

**40th ANNUAL MEETING OF NAFO - SEPTEMBER 2018****NAFO Working Group to Address the
Recommendations of the 2018 Performance Review Panel**

Recalling that the UN General Assembly has called for regular performance reviews of Regional Fisheries Management Organizations (RFMOs);

Re-affirming NAFO's commitment to make efforts to advance the 2018 Performance Review Panel recommendations;

Noting that NAFO previously established a Working Group to provide regular updates on progress to address the recommendations of the first performance review;

Recalling the report of the 2018 Performance Review Panel notes that NAFO established a comprehensive and detailed process to address recommendations of the first performance review;

It is recommended that:

A Commission Working Group be established and develop an action plan to address the recommendations using the following terms of reference:

1. The Commission Working Group is established to address the recommendations in the context in which they were made by the Performance Review Panel 2018 as outlined in Annex 1 to this document.

These recommendations shall be prioritized, and Plans of Action developed that identify possible next steps.

The Working Group shall designate which recommendations can be addressed immediately and for which Plans of Action can be established in the short, medium and long-term. The Working Group shall also recommend courses of action, where possible and appropriate, to address the recommendations of the Performance Review Panel in particular for the areas identified as priority.

2. Composition and Chairing of the Working Group

The Working Group shall be composed of representatives of Contracting Parties and shall be chaired by the Commission Chair. Chair of the Scientific Council shall serve as resource person to the Working Group.

3. Timing and Venue of the Meeting

The NAFO Secretariat will coordinate the first meeting of the Working Group in consultation with the Chairperson and participants. The Working Group will then convene as required and as



determined by the Chair of the Working Group. The use of electronic means should be considered for the completion of its work if necessary.

4. Administration

The Secretariat shall provide the administrative and information support to the Working Group.

5. Report

The report from the Working Group shall be provided to the Secretariat for distribution to Contracting Parties at least 30 days before the 2019 Annual Meeting. The report shall be presented by the Chair at that meeting.

Annex 1. Recommendations of the 2018 Performance Review Panel

#	CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY			
			COM	SC	SECRETARIAT	CPs
		III. Conservation and Management				
		In relation to the Ecosystem Approach Framework to Fisheries Management, the NAFO Performance Review Panel:				
1.	III.2.a.1	<ul style="list-style-type: none"> • Recommends the Commission, within a defined timeline, sets objectives and determines acceptable risks as outlined in the Ecosystem Approach Framework Roadmap to ensure its implementation. [pg. 16] 	x (COM/ WG-EAFFM/ WG-RBMS)	x (WG-EAFFM/ WG-RBMS)		
		In relation to the Precautionary Approach Framework, the NAFO Performance Review Panel:				
2.	III.2.b.1	<ul style="list-style-type: none"> • Recommends NAFO assigns a high priority, including a timeline, to the review of its Precautionary Approach Framework and urges NAFO to act with precaution while awaiting the completion of this review, in particular through a commitment to follow scientific advice. [pg. 17] 	x (WG-RBMS)	x (WG-RBMS)		
3.	III.2.b.2	<ul style="list-style-type: none"> • Recommends that NAFO includes 'data-poor' stocks in the Precautionary Approach Framework. [pg. 17] 	x (WG-RBMS)	x (WG-RBMS)		
		In relation to data collection and sharing, the NAFO Performance Review Panel:				
4.	III.3.1	<ul style="list-style-type: none"> • Recommends NAFO implements the applicable outcomes of the catch estimates methodology study once completed, continue the work of CESAG and utilize Scientific observer data. [pg. 20] 	x (CESAG)	x (CESAG)		x

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5.	III.3.2	<ul style="list-style-type: none"> • Recommends NAFO agrees on a means to respond to instances of non-compliance by a Contracting Party with its reporting requirements, including logbook data. [pg. 20] 	x (STACTIC)			
6.	III.3.3	<ul style="list-style-type: none"> • Recommends NAFO implements measures to ensure that fisheries research data, including fisheries survey data used by the Scientific Council, is complete and available for peer review in accordance with established scientific publication standards. [pg. 20] 		x		
7.	III.3.4	<ul style="list-style-type: none"> • Recommends NAFO assesses whether the discard data collected on the basis of daily electronic catch reporting is sufficient in order to support a future discards policy. [pg. 20] 	x (WG-BDS/ STACTIC)			
		In relation to the consistency of conservation and management decisions with scientific advice, the NAFO Performance Review Panel:				
8.	III.4.a.1	<ul style="list-style-type: none"> • Recommends the Commission, as a matter of high priority, follows the Scientific Council advice and implements its multi-annual management strategies and plans in a consistent manner. [pg. 22] 	x			
9.	III.4.a.2	<ul style="list-style-type: none"> • Recommends NAFO adopts and implements a multi-annual schedule/planning for the delivery of advice, applicable over a cycle of at least five (5) years, including timelines for the various tasks required. Requests for advice outside the agreed planning should only be accepted in exceptional circumstances. [pg. 22] 	x	x		
10.	III.4.a.3	<ul style="list-style-type: none"> • Recommends NAFO publishes annually a comparison between decisions adopted and the relevant scientific advice. [pg. 22] 			x	

