complete text for a new Chapter V to replace the existing Chapter V dealing with inspections in port.

Article 44 contains the scope and the other draft articles define the role of the port State, the flag State, the master, the receiver of the catch and finally the role of the Executive Secretary. The intention of the draft scope is to cover all fish caught in the Regulatory Area the first time it is landed or transhipped in a port of a Contracting Party. Vessels flying the flag of the port State Contracting Party are covered. This is already the case in the existing CEM.

NAFO CEM already contains certain elements of port State control. These elements are pursued in the text presented. At the same time the text is drafted with the aim to set up a system that is as similar to the one established in NEAFC as possible. The experiences gained during the last year indicates that the established NEAFC Port State

Control Scheme is working well and that it is suited to be built on when developing new port State control regulations in other RFMOs.

All the Contracting Parties to NEAFC are also Contracting Parties to NAFO. A similar system in both organisations will simplify the operation of the systems in each Contracting Party. Vessels are operating in both areas, and may even do so on the same fishing trip. To have a similar system will be a real simplification for the masters since they can use the same prior notification form. The receivers of the fish would be provided with the same guarantee with respect to the legal status of the fish.

Part III focuses on provisions that will include prior notification in respect of non-Contracting Party vessels entering a port of a Contracting Party. If such vessels intend to land or tranship they will have to present a flag state confirmation before the operation can commence. In the draft Article 49 nr.1 the obligation to present the confirmation is placed on the master, not the flag State. Thereby the port State Contracting Party only exercises jurisdiction over vessels seeking access to its ports.

The scope of the draft FAO agreement also covers vessels targeted by Chapter VI. It is therefore necessary to amend the provisions in order to bring them in line with the draft agreement.

Part IV contains the necessary forms. The NEAFC port State inspection form PSC 3 has been amended to incorporate rules that are in force in NAFO. The prior notification forms PSC 1 (fishing vessels landing or transshipping its own catch) and 2 (vessels landing or transshipping fish caught by other vessels) used in NEAFC has been amended so that they can be used by both NAFO and NEAFC.

The prior notifications contain estimated amounts of fish on board. A landing declaration will contain the actual amount and is thus necessary as documentation.

Part I – Amendments to Chapter I, Conservation and Management Measures, and to Chapter II, Control Measures.

Article 6 – Shrimp in Division 3L, paragraph 4, to be deleted.

[Article 7 – Greenland halibut in Subarea 2 and Divisions 3 KLMNO, paragraph 6 item c, to be deleted.]

Article 17 – add new paragraph 5 (moving all text from the existing Article 44 (6)):

The competent authorities of Contracting Parties shall, every two years, check each of their vessels, notified in accordance with Article 19, to certify the correctness of the vessel's plans for fish rooms and other fish storage places. The master shall ensure that a copy of such certification remains on board to be shown to a NAFO inspector if requested.

Part II - CHAPTER V, INSPECTIONS IN PORT, to be deleted and replaced by:

CHAPTER V

PORT STATE CONTROL

Article 44 – Scope

[Subject to the right of the port State Contracting Party to impose requirements of its own for access to its ports, this chapter sets out minimum standards for control that each port State Contracting Party shall apply if it permits landing or transshipment in its ports of fish caught in the Regulatory Area or fish product originating from such fish.]

[Text from the NEAFC Scheme: The provisions in this chapter apply to landings or transshipments in ports of Contracting Parties by fishing vessels with frozen catch on board of fisheries resources caught in the Convention Area by foreign fishing vessels. (as defined in NEAFC Article 1, f)]

The provisions apply to landing or transshipment of [frozen] fish that have not been previously landed or offloaded at a port.

This chapter also sets out the respective duties of the flag State Contracting Party and obligations of the master of fishing vessels seeking to land catch in a port of a Contracting Party.

[Article 44 bis Vessels flying the flag of the port State Contracting Party

In its capacity as a flag State, the port State Contracting Party shall:

1. Require that the master or the agent of a fishing vessel intending to land or tranship in port provides a prior notification in accordance with the provisions in Article 47 (1, 2 and/or 3).
2. Duly complete part B of the form as referred to in Article 47 (1, 2 and/or 3) and send a copy of the form to the Executive Secretary without delay.
3. Carry out inspections in accordance with the provisions in Article 45 (8, 9, 10, 11, and 12). A copy of the inspection report shall be sent to the Executive Secretary without delay.
4. Require that a landing declaration is issued in accordance with the provisions in Article 48. A copy shall be sent to the Executive Secretary without delay.

The provisions in this paragraph shall only apply to landing or transshipments of [frozen] fish caught in the Regulatory Area or fish product originating from such fish and only if has not been previously landed or offloaded at a port.]

Article 45 – Duties of the Port State Contracting Party

1. The port State Contracting Party shall designate ports to which fishing vessels may be permitted access for the purpose of landing or transshipment. It shall by [March 31 of each year] transmit to the Executive Secretary a list of these ports. Any subsequent changes to the list shall be notified to the Executive Secretary no less than fifteen days before the change comes into effect.
2. The port State Contracting Party shall establish a minimum prior notification period. The prior notification period should be 3 working days before the estimated time of arrival. However the port State Contracting Party may make provisions for another prior notification Period, taking into account, inter alia, distance between fishing grounds and its ports. The port State Contracting Party shall advise the Executive Secretary of the prior notification period.
3. The port State Contracting Party shall designate the competent authority which shall act as the contact point for the purposes of receiving notifications in accordance with Article 47 (1, 2 and/or 3), receiving confirmations in accordance with Article 46 (2) and issuing authorizations in accordance with paragraph 5. The port State Contracting Party shall advise the Executive Secretary about the competent authority name and its contact information.
4. The port State Contracting Party shall forward a copy of the form as referred to in Article 47 (1, 2 and/or 3) without delay to the flag State Contracting Party of the vessel and to the flag State Contracting Party of donor vessels where the vessel has engaged in transshipment operations.
5. Landing or transshipment operations may only commence after authorisation has been given by the competent authorities of the port State Contracting Party. Such authorisation shall only be given if the confirmation from the flag Contracting party as referred to in article 46 (2) has been received. Any cancellation and correction of authorized operations are not subject to further authorization and confirmation unless the flag State Contracting Party decides to confirm.

