

Northwest Atlantic Fisheries Organization



**Report of the STACTIC Observer Program Review Working Group (WG-OPR) Meeting**

26-28 July 2022  
Montréal, Québec

NAFO  
Halifax, Nova Scotia, Canada  
2022

## Report of the STACTIC Observer Program Review Working Group (WG-OPR) Meeting

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1.	Opening of the Meeting.....	3
2.	Appointment of Rapporteur.....	3
3.	Election of Chair and Co-Chair.....	3
4.	Adoption of Agenda.....	3
5.	Draft Terms of Reference.....	3
6.	Timeline for Review .....	3
7.	Article 30 Implementation.....	3
8.	Data Collection on Sharks.....	4
9.	Best Practices identified by CESAG .....	5
10.	Observer Electronic Application.....	7
11.	Remote Electronic Monitoring .....	7
12.	Simplification of Notifications .....	8
13.	Standardizing Reporting Templates .....	8
	a. Contracting Party reporting requirements.....	8
	b. Observer reporting requirements .....	8
14.	Other Business.....	9
15.	Adoption of the Report .....	9
16.	Adjournment .....	9
	Annex 1. List of Participants.....	10
	Annex 2. Agenda .....	11
	Annex 3. Terms of Reference for NAFO STACTIC 2022 Observer Program Review Working Group (WG-OPR) (STACTIC WP 22-30) .....	12
	Annex 4. Review of Article 30 discussion summary from STACTIC OPR-WP 22-03 (Rev.).....	14

**Report of the STACTIC Observer Program Review Working Group (WG-OPR) Meeting**26-28 July 2022  
Montréal, Québec**1. Opening of the Meeting**

The host (Canada) opened the meeting at 09:00 (UTC/GMT -4 hours) on Tuesday, 26 July 2022 at the Courtyard by Marriott in Montreal, Quebec, Canada and via WebEx, and welcomed representatives from Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Union, Iceland, Japan, and the United States of America (Annex 1).

**2. Appointment of Rapporteur**

The NAFO Secretariat (Mikaela Soroka) was appointed as rapporteur.

**3. Election of Chair and Co-Chair**

Brent Napier (Canada) was elected Chair. The group agreed that a Co-Chair would be unnecessary for the meeting.

**4. Adoption of Agenda**

The agenda was adopted as previously circulated (Annex 2).

**5. Draft Terms of Reference**

The Working Group noted that following the circulation to STACTIC members, there were no comments to the draft Terms of Reference (STACTIC WP 22-30) (Annex 3), which are therefore considered endorsed.

**6. Timeline for Review**

Pursuant to Article 30.19, the Observer Program Working Group conducted the Observer Program review 26-28 July 2022, agreeing to continue work in support of its recommendations intersessionally. The Working Group further agreed to seek STACTIC's endorsement to advance longer-term betterments to the Observer Program, such as Observer Electronic Application and Remote Electronic Monitoring, in 2023. The Working Group recommends undertaking a number of tasks to carry out a full update of the Observer Program by 2023 without prejudice to the possibility to amend some elements of the program in 2022, which is identified as a priority.

It was **agreed** that:

- **The WG-OPR recommends a number of tasks to carry out a full update of the Observer Program by 2023 without prejudice to the possibility to amend some elements of the program in 2022, which is identified as a priority.**
- **The WG-OPR will seek STACTIC's endorsement to advance longer-term betterments to the Observer Program.**

**7. Article 30 Implementation**

The Chair advised that the discussions and recommendations under this agenda item would constitute the core of the Observer Program review made pursuant to 30.19 of the NAFO CEM. The Secretariat presented STACTIC WP 22-26 (Rev.), explaining the elements of the working paper that provided a provision by provision Contracting Party compliance assessment over a three-year period (2019-2021). The Working Group discussed each section of Article 30, with the view to evaluate implementation progress, identify challenges and develop recommendations to STACTIC to improve the Program. The summary of discussions and recommendations related to the review are presented in STACTIC OPR-WP 22-03, which forms Annex 4 of this report.