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		In relation to the adoption of consistent/compatible management measures, the NAFO Performance Review Panel:				
11.	III.4.b.1	<ul style="list-style-type: none"> • Recommends NAFO develops mechanisms for the application of Article VI.11 of the Convention. [pg. 23] 	x			
		In relation to the allocation of fishing opportunities, the NAFO Performance Review Panel:				
12.	III.4.c.1	<ul style="list-style-type: none"> • Recommends NAFO revisits the allocation of new fishing opportunities, should a change in circumstances justify it. [pg. 24] 	x			
		In relation to previously unregulated and exploratory fisheries, the NAFO Performance Review Panel:				
13.	III.4.d.1	<ul style="list-style-type: none"> • Recommends NAFO establishes conservation and management measures for Splendid Alfonsino in Subarea 6, at the earliest opportunity. [pg. 24] 	x	x		
		In relation to the conservation of marine biodiversity and the minimization of harmful fishing impacts on marine ecosystems, the NAFO Performance Review Panel:				
14.	III.4.e.1	<ul style="list-style-type: none"> • Recommends NAFO assesses means of minimizing or eliminating harmful impacts of fishing surveys on Vulnerable Marine Ecosystems within closed areas. [pg. 26] 	x (WG-EAFFM)	x (SC/ WG-EAFFM)		
15.	III.4.e.2	<ul style="list-style-type: none"> • Recommends NAFO establishes codes for Vulnerable Marine Ecosystem indicator species to facilitate reporting of encounters. [pg. 26] 	x (WG-EAFFM)	x (WG-EAFFM)		

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16.	III.4.e.3	<ul style="list-style-type: none"> • Recommends NAFO reviews data available from observers reports and other possible sources that would help identify why encounters with Vulnerable Marine Ecosystems have not been reported to date. [pg. 26] 	X (STACTIC)			
		In relation to minimizing pollution, waste, discards, lost and abandoned gear and impacts on non-target species, the NAFO Performance Review Panel:				
17.	III.4.f.1	<ul style="list-style-type: none"> • Recommends NAFO ensures the implementation of the Action Plan on discards by the stipulated target date in 2021 and establishes measures in the shorter-term to minimize or eradicate high-grading practices. [pg. 27] 	X (WG-BDS/ STACTIC)			
18.	III.4.f.2	<ul style="list-style-type: none"> • Urges NAFO gives effect to Article III of the amended Convention in respect of minimizing other harmful impacts such as pollution and waste originating from fishing vessels, catch of species not subject to a directed fishery and impacts on associated or dependent species, in particular endangered species. [pg. 27] 	X (STACTIC)			
		In relation to reporting requirements, the NAFO Performance Review Panel:				
19.	III.6.1	<ul style="list-style-type: none"> • Recommends NAFO develop a user-friendly data manual. [pg. 29] 	X (STACTIC)		X	
		IV. Compliance and Enforcement				
		In relation to flag State duties, the NAFO Performance Review Panel:				
20.	IV.1.1	<ul style="list-style-type: none"> • Recommends NAFO calls on all Contracting Parties to carry out self-assessments of flag State performance in accordance with the criteria set out in the FAO Voluntary Guidelines for Flag State Performance. Reports of 	X (STACTIC)			X