6. By way of derogation from paragraph 5 the port State Contracting Party may authorize all or part of a landing in the absence of the confirmation referred to in paragraph 5. In such cases the fish concerned shall be kept in storage under the control of the competent authorities. The fish shall only be released to be sold, taken over, produced or transported once the confirmation referred to in paragraph 5 has been received. If the confirmation has not been received within 14 days of the landing the port State Contracting Party may confiscate and dispose of the fish in accordance with national rules.
7. The port State Contracting Party shall without delay notify the master of the fishing vessel of its decision on whether to authorize the landing or transshipment by returning a copy of the form. Annex XXIV A or B, with Part C duly completed. This copy shall also be transmitted to the Executive Secretary without delay.
8. [Unless otherwise required in a recovery plan] The port State Contracting Party shall carry out inspections of at least [XX] % [1 out of 6] of all such landings or transshipments during the each reporting year. [The port State Contracting Party shall with regard to species covered by a recovery plan, inspect all landings. STACTIC shall evaluate on an annual basis, the overall effect of port State control measures in place and as appropriate propose changes to them including the level of inspections. This shall also apply with regard to species covered by a recovery plan.]
9. Inspections shall be conducted by authorized Contracting Party inspectors who shall present credentials to the master of the vessel prior to the inspection.
10. The port State Contracting Party may invite inspectors of other Contracting Parties to accompany their own inspectors and observe the inspection of landings or transshipment operations.
11. An inspection shall involve the monitoring of the entire discharge or transshipment in that port and the port State Contracting Party shall as a minimum:
 - a) cross-check against the quantities of each species landed or transhipped,
 - i. the quantities by species recorded in the logbook
 - ii. catch and activity reports, and
 - iii. all information [on catches] provided in the prior notification (PSC 1/2)
 - b) verify and record the quantities by species of catch remaining on board upon completion of landing or transshipment;
 - c) verify any information from inspections carried out pursuant to Chapter IV;
 - d) verify all nets on board and record mesh size measurements;
 - e) verify fish size for compliance with minimum size requirements.
12. Each inspection shall be documented by completing form PSC 3 (port State Control inspection form) as set out in Annex XIII. The inspectors may insert any comments they consider relevant. They shall sign the report and request that the master sign the report. The master may insert any comment he consider relevant and shall be provided with a copy of the report.
13. The port State Contracting Party shall without delay transmit a copy of each port State Control inspection report and, upon request, an original or a certified copy thereof, to the flag State Contracting Party and to the flag State of any vessel that transhipped catch to the inspected fishing vessel. A copy shall also be sent to the Executive Secretary without delay.
14. The port State Contracting Party shall make all possible efforts to avoid unduly delaying the fishing vessel and ensure that the vessel suffers the minimum interference and inconvenience and that unnecessary degradation of the quality of the fish is avoided.

Article 46 - Duties of the Flag State Contracting Party

1. The flag State Contracting Party shall ensure that the master of any fishing vessel entitled to fly its flag complies with the obligations relating to masters set out in this Chapter.
2. The flag State Contracting Party of a fishing vessel intending to land or tranship, or where the vessel has engaged in transshipment operations outside a port, the flag State Contracting Party or parties, shall confirm by returning a copy of the form, Annex XXIV A or B, transmitted pursuant to Article 45 (4) with part B duly completed, stating that:
 - a) the fishing vessel declared to have caught the fish had sufficient quota for the species declared;
 - b) the declared quantity of fish on board has been duly reported by species and taken into account for the calculation of any catch or effort limitations that may be applicable;
 - c) the fishing vessel declared to have caught the fish had authorization to fish in the areas declared; and
 - d) the presence of the vessel in the area in which it has declared to have taken its catch has been verified by VMS data.

Article 47 - Obligations of the Master of a Fishing Vessel

1. The master or the agent of any fishing vessel intending to make a port call shall notify the competent authorities of the port State Contracting Party within the notification period referred to in Article 45 (2). Such notification shall be accompanied by the form provided for in Annex XXIV with Part A duly completed as follows:
 - a) Form PSC 1, as referred to in Annex XXIV (A) shall be used where the vessel is landing or transshipping its own catch; and
 - b) Form PSC 2, as referred to in Annex XXIV (B), shall be used where the vessel has engaged in transshipment operations. A separate form shall be used for each donor vessel.
 - c) Both forms PSC 1 and PSC 2 shall be completed in cases where a vessel is intending to land both its own catch and catch that was received through transshipment.
2. A master or the agent may cancel a prior notification by notifying the competent authorities of the port they wished to use no later than [24 hours] before the notified estimated time of arrival in the port. However, a Contracting Party may make provision for another notification period and advise the Executive Secretary. The notification shall be accompanied by a copy of the original PSC 1 or 2 with the word “cancelled” written across it as indicated in Annex XXIV (C or D).
3. A master or the agent may correct the catch information indicated in the original PSC 1 or 2 by notifying the competent authorities of the port they wish to use. The notification shall be sent not later than [6] hours before the estimated time of arrival and be accompanied by a copy of the original PSC 1 or 2 with the new catch information included. The word “corrected” shall be written across it as indicated in Annex XXIV (E or F).
4. The master of a fishing vessel shall:
 - a) co-operate with and assist in the inspection of the fishing vessel conducted pursuant to these procedures and shall not obstruct, intimidate or interfere with the port State inspectors in the performance of their duties;
 - b) provide access to any areas, decks, rooms, catch, nets or other gear or equipment, and provide any relevant information which the port State inspectors request including copies of any relevant documents.