The Working Group noted an improvement on the level of implementation of the Observer Program over the years, with the exception of reporting obligations by some Contracting Parties, notably concerning the justification on the use of the derogations to the 100% observers' coverage. Furthermore, the Working Group highlighted that some instances of partial compliance and non-compliance had been a direct consequence of measures adopted by Contracting Parties relating to the COVID-19 pandemic.

The Working Group recommends that Contracting Parties ensure the full implementation of the current framework under Article 30, with a recognition that the Observer Program may change with time as a result of this group's efforts. Furthermore, the Working Group noted a need for a requirement in the program that flag State Contracting Parties should exploit the data originating from the observer program for control purposes.

It was **agreed** that:

- **The WG-OPR recommends establishing a clear mandate for the flag State Contracting Parties to adopt appropriate measures necessary to effectively comply with their responsibilities under the observer program.**
- **The WG-OPR recommends assessing the need to update Article 38 on serious infringements when undertaking changes to the Observer Program.**
- **The WG-OPR recommends considering derogations based only on exceptional and appropriately justified circumstances or the use of remote electronic monitoring.**
- **The WG-OPR recommends compiling “international standards or guidelines” (Art 30.8(f)) with a view to consider the adoption of NAFO ones.**
- **The WG-OPR recommends to revise the use of the expression “trip” and “entry into port” in the wording of Art 30, in light of the definition of fishing trip in the NAFO CEM and with a view to clarify the reporting requirements.**
- **The WG-OPR recommends that STACTIC review the wording of Article 30.14.g**
- **The WG-OPR recommends clarifying the wording of Article 30.16, linking the cost to the deployment of the observer.**
- **The WG-OPR recommends to undertake an editorial revision of the program, including grouping general provisions and flag State Contracting Parties' obligations; and to consider moving to Annex II.M the data elements to be reported by observers.**
- **The WG-OPR recommends that the Duties of the Executive Secretary (30.19) are revised in light of the changes adopted in the Observer Program and that an assessment on the need to allocate appropriate resources to the Secretariat is carried out.**

## 8. Data Collection on Sharks

The European Union presented STACTIC WP 21-49 (Rev. 3), highlighting the four (4) relevant recommendations related to the capture of information on maturity, disposition, pictures and fork length. While acknowledging the growing data collection requirements placed on observers, the Working Group noted the scientific value of collecting additional information highlighted in WP 21-49 (Rev. 3). The Working Group discussed the challenges of collecting the additional data elements in the context of reducing shark damage/mortality, while mitigating the risk to crew and observers. The benefit of a handling guide, specific to Greenland shark, was discussed, and the Group found that this could be a complimentary product that should be discussed by STACTIC. The Working Group also noted the added value of seeking the Scientific Council's input of STACTIC WP 21-49 (Rev. 3) on relevant information, including shark length-to-weight correlation charts and formulas and shark identification and handling guide. The utility of capturing the location of shark occurrences directly in Part 5 of the observer's template report as well as pictures/video was discussed, noting the imagery may support more efficient data capture, as well as provide ancillary benefits to science. It was also noted that STACTIC WP 21-49 (Rev. 3) indicates that there would be some value in considering a tagging scheme. This would require input from other NAFO bodies if it was to be considered. Denmark (in respect of the Faroe Islands and Greenland) noted the disposition of shark varied based on fishing method, and the

Working Group reflected on the need to include some language guiding observers on evaluating whether collection of some or all data was appropriate based on the sharks' disposition.