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		the self-assessments should be submitted to STACTIC in order for it to present a summary report to the Commission. [pg. 30]				
21.	IV.1.2	<ul style="list-style-type: none"> • Recommends NAFO amends the NAFO Conservation and Enforcement Measures in order to clarify, rectify and harmonize references to the duties of the Contracting Parties as flag States. [pg. 31] 	x (STACTIC)			
		In relation to Monitoring Control and Surveillance, the NAFO Performance Review Panel:				
22.	IV.3.1	<ul style="list-style-type: none"> • Recommends NAFO evaluates and adopts appropriate measures to deter repeat serious non-compliance. [pg. 32] 	x (STACTIC)			
23.	IV.3.2	<ul style="list-style-type: none"> • Recommends NAFO urges Contracting Parties to become parties to the International Labour Organization (ILO) Work in Fishing Convention No. 188. [pg. 32] 	x			x
		In relation to follow-up on infringements, the NAFO Performance Review Panel:				
24.	IV.3.3	<ul style="list-style-type: none"> • Recommends NAFO urges Contracting Parties to increase their efforts in ensuring timely follow-up to infringements. [pg. 33] 	x (STACTIC)			x
		V. Governance				
		In relation to transparency, the NAFO Performance Review Panel:				
25.	V.3.1	<ul style="list-style-type: none"> • Recommends NAFO reorganizes its website library based on the topics covered. [pg. 36] 			x	

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26.	V.3.2	<ul style="list-style-type: none"> • Recommends NAFO makes all working documents publicly available, unless otherwise requested by a Contracting Party or subject to confidentiality rules. [pg. 36] 	x	x	x	
		VI. Science				
		In relation to science, the NAFO Performance Review Panel:				
27.	VI.2.1	<ul style="list-style-type: none"> • Recommends NAFO decides the level of acceptable risk regarding the outcomes of conservation and management measures, following a dialogue between Commission and SC, to provide the latter with guidance in its advisory work. [pg. 44] 	x (WG-RBMS)	x (WG-RBMS)		
28.	VI.2.2	<ul style="list-style-type: none"> • Recommends NAFO develops and publishes an advisory decision-making framework to ensure advice is linked explicitly to policy objectives, is consistent and its basis is transparent. [pg. 44] 	x	x		
29.	VI.2.3	<ul style="list-style-type: none"> • Recommends NAFO, as a matter of high priority, develops a plan and implements steps to match the scientific resources to the workload. [pg. 44] 	x	x		x
30.	VI.2.4	<ul style="list-style-type: none"> • Recommends NAFO implements a peer review process for the science underlying the SC advice and applies it consistently to all SC science used in advice. [pg. 44] 		x		
31.	VI.2.5	<ul style="list-style-type: none"> • Recommends the Secretariat conducts a survey of usage and identify further improvements to the public outreach documents relating to the state of NAFO stocks and NAFO science available on the NAFO website. [pg. 44] 			x	

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		VII. International Cooperation				
		In relation to cooperation with other international organizations, the NAFO Performance Review Panel:				
32.	VII.2.1	<ul style="list-style-type: none"> • Recommends NAFO strengthens and enhances cooperation with RFMOs and other relevant international organizations. [pg. 46] 	X			
33.	VI.2.2	<ul style="list-style-type: none"> • Recommends NAFO assesses how it can contribute its expertise to international developments, in particular the completion of the Aichi Targets and the Intergovernmental Conference on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. [pg. 46] 	X	X		X
		In relation to special requirements of developing countries, the NAFO Performance Review Panel:				
34.	VI.3.1	<ul style="list-style-type: none"> • Recommends NAFO participates in capacity building initiatives for developing countries. [pg. 46] 	X			
		VIII. Finance and Administration				
		In relation to finance and administration, the NAFO Performance Review Panel:				
35.	VII.1	<ul style="list-style-type: none"> • Recommends NAFO develops an annual operational plan for the NAFO Secretariat outlining key objectives and specifying resources required to meet these objectives. [pg. 48] 	X (STACFAD)			

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36.	VII.2	<ul style="list-style-type: none"> • Recommends NAFO initiates a process to design a new visual identity for NAFO that reflects the role and responsibilities of the Organization. [pg. 48] 	x (STACFAD)			

In addition, considering that the cumulative impact of various human activities beyond the mandate of NAFO on the marine environment is mentioned by the 2018 Performance Review Panel among the significant external challenges for the long-term conservation and sustainable use of the fisheries resources, the **Commission recommends** that:

		<ul style="list-style-type: none"> • Contracting Parties be encouraged to share any relevant research they have completed with the Scientific Council; • Scientific Council monitor and provide regular updates on relevant research related to the potential impact of activities other than fishing in the Convention Area, such as oil exploration, shipping and recreational activities, and how they may impact the stocks and fisheries as well as biodiversity in the Regulatory Area. 	x (WG-EAFFM)	x (WG-EAFFM)		
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