Article 48 - Landing declaration

The master of a fishing vessel[and the receiver] of the fish and/or fish products shall immediately after the landing or the transshipment is completed, duly complete and sign the landing declaration provided in Annex XXV. The landing declaration shall without delay be sent to the competent authorities of the port State Contracting Party.

The port State Contracting Party shall without delay send a copy [to the flag State Contracting Party of the vessel and to the flag State Contracting Party of donor vessels where the vessel has engaged in transshipment operations and] to the Executive Secretary.

Article 49 - Duties of the Executive Secretary

1. The Executive Secretary shall without delay post on the NAFO website:
 - a. the list of designated ports;
 - b. the prior notification periods established by each Contracting Party;
 - c. the information about the designated competent authorities in each port State Contracting Party.
2. The Executive Secretary shall without delay post on the secure part of the NAFO website:
 - a) copies of all PSC 1/2 forms transmitted by port State Contracting Parties;
 - b) copies of all landing declarations, PSC 4 form, transmitted by the port state Contracting Parties;
 - c) copies of all inspection reports, PSC 3 form, transmitted by port State Contracting Parties.
3. All forms related to a specific landing or transshipment shall be posted together.

Article 50 – Serious infringements

The following infringements shall be considered serious:

- a) preventing inspectors from carrying out their duties (Article 47 (2));
- b) landing or transshipping in a port not designated in accordance with the provisions of Article 45 (1);
- c) failure to comply with the provisions of Article 47 (1);
- d) landing or transshipping without authorization of the port State as referred to in Article 45 (5);
- e) failure to comply with the provisions of Article 48.

Such infringements shall be followed up according to appropriate national legislation.

The provisions in Article 41(1), (2) and (3) shall apply.

Part III – Amendments to Chapter VI, Scheme to promote compliance by non Contracting Party vessels with recommendations established by NAFO.

(New) Article 46 (2) bis (before renumbering)

Nothing in this Scheme shall be interpreted to prevent a port State Contracting Party from allowing a non-Contracting Party vessel entry into its ports for the purpose of conducting an investigation of, or taking appropriate enforcement action against, the vessel.

(New) Article 49 (before renumbering) – *Entry and inspection in port*

1. Masters of non-Contracting Party vessels intending to call into a port shall notify the competent authority of the port State Contracting Party in accordance with the provisions of Article 47. The port State Contracting Party shall forward without delay this information to the flag State of the vessel and to the Executive Secretary.
2. The port State Contracting Party shall prohibit the entry into its ports of vessels that have not given the required prior notice and provided the information referred to in paragraph 1. The vessel shall in any case not be allowed to enter the port unless a confirmation issued by the flag State in accordance with the provisions in Article 46 (2) is presented.
3. When a non-Contracting Party vessel referred to in Article 47 (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 until this inspection has taken place. Such inspections shall include the vessels documents, log books, fishing gear, catch on board any other matter relating to the vessels activities in the Regulatory Area. The inspection shall be documented by at least completing the inspection form provided in Annex XIII.
4. Information on the results of all inspections of non-Contracting Party vessels conducted in the ports of Contracting Parties, and any subsequent action, shall without delay be sent to the Executive Secretary who shall post the information on the secured part of the NAFO website and inform the flag State, relevant RFMOs and other Contracting Parties.

[(New) Article 49 bis (before renumbering) – *Follow up*

1. *Where, following inspection, there are reasonable grounds to believe that a vessel has committed a serious infringement, the port State Contracting Party shall promptly notify the flag State and the Executive Secretary, and shall prohibit landing, trans-shipping or processing of fish or fish products on board and use of port services, including, inter alia, refuelling and resupplying but not services essential to the safety, health or welfare of the crew.*
2. *The Executive Secretary shall promptly notify all Contracting Parties of the infringements.*
3. *Except for the flag State, no Contracting Party shall permit a vessel identified pursuant to paragraph 2 to enter its ports or to use any port services except those essential to the safety, health or welfare of the crew.]*

All articles in Chapter VI and VII must be renumbered accordingly.

Part IV – New annex XIII, XXIV, and XXV**ANNEX XIII to be deleted and replaced by:****Report on Port State Control inspection (PSC 3)**

| A. INSPECTION REFERENCE. Please use black ink | | | | | |
|--|------------|------------|--------------|---------------------------------|----|
| Landing | Yes | No | Transhipment | Yes | No |
| | Port State | | | Port of landing or transhipment | |
| Vessel name | | Flag State | | IMO Number ¹ | |
| Landing/transhipment started | | Date | | Time | |
| Landing/transhipment ended | | Date | | Time | |

| B. INSPECTION DETAILS | | | |
|-----------------------------------|-------------------------|-----------------|------------|
| Name of donor vessel ² | IMO Number ¹ | Radio call sign | Flag State |
| | | | |
| | | | |
| | | | |
| | | | |

| B 1. CATCH RECORDED IN THE LOGBOOK | | | |
|---|---------------|-------------------------|------------------------|
| Species ³ | Area of catch | Declared live weight kg | Conversion factor used |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| B 2. FISH LANDED OR TRANSHIPPED | | | | | | | | | |
|--|----------------------|---------------|-----------------------------|--------------------|---------------------------|--|---|---|--|
| Species ⁴ | Product ⁵ | Area of catch | Product weight landed in kg | Con-version factor | Equivalent live weight kg | Diff (kg) between live weight declared in the logbook and the live weight landed | Diff (%) between live weight declared in the logbook and the live weight landed | Diff (kg) between Product weight landed and PSC 1/2 | Diff (%) between Product weight landed and PSC 1/2 |
| | | | | | | | | | |

¹ Fishing vessels not assigned an IMO number shall provide their external registration number

² In case where a vessel has engaged in transhipment operations. A separate form shall be used for each donor vessel.