It was **agreed** that:

- **The WG-OPR recommends to include as part of the revision of the observers' reporting template (Annex II.M) information on maturity, disposition, pictures and fork length of Greenland sharks, and to the extent necessary, location; as well as an indication that data collection is done minimizing damage to the sampled individuals.**
- **The United States of America and the European Union will collaborate on preparing a draft working paper relating to this recommendation.**
- **The WG-OPR recommends to seek the Scientific Council's input on STACTIC WP 21-49 Rev. 3 as well as any resulting proposal.**

#### 9. Best Practices identified by CESAG

The Chair presented COM-SC CESAG-WP 21-01 (Rev.), highlighting the eight (8) recommendations, and associated proposed timelines, made with the Guidance on Best Practices for Tow Catch Estimates in NAFO Fisheries. A member of CESAG provided additional explanations with regard to the best practices identified by CESAG concerning the International Observer Program. A summary of the deliberations and recommendations to update the NAFO Observer Program for each topic is provided below. The Working Group notes that the scope of some of CESAG's recommendations was not fully clear and the recommendations below would benefit from further discussions.

1. Observers deployed from a different flag state to the vessel, either through a central provider or through a bilateral agreement or MoU between designating and receiving Contracting Parties.	The Working Group considers a regional observer program a long-term option. Contracting Parties appreciated the concept of a central, NAFO observer program, managed by the organization. Contracting Parties noted the value one system could provide, including streamlining deployment, training, and ensuring consistent practices across the organization. The Working Group noted that some elements such as the possibility to have observers on board from a different Contracting Party are already part of the program; and that some other elements of a regional program such as the use of the observers' app provided by the NAFO Secretariat should be explored in the short or medium term.
2. Common Standards and program accreditation	The Working Group recommends developing common standards (e.g. training, equipment, working conditions, safety, etc.) to be made part of the Observer Program. This task can be linked to the research and identification of international standards and guidelines referred to in Article 30.8(f) of the NAFO CEM.
3. Regular verification of average box weights	The Working Group recommends including within the observers' tasks the verification of average box weights. In adding this task, the frequency or scenarios for that verification must give due regard to the already many tasks of observers.

4. Regular verification conversion factors	The Working Group considered the assessment of conversion factors was outside the tasks of the observer. However, the Working Group recommends including within the observers' tasks the verification of the presentation/product form code. In adding this task, the frequency or scenarios for that verification must give due regard to the already many tasks of the observers.
5. Regular verification of volume to mass ratio	The Working Group considers that the assessment of the density factors on the vessels' holds would not be a task for observers insofar as these factors are determined by inspectors. The Working Group considers that there could be some merit in the verification of the volume to mass ratio of catches in the codend, but the nature of CESAG's recommendation remained unclear.
<p>6. Observers provided with independent means of communication</p> <p>Comments:</p> <p>a) NAFO CEM Article 30.8 Duties of the flag state Contracting Party</p> <p><i>(e), ensure that observers are equipped with an independent two-way communication device at sea.</i></p> <p>b) Still pending full implementation by several Contracting Parties.</p>	The Working Group concluded that this recommendation is already part of the Observer Program. However, the Working Group recommends establishing a common understanding on the meaning of the requirement to "ensure that observers are equipped with an independent two-way communication device at sea", in particular, whether it entails an independent data connection or only an independent device; as well as, for the latter case, to consider the introduction of an obligation for the Master to provide a connection for the observer.
7. Photos and Video	The Working Group considered that these elements are already part of the observer program (Art 30.14(i)(ii)). The Working Group does not advise to include within the program electronic data exchanges of these large files in daily reporting due to the difficulties to transmit them via satellite connection.
<p>8. Catch data verification</p> <p><i>(Recommendation from STACTIC OPR-WP 18-11)</i></p>	The Working Group recommends that the requirements to verify production logbook data and labelling be made more explicit in the NAFO CEMs.