³ FAO Species Codes – NEAFC Annex V - NAFO Annex II

⁴ FAO Species Codes – NEAFC Annex V - NAFO Annex II

⁵ Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C)

| | | |
|--|--|---|
| | | |
| INFRINGEMENTS NOTED | | |
| Article | Cite the relevant provision(s) violated and summarise pertinent facts | |
| | | |
| FOLLOW UP, DESCRIPTION OF MEASURES TAKEN WITH REGARD TO INFRINGEMENTS NOTED | | |
| | | |
| Inspectors name | Inspectors signature | Date and place |
| | | |
| D. OBSERVATIONS BY THE MASTER | | |
| <p>I,the undersigned, Master of the vessel hereby confirm that a copy of this report have been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of this report, except my own observations, if any.</p> <p>Signature: _____ Date : _____</p> | | |
| E. DISTRIBUTION | | |
| Copy to flag State | Copy to NEAFC Secretary | Copy to NAFO Executive Secretary |
| | | |

ANNEX XXIV

PORT STATE CONTROL PRIOR NOTIFICATION FORMS

B – PSC 2

| PORT STATE CONTROL FORM – PSC 2 | | | | | | | | | |
|---|----------------------|--|------------------------|------------------|-------------------|---------------------|---------------------------------------|---------|----|
| PART A: To be completed by the Master of the Vessel. A separate form shall be completed for each donor vessel. Please use black ink | | | | | | | | | |
| Name of Vessel: | | IMO Number: ¹ | | Radio Call Sign: | | Flag State: | | | |
| | | | | | | | | | |
| Email Address: | | Telephone Number: | | Fax Number: | | Inmarsat Number: | | | |
| | | | | | | | | | |
| Port of Landing or Transshipment: | | | | | | | | | |
| Estimated Time of Arrival: | | Date: | | Time UTC: | | | | | |
| | | | | | | | | | |
| Catch Information for Donor Vessels *A separate form shall be completed for each Donor Vessel* | | | | | | | | | |
| Name of Vessel | | IMO Number ¹ | | Radio Call Sign | | Flag State | | | |
| | | | | | | | | | |
| Total catch on board – all areas | | | | | | | Catch to be landed² | | |
| Species ³ | Product ⁴ | Area of catch | | | Conversion factor | Product weight (kg) | Product weight (kg) | | |
| | | NEAFC CA (ICES subareas and divisions) | NAFO RA (Sub Division) | Other areas | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| PART B: For official use only - to be completed by the Flag State | | | | | | | | | |
| The Flag State of the vessel must respond to the following questions by marking in the "Yes" or "No" | | | | | | NEAFC CA | | NAFO RA | |
| | | | | | | Yes | No | Yes | No |
| a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared | | | | | | | | | |
| b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable | | | | | | | | | |
| c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared | | | | | | | | | |
| d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data | | | | | | | | | |
| Flag State confirmation: I confirm that the above information is complete, true and correct to the best of my knowledge and belief. | | | | | | | | | |
| Name and Title: | | | | Date: | | | | | |
| | | | | | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| PART C: For official use only - to be completed by the Port State | | | | | | | | | |
| Name of Port State: | | | | | | | | | |
| Authorisation: | | Yes: | | No: | | Date: | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| 1. Fishing vessels not assigned an IMO number shall provide their external registration number | | | | | | | | | |
| 2. If necessary an additional form or forms shall be used | | | | | | | | | |
| 3. FAO Species Codes – NEAFC Annex V - NAFO Annex II | | | | | | | | | |
| 4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C) | | | | | | | | | |

C – PSC 1 CANCELLED

For information: "Cancelled" shall be written across in a 45° angle

| PORT STATE CONTROL FORM – PSC 1 | | | | | | | | | |
|--|----------------------|--|------------------------|-------------------------|-------------------|-------------------------|---------------------------------|---------|----|
| PART A: To be completed by the Master of the Vessel. Please use black ink | | | | | | | | | |
| Name of Vessel: | | IMO Number:¹ | | Radio Call Sign: | | Flag State: | | | |
| | | | | | | | | | |
| Email Address: | | Telephone Number: | | Fax Number: | | Inmarsat Number: | | | |
| | | | | | | | | | |
| Port of Landing or Transshipment: | | | | | | | | | |
| Estimated Time of Arrival: | | Date: | | Time UTC: | | | | | |
| | | | | | | | | | |
| Total catch on board – all areas | | | | | | | Catch to be landed ² | | |
| Species ³ | Product ⁴ | Area of catch | | | Conversion factor | Product weight (kg) | Product weight (kg) | | |
| | | NEAFC CA (ICES subareas and divisions) | NAFO RA (Sub Division) | Other areas | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| PART B: For official use only – to be completed by the Flag State | | | | | | | | | |
| The Flag State of the vessel must respond to the following questions by marking in the box "Yes" or "No" | | | | | | NEAFC CA | | NAFO RA | |
| | | | | | | Yes | No | Yes | No |
| a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared | | | | | | | | | |
| b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable | | | | | | | | | |
| c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared | | | | | | | | | |
| d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data | | | | | | | | | |
| Flag State confirmation: I confirm that the above information is complete, true and correct to the best of my knowledge and belief. | | | | | | | | | |
| Name and Title: | | | | Date: | | | | | |
| | | | | | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| PART C: For official use only – to be completed by the Port State | | | | | | | | | |
| Name of Port State: | | | | | | | | | |
| Authorisation: | | Yes: | | No: | | Date: | | | |
| | | | | | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| 1. Fishing vessels not assigned an IMO number shall provide their external registration number 2. If necessary an additional form or forms shall be used 3. FAO Species Codes – NEAFC Annex V - NAFO Annex II 4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C) | | | | | | | | | |

D – PSC 2 – CANCELLED

For information: "Cancelled" shall be written across in a 45° angle

| PORT STATE CONTROL FORM – PSC 2 | | | | | | | | | |
|--|----------------------------|---|-------------------------------|-------------------------|--------------------------|---------------------------------------|----------------------------|----------------|-----------|
| PART A: To be completed by the Master of the Vessel. A separate form shall be completed for each donor vessel. Please use black ink | | | | | | | | | |
| Name of Vessel: | | IMO Number:¹ | | Radio Call Sign: | | Flag State: | | | |
| | | | | | | | | | |
| Email Address: | | Telephone Number: | | Fax Number: | | Inmarsat Number: | | | |
| | | | | | | | | | |
| Port of Landing or Transshipment: | | | | | | | | | |
| Estimated Time of Arrival: | | Date: | | Time UTC: | | | | | |
| | | | | | | | | | |
| Catch Information for Donor Vessels *A separate form shall be completed for each Donor Vessel* | | | | | | | | | |
| Name of Vessel | | IMO Number¹ | | Radio Call Sign | | Flag State | | | |
| | | | | | | | | | |
| Total catch on board – all areas | | | | | | Catch to be landed² | | | |
| Species³ | Product⁴ | Area of catch | | | Conversion factor | Product weight (kg) | Product weight (kg) | | |
| | | NEAFC CA (ICES subareas and divisions) | NAFO RA (Sub Division) | Other areas | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| PART B: For official use only - to be completed by the Flag State | | | | | | | | | |
| The Flag State of the vessel must respond to the following questions by marking in the "Yes" or "No" | | | | | | NEAFC CA | | NAFO RA | |
| | | | | | | Yes | No | Yes | No |
| a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared | | | | | | | | | |
| b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable | | | | | | | | | |
| c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared | | | | | | | | | |
| d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data | | | | | | | | | |
| Flag State confirmation: I confirm that the above information is complete, true and correct to the best of my knowledge and belief. | | | | | | | | | |
| Name and Title: | | | | Date: | | | | | |
| | | | | | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| PART C: For official use only - to be completed by the Port State | | | | | | | | | |
| Name of Port State: | | | | | | | | | |
| Authorisation: | | | | Yes: | No: | Date: | | | |
| | | | | | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| 1. Fishing vessels not assigned an IMO number shall provide their external registration number 2. If necessary an additional form or forms shall be used 3. FAO Species Codes – NEAFC Annex V - NAFO Annex II 4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C) | | | | | | | | | |

E – PSC 1 - CORRECTED

For information: "Corrected" shall be written across in a 45° angle

| PORT STATE CONTROL FORM – PSC 1 | | | | | | | | | |
|--|----------------------|--|------------------------|------------------|-------------------|---------------------------------|---------------------|---------|----|
| PART A: To be completed by the Master of the Vessel. Please use black ink | | | | | | | | | |
| Name of Vessel: | | IMO Number: ¹ | | Radio Call Sign: | | Flag State: | | | |
| Email Address: | | Telephone Number: | | Fax Number: | | Inmarsat Number: | | | |
| Port of Landing or Transhipment: | | | | | | | | | |
| Estimated Time of Arrival: | | Date: | | Time UTC: | | | | | |
| Total catch on board – all areas | | | | | | Catch to be landed ² | | | |
| Species ³ | Product ⁴ | Area of catch | | | Conversion factor | Product weight (kg) | Product weight (kg) | | |
| | | NEAFC CA (ICES subareas and divisions) | NAFO RA (Sub Division) | Other areas | | | | | |
| | | | | | | | | | |
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| | | | | | | | | | |
| PART B: For official use only – to be completed by the Flag State | | | | | | | | | |
| The Flag State of the vessel must respond to the following questions by marking in the box "Yes" or "No" | | | | | | NEAFC CA | | NAFO RA | |
| | | | | | | Yes | No | Yes | No |
| a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared | | | | | | | | | |
| b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable | | | | | | | | | |
| c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared | | | | | | | | | |
| d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data | | | | | | | | | |
| Flag State confirmation: <i>I confirm that the above information is complete, true and correct to the best of my knowledge and belief.</i> | | | | | | | | | |
| Name and Title: | | | | Date: | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| PART C: For official use only – to be completed by the Port State | | | | | | | | | |
| Name of Port State: | | | | | | | | | |
| Authorisation: | | Yes: | | No: | | Date: | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| 1. Fishing vessels not assigned an IMO number shall provide their external registration number 2. If necessary an additional form or forms shall be used 3. FAO Species Codes – NEAFC Annex V - NAFO Annex II 4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C) | | | | | | | | | |