It was **agreed** that:

- The WG-OPR recommends developing common standards (e.g. training, equipment, working conditions, safety, etc) to be made part of the Observer Program. This task can be linked to the research and identification of international standards and guidelines referred to in Art 30.8(f) of the NAFO CEM.
- The WG-OPR recommends including within the observers' tasks the verification of average box weights and presentations. In adding these tasks, the frequency or scenarios for that verification must give due regard to the already many tasks of the observers.
- The WG-OPR recommends to establish a common understanding on the meaning of the requirement to ensure that observers are equipped with an independent two-way communication device at sea", in particular whether it entails an independent data connection or only an independent device; as well as, for the latter case, to consider the introduction of an obligation of the Master to provide a data connection for the observer.
- The WG-OPR recommends that the requirements to verify production logbook data and labelling be made more explicit in the NAFO CEMs

## 10. Observer Electronic Application

The Chair noted the Working Group's views, expressed throughout the meeting, that an OEA would contribute to the effectiveness of the Observer Program and address some of the data capture and reporting challenges flagged by the review. The Working Group further discussed the utility and potential benefits of this tool and expressed interest in supporting the ongoing work of the NAFO Secretariat, on a priority basis, in this regard. It was agreed that the Working Group would meet intersessionally with the NAFO Secretariat to receive an update on the OEA initiative and contribute to forward planning for future operational testing and potential implementation, as the Secretariat was unable to provide a formal update at this meeting.

It was **agreed** that:

- The WG-OPR recommends establishing the observer application as a main tool for the observers to carry out their reporting obligations and exploring the necessary steps to be undertaken including by the NAFO Secretariat to produce and maintain the observer application.

## 11. Remote Electronic Monitoring

The Chair introduced the agenda item and encouraged Contracting Parties to share domestic experiences and best practices related to the use of Remote Electronic Monitoring (REM). Canada, The United States of America, the European Union, and Japan provided brief summaries of their collective experiences. The use of REM in other RFMO's was discussed, noting in particular ICCAT's preliminary work in this regard. The Chair suggested that the Working Group could recommend to STACTIC, as a starting point, that Contracting Parties provide relevant information related to their use of REM to support advancement of these technologies in NAFO.

A discussion occurred regarding the various types of sensors that could be used aboard a variety of different vessels. The Working Group also discussed how having Remote Electronic Monitoring (REM) aboard vessels could impact the Observer Program: if 100% coverage will still be relevant and how this will impact the Scientific Council's need for scientific data. The European Union shared a document on their internal guidelines which found that REM was as useful as an inspection, and therefore is a cost-effective tool useful for control. The Working Group was of the view that derogations from 100% observer coverage should only happen in exceptional circumstances or where alternative means of observation are used. It was the consensus of the Working Group that, depending on various parameters regarding REM, a human observer may not be required. It was agreed that using REM as an alternative means to human observation would require establishing minimum standards for the electronic systems. The European Union volunteered to draft a proposal regarding guidelines for the use of REM which could be considered for the introduction of derogations to a 100% coverage

of the NAFO Observer Program. The Working Group noted that the use of REM as an alternative means of observation should also consider the need to collect specific scientific data where necessary and that other NAFO bodies should be included in the discussion to the extent necessary. The Working Group concluded that further discussions are needed particularly with respect to the development of corresponding and appropriate infringements, clear guidelines on data storage and retention, data access, REM reporting and review standards, gaps, or vulnerabilities in data collection. The United States of America also noted that the use of REM in the NRA represents a significant shift in policy and practice and should be vetted by the Commission. The Chair proposed for the Working Group to put forward a recommendation to STACTIC that encompasses the Contracting Parties' own REM experiences, the language that is foreseen to require adjustment in the NAFO CEM and to endorse the development of minimum standards.

It was **agreed** that:

- **The WG-OPR recommends to consider the use of REM as justification to derogate from a 100% observers' coverage. In connection with this option, the Working Group recommends to develop minimum standards for the system and to identify scientific data that the system could not provide, as well as appropriate alternatives to collect this data (e.g. by the operator).**
- **The European Union volunteered to draft a proposal regarding the guidelines for the use of REM which could be considered for the introduction of possible derogations to a 100% coverage of the NAFO Observer Program.**
- **The WG-OPR recommend to STACTIC that Contracting Parties share information on their REM experiences including successes and any challenges faced.**

## 12. Simplification of Notifications

The Working Group noted that a notification benefiting from simplification was the 24h observer deployment notification, in light of the fact that the observers' name is part of the OBR report. The Chair noted that Canada had previously submitted a proposal on this item to STACTIC and would be presenting a revised proposal at the 2022 STACTIC Annual Meeting.