F – PSC 2 – CORRECTED

For information: "Corrected" shall be written across in a 45° angle

| PORT STATE CONTROL FORM – PSC 2 | | | | | | | | | |
|--|----------------------------|---|-------------------------------|-------------------------|--------------------------|---------------------------------------|----------------------------|----------------|-----------|
| PART A: To be completed by the Master of the Vessel. A separate form shall be completed for each donor vessel. Please use black ink | | | | | | | | | |
| Name of Vessel: | | IMO Number:¹ | | Radio Call Sign: | | Flag State: | | | |
| | | | | | | | | | |
| Email Address: | | Telephone Number: | | Fax Number: | | Inmarsat Number: | | | |
| | | | | | | | | | |
| Port of Landing or Transshipment: | | | | | | | | | |
| Estimated Time of Arrival: | | Date: | | Time UTC: | | | | | |
| | | | | | | | | | |
| Catch Information for Donor Vessels *A separate form shall be completed for each Donor Vessel* | | | | | | | | | |
| Name of Vessel | | IMO Number¹ | | Radio Call Sign | | Flag State | | | |
| | | | | | | | | | |
| Total catch on board – all areas | | | | | | Catch to be landed² | | | |
| Species³ | Product⁴ | Area of catch | | | Conversion factor | Product weight (kg) | Product weight (kg) | | |
| | | NEAFC CA (ICES subareas and divisions) | NAFO RA (Sub Division) | Other areas | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
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| | | | | | | | | | |
| PART B: For official use only - to be completed by the Flag State | | | | | | | | | |
| The Flag State of the vessel must respond to the following questions by marking in the "Yes" or "No" | | | | | | NEAFC CA | | NAFO RA | |
| | | | | | | Yes | No | Yes | No |
| a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared | | | | | | | | | |
| b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable | | | | | | | | | |
| c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared | | | | | | | | | |
| d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data | | | | | | | | | |
| Flag State confirmation: I confirm that the above information is complete, true and correct to the best of my knowledge and belief. | | | | | | | | | |
| Name and Title: | | | | Date: | | | | | |
| | | | | | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| PART C: For official use only - to be completed by the Port State | | | | | | | | | |
| Name of Port State: | | | | | | | | | |
| Authorisation: | | | | Yes: | No: | Date: | | | |
| | | | | | | | | | |
| Signature: | | | | Official Stamp: | | | | | |
| | | | | | | | | | |
| 1. Fishing vessels not assigned an IMO number shall provide their external registration number 2. If necessary an additional form or forms shall be used 3. FAO Species Codes – NEAFC Annex V - NAFO Annex II 4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C) | | | | | | | | | |

Annex 4. Presentation by Canada on 3L Shrimp Issues

Background

- A total of 4175t of 3L shrimp is allocated in the NRA. Canada receives the balance of the 25000t TAC.
- For 2008, Contracting Parties are each allocated 278t in 3L. The EU, by virtue of Poland and Baltic State accession in 2005 have the equivalent of 5 shares or 1392t.
- Division 3M shrimp is managed on the basis of effort days.
- Total catches of 5906t of shrimp were reported from the NRA in the period January – March, 2008. The reported catch was 2206t from 3L (37.4%) and 3700t (62.6%) from 3M.
- Significant portions of NRA shrimp catch are transported through Canadian ports.
- 5478t was off-loaded and inspected in Canadian ports to May 31 in 2008 (870t reported 3L catch and 4610t reported 3M catch).

Shrimp Fishery in the NAFO Regulatory Area

- Vessel masters and industry experts acknowledge that 3L shrimp has a better count and color and have more value than 3M shrimp.
- Masters advise that 3L shrimp is 2-3 times the value of 3M shrimp on a per tonne basis.
- Catch rates in 3L are frequently 20-25t/day and higher. The catch rate in 3M is relatively stable at 10-12t/day.
- Canadian Inspectors observe, on average, catch rates in 3L that are 50% higher than those in 3M with periods (December to March) when it is significantly higher.
- Considering the difference in catch rates and value of the catch - an average fishing day in 3L can yield a five-fold value over a fishing day in 3M.
- There is an economic motivation to maximize 3L catch, particularly given escalating operating costs (i.e. fuel).
- Masters of shrimp vessel have indicated that in 2007, fuel costs accounted for 25% of the value of their gross product. In 2008, fuel cost is estimated at 40-45% of catch.
- During the periods that the 3L shrimp fishery occurs many vessels spend 40-60% of their fishing time in 3L. Reported catches from 3L are 25-40% of the total catch.
- Industry reports that 60% cooked product is typical of the 3L and not of the 3M fishery.
- During the period that 3L is open, the cooked product (higher value) reported from 3M for vessels inspected in Canadian ports is 60% of the total catch.
- During the period that 3L is closed, the cooked product from 3M is in the range of 20-30% of total catch.
- In 2008, individual vessel (s) have reported average catch as high as 44t/day in 3L.
- Catch rates for Canadian vessels in 3L (Canadian Fisheries Waters) are 20-30t/day. The fishery is conducted within 30nm of NRA fishery.
- In the January to March period of 2008, observed catch rates by Canadian inspectors in Division 3L were 800 - 1100 kg/hr.
- Inspection data shows that vessels fishing in 3L make an average of 3 tows a day. The average tow time is approximately 5 hours.
- Inspection data also shows that vessels fishing in 3M made 3 tows a day for an average of 6.7 hours per tow.

Other Observations

- Vessels report higher catches in 3M on days prior to or after being in 3L.
- Vessels frequently move between 3L and 3M (100-120nm round trip) even though reported catch rates for 3M are high and for 3L low.
- Vessels use weather as cover to avoid inspection while fishing in 3L.

Review of Vessel Reports

- A review of all sources of data in fishery, inspections, VMS, reported catch, fishing patterns, historical data and industry trends.
- Observations of Inspectors.
- Historical trends.
- Assessment of fishing activity based on hours fished on the fishing grounds.
- Discussion with vessel masters and industry representatives.