It was **agreed** that:

- **The WG-OPR recommends to simplify the 24h observer deployment notification under Article 30.10(a) of the NAFO CEM.**
- **Canada will revise STACTIC WP 22-24 - Streamlining the Notification Process for Observer Deployments - for presentation at the 2022 STACTIC Annual Meeting.**

## 13. Standardizing Reporting Templates

There are numerous reporting obligations for both Contracting Parties and observers under Article 30. To ensure complete and uniform data collection that can easily be reviewed and analysed, the Working Group recognized the need to develop reporting templates for these requirements.

### a. Contracting Party reporting requirements

The Working Group reviewed Contracting Parties' reporting obligations under Article 30, highlighting requirements in Article 30.6(e), 30.9(c), and 30.10(d). The United States of America and Canada volunteered to draft proposal(s) on how to refine the different Contracting Party and Observer reporting requirements.

### b. Observer reporting requirements

The Working Group looked at the reporting requirements of observers under Article 30 and agreed on the importance of ensuring standardized reporting. The United States of America and Canada volunteered to revise



Annex II. M. to improve data quality and collection. It was noted that work to amend the observer reporting template would likely need to continue beyond the 2022 STACTIC Annual Meeting.

The United States of America and Canada volunteered to draft proposal(s) on how to refine the different Contracting Party and Observer reporting requirements. It was noted that work to amend the observer reporting template would likely need to continue beyond the 2022 STACTIC Annual Meeting.

It was **agreed** that:

- **The WG-OPR recommends to undertake a revision of Annex II.M to incorporate additional elements (e.g. Greenland sharks' data) and to update the associated templates.**
- **The WG-OPR recommends to draft templates for Contracting Parties' reporting obligations, including Articles 30.6(e), 30.9(c), and 30.10(d).**
- **The United States of America and Canada volunteered to draft proposal(s) on how to refine the different reporting requirements and report back to the Working Group.**

#### 14. Other Business

The United States of America presented STACTIC OPR-WP 22-01, which seeks to enlarge the observer reporting requirements to include both fishing and hauling start and end times. The purpose of providing all data sets is to ensure that this information can clearly be understood and cross referenced with other data sets, namely the master's logbooks. There was some concern from the Working Group regarding the language used in the proposal from the United States of America regarding the four points of reference that describe the start and end times of fishing activity. The United States of America thanked Contracting Parties for their comments and would work intersessionally to address the concerns with a revised paper to be put forward at the 2022 STACTIC Annual Meeting. The Working Group additionally noted that the United States of America should seek input from the Scientific Council on the relevancy of this data set for fixed gear in the NRA.

It was **agreed** that:

- **The United States of America will work with interested Contracting Parties to revise STACTIC OPR-WP 22-01 for presentation at the 2022 STACTIC Annual Meeting.**

#### 15. Adoption of the Report

The report was adopted via correspondence.

#### 16. Adjournment

The meeting adjourned at 14:10 (UTC/GMT -4 hours) on 28 July 2022.

**Annex 1. List of Participants**

Napier, Brent (in-person)	<b>Chair</b>
Barbour, Natasha Browne, Dion (in-person) Hickey, Janelle	<b>Canada</b>
Gaardlykke, Meinhard Nedergaard, Mads Trolle Radoor, Sanne	<b>Denmark (in respect of Greenland and Faroe Islands)</b>
Arrhenius, Fredrik Babcionis, Genadijus Dybiec, Leszek Ferreira, Carlos Granell, Ignacio Grossmann, Meit Head, Francois Luengo, Gabriel Arevalillo Mattsson, Ylva Näks, Liivika Ogertschnig, Larissa Okas, Reemet Quintans, Miguel Robledo, C. Margarita Mancebo Statkus, Romas Szumlicz-Dobiesz, Justyna Trübner, Björn Tubio, Xose	<b>European Union</b>
Ásmundsson, Jóhann	<b>Iceland</b>
Akiyama, Masahiro Matsunaga, Satoshi Yoshida, Mako	<b>Japan</b>
Jaburek, Shannah Mencher, Elizabethann Pohl, Katie (in-person) Provencher, Eric	<b>United States of America</b>
Kendall, Matt (in-person) Soroka, Mikaela (in-person)	<b>NAFO Secretariat</b>