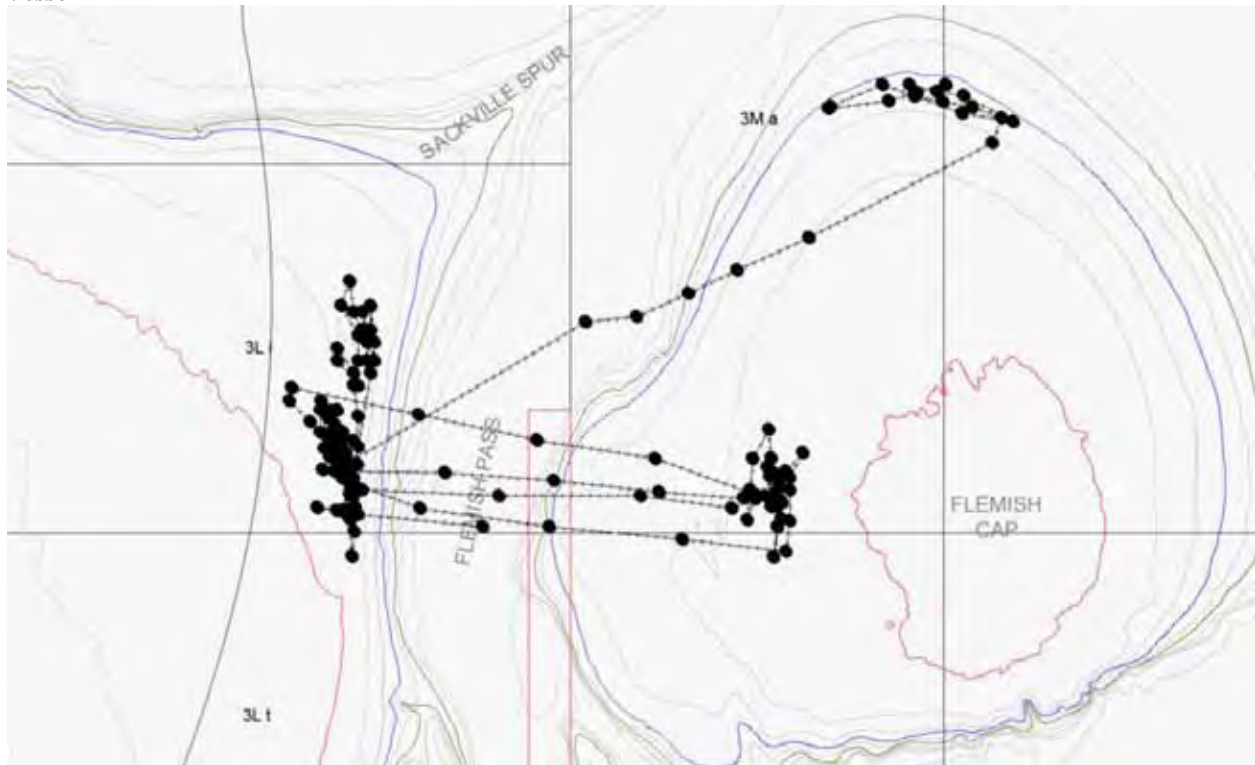
January – March Fishing Period (Vessel A)

January- March 2007

- Reported a catch rate of 7.0 t/day while fishing in 3L and 21t/day while in 3M.
- VMS data shows that the vessel was in the NRA a total of 3800 hours and 1340 of those hours or 35% in Division 3L.

January- March 2008

- Reported a catch rate of 6.3 t/day while fishing in 3L and 19.3t/day while in 3M.
- VMS data shows that the vessel was in the NRA a total of 315 hours and 198 of those hours or 63% of the time in was in Division 3L.
- Reported 25% of it's catch as coming from 3L.
- Based on an average catch rate of 0.8 -1.0t/hour for Division 3L the vessel was capable of catching between 160-198t during the time fishing in 3L compared to ~100t reported in logbooks.

Vessel A

- Vessel moved frequently from Division 3L to 3M.
- 5 trips from 3L-3M (~65nm each way) -and ~9 days in 3L and 5 days in 3M.

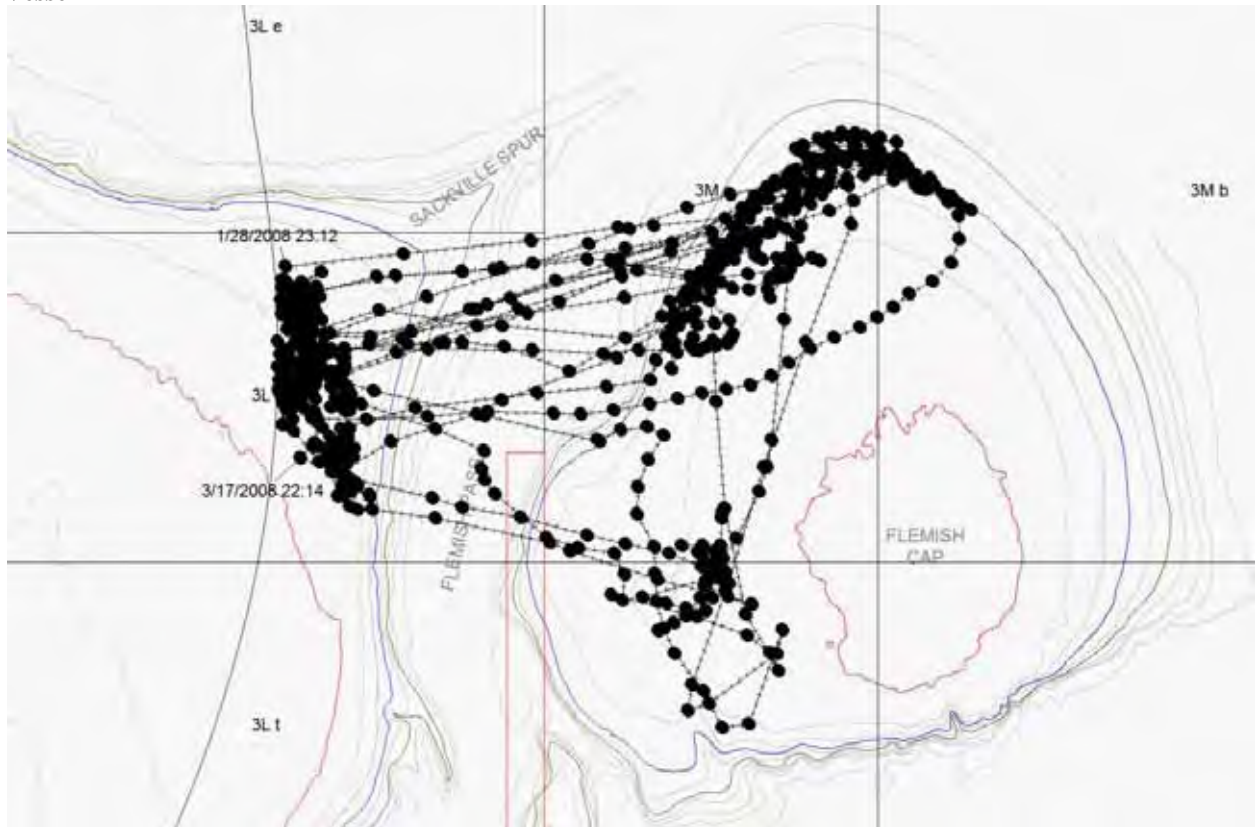
January – March Fishing Period (Vessel B)

2007

- Reported a catch rate of 10t/day while fishing in 3L and 18t/day while in 3M.
- VMS data shows that the vessel was in the NRA at total ~5735 hours of which 2058 hours or 36% of the time in Division 3L.
- Landed approximately 55% higher valued cooked shrimp product after fishing 3L (December– March) as opposed to 25% cooked product when fishing 3M only.

2008

- Reported a catch rate of 6.6t/day while fishing in 3L and 19.6t/day while in 3M.
- VMS data shows that the vessel was in the NRA at total 1600 hours of which 670 hours or 42% of the time in Division 3L.
- The vessel reported approximately 15% of it's catch as coming from 3L.
- Based on an average catch rate of 0.8 -1.0t/hour for Division 3L the vessel was capable of catching between 540-670t for the time in 3L as compared to ~270t reported in logbooks.

Vessel B

- Vessel moved frequently from Division 3L to 3M.
- 20 trips from 3L-3M (60nm each way) and ~35 days in 3L and ~38 days in 3M.

January – March Fishing Period (Vessel C)

2007

- Reported a catch rate of 9.0 t/day while fishing in 3L and 16.t/day while in 3M.
- VMS data shows that the vessel was in the NRA for ~1200 hours of which 750 hours or 60% of the time in Division 3L.

2008

- Reported a catch rate of 7.0t/day while fishing in 3L and 18.2t/day while in 3M.
- VMS data shows that the vessel was in the NRA for ~1580 hours of which 760 hours or 48% of the time in Division 3L.
- The vessel reported approximately 20% of its catch as coming from 3L.
- Based on an average catch rate of 0.8 -1.0t/hour for Division 3L the vessel was capable of catching in the range of 610-760t for the time fishing in 3L as compared to ~240t reported in logbooks.

January – March Fishing Period (Vessel D)

2007

- Reported a catch rate of 14t/day while fishing in 3L and 16t/day while in 3M.
- VMS data shows that the vessel was in the NRA for ~2500 hours of which 1200 hours or 48% of the time in Division 3L.

- The vessel reported approximately 44% of its catch in 3L.

2008

- Reported a catch rate of 9.0t/day while fishing in 3L and 20.6t/day while in 3M.
- VMS data shows that the vessel was in the NRA for ~1120 hours of which 600 hours or 53% of the time in Division 3L.
- The vessel reported approximately 37% of its catch in 3L.
- Based on an average catch rate of 0.8 -1.0t/hour for Division 3L the vessel was capable of catching between 480-600t for the fishing time in 3L as compared to ~180t reported.

January – March Fishing Period (Vessel E)

2007

- Reported a catch rate of 11t/day while fishing in 3L and 16t/day while in 3M.
- VMS data shows that the vessel was in the NRA for ~2150 hours of which 970 hours or 45% of the time in Division 3L.
- The vessel reported approximately 41% of its catch in 3L.

2008

- Reported a catch rate of 9.0t/day while fishing in 3L and 20.6t/day while in 3M.
- VMS data shows that the vessel was in the NRA for ~540 hours of which 300 hours or 45% of the time in Division 3L.
- Reported approximately 34% of its catch in 3L.
- Based on an average catch rate of 0.8 -1.0t/hour for Division 3L the vessel was capable of catching between 240-300t for the time in 3L as compared to ~100t reported catch.

Conclusions

- The rising cost of fuel has resulted in a significant increase in the cost of shrimp fishing in the NRA.
- 3L shrimp exceeds the value of 3M shrimp by 200-300%.
- VMS data shows at least 4300 hours of directed shrimp fishing (180 fishing days) by 5 sample vessels in 3L in the January-March period of 2008.
- The reported 3L catch per hour for 5 these vessels was ~0.35t/hour (890t in 2528 hours) and is inconsistent with catch rates experienced by other Contracting Parties and that observed by Canadian Inspectors.
- Given observed catch rates of 0.8-1.1t/hour and, based on at least 2528 hours, it is believed that in excess of 2500t of shrimp was caught in 3L in 2008.
- The relative value of 3L shrimp and high operating costs coupled with the latent days in 3M shrimp fisheries provides a high incentive to misreport.
- While not preventing misreporting, current measures related to number of Contracting Party flag state vessels and a closed season limit opportunities for additional misreporting of 3L catch.
- The current rules do not prevent any vessels or Contracting Parties from utilizing their full quotas.
- Removing any of the current measures for 3L shrimp is premature when misreporting may be occurring between 3L and 3M.
- Other measure must also be considered to deal with this issue.