**Annex 2. Agenda**

1. Opening of the Meeting
2. Appointment of Rapporteur
3. Election of Chair and Co-Chair
4. Adoption of Agenda
5. Draft Terms of Reference
6. Timeline for Review
7. Article 30 Implementation
8. Data Collection on Sharks
9. Best Practices identified by CESAG
10. Observer Electronic Application
11. Remote Electronic Monitoring
12. Simplification of Notifications
13. Standardizing Reporting Templates
  - a. Contracting Party reporting requirements
  - b. Observer reporting requirements
14. Other Business
15. Adoption of the Report
16. Adjournment

### **Annex 3. Terms of Reference for NAFO STACTIC 2022 Observer Program Review Working Group (WG-OPR) (STACTIC WP 22-30)**

#### **Background**

At the 2018 Annual Meeting, an updated Article 30 was adopted by the NAFO Commission, which came into effect on 1 January 2019, except for those Contracting Parties which elected to delay the application of Article 30 of the NAFO Conservation and Enforcement Measures (CEM) until 1 January 2020. Since coming into effect, significant progress has been made by Contracting Parties to implement the observer program according to the revised Article 30. However, some challenges have arisen during the implementation process, and the annual reports under Article 30.10(d) have identified some areas for improvement. COVID-19 has also impacted the implementation of the program.

Article 30.19 of the NAFO CEM mandates that STACTIC complete a review of the observer program in 2022. At the 2022 STACTIC Intersessional Meeting, Contracting Parties determined that a dedicated working group would be required to carry out the review, as it could not be completed within the confines of the meeting. It was agreed that the working group would meet in advance of the 2022 Annual Meeting, to present a report to STACTIC at that time.

This document proposes the Terms of Reference for the **Observer Program Review Working Group (WG-OPR)**.

#### **Membership**

All Contracting Parties are welcome and encouraged to participate in the Working Group (WG). The WG should be comprised of representatives from Contracting Parties with a working knowledge of NAFO observer practices and procedures, Article 30 requirements and understanding of the changes made to the program.

Scientific Council will be asked to nominate an expert to participate as a liaison between the WG and the Council. This liaison shall attend all meetings of the WG.

The WG should elect its chair and co-chair.

#### **Objective**

Pursuant to Article 30.19 NAFO CEM, conduct the mandatory 2022 review of Article 30 NAFO CEM as adopted in 2019. The WG should identify implementation challenges of the Observer Scheme and provide recommendations to STACTIC to address those issues, to enhance the quality and types of data captured and to improve the overall consistency and efficiency of the observer program.

#### **Tasks**

The Working Group should focus its efforts on:

1. Reviewing the implementation of the provisions of Article 30 since its last revision, identifying the challenges experienced by Contracting Parties; and
2. Making recommendations to STACTIC to revise the provisions in Article 30 NAFO CEM with a view to improve the program, including:
  - a. Standardized reporting templates
  - i. Contracting Party reporting requirements

1. Article 30.6(e) - Observer Derogation Comparison
2. Article 30.10(d) - Observer Compliance Report
- ii. Observer reporting requirements
  1. Annex II.M Part 2, review the definition of the duration of a haul
- b. Potential improvements on Data Collection on Sharks
  - i. Review findings presented in STACTIC WP 21-49 Rev3 "Review of Greenland shark Data Collection and Methodologies"
    1. Standardize and incorporate new data fields in Annex II.M, Part 5
    2. Evaluate need for standardized methodologies for data collection/estimation, handling and release
    3. Evaluate need for a species identification guide/observer handbook for Sharks
  - c. Incorporation of best practices outlined in COM-SC CESAG-WP 21-01 Rev.
  - d. Potential for simplification of notifications
  - e. Potential use of the observer electronic application
  - f. Potential use of remote electronic monitoring (REM)
    - i. in lieu of observers
    - ii. in addition to observers

The WG should take into account documents compiled by the Secretariat and any additional information provided by Contracting Parties and NAFO bodies (i.e., STACTIC, Scientific Council) for identification of areas requiring improvement.

## Meetings

The WG will identify an appropriate timeline in which to complete the review.

The WG should meet as required to perform the duties prescribed and will communicate regularly through teleconferences and electronically.

A face-to-face meeting with hybrid capacity will be hosted by Canada, the dates to be determined in consultation with participating Contracting Parties.

## Reporting

The WG should prepare a report of the proceedings of each of its meetings to be presented to STACTIC.

The WG should report to STACTIC at the 2022 NAFO Annual Meeting with its findings and recommendations.

**Annex 4. Review of Article 30 discussion summary from STACTIC OPR-WP 22-03 (Rev.)**

Article number	Article content	Discussion	Recommendation/Action
General Discussion		<ul style="list-style-type: none"> <li>• A framework is required for linkage between Flag State / Contracting Party with the Observer Program. (EU to draft wording)</li> <li>• Article 30.14 is lengthy, possible streamlining, usage of annexes and EDG review.</li> </ul>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends a number of tasks to carry out a full update of the Observer Program by 2023 without prejudice to the possibility to amend some elements of the program in 2022, which is identified as a priority.</li> <li>• The WG-OPR recommends establishing a clear mandate for the flag State Contracting Parties to adopt appropriate measures necessary to effectively comply with their responsibilities under the observer program.</li> <li>• The WG-OPR recommends assessing the need to update Article 38 on serious infringements when undertaking changes to the observer program.</li> <li>• The WG-OPR recommends to revise the use of the expression “trip” and “entry into port” in the wording of Art 30, in light of the definition of fishing trip in the NCEM and with a view to clarify the reporting requirements.</li> <li>• The WG-OPR recommends to undertake an editorial revision of the program, including grouping general provisions and flag State Contracting Parties’ obligation; and to consider to move to Annex II.M the data elements to be reported by observers.</li> </ul>

30.2	Observers shall execute their duties and functions in an unbiased manner regardless of nationality and of which flag the vessel is flying, and shall be free from undue influence or benefit linked to the fishing activity of the vessel.	No comment	
30.4	Observers shall be independent and impartial, and have the training, knowledge, skills and abilities to perform all of the duties, functions, and requirements as specified in Article 30.	No comment	
30.5	Subject to the exception in paragraph 5, each flag State Contracting Party shall ensure that every fishing vessel flying its flag, while conducting fishing activities in the Regulatory Area, carries at all times at least one observer in accordance with the provisions of this Program. A vessel shall not commence fishing until the observer is deployed on the vessel.	No comment	
30.6	Guidelines for Partial withdrawal of observers	<ul style="list-style-type: none"> <li>• Restriction should be outlined for derogation (list of reasons)</li> <li>• To be reviewed to include conclusion from REM effect on observer coverage</li> <li>• CAN offered to draft a template for the derogation (which would include reason for derogation)</li> <li>• Inclusion of a timeline</li> </ul>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends considering derogations based only on exceptional and appropriately justified circumstances or the use of remote electronic monitoring.</li> </ul>
30.6.a	ensures that the vessels concerned target species in areas where negligible by-catch of other species is expected to occur;	<ul style="list-style-type: none"> <li>• Should trip plan be included in derogation notification</li> </ul>	

30.6.b	ensures that the vessel complies with all real-time reporting requirements;	No comment	
30.6.c	physically inspect or otherwise evaluate as appropriate, following risk assessment, each landing in its ports by the vessel concerned according to domestic monitoring control and surveillance procedures. If any infringement to the CEM is detected and confirmed, it shall prepare a report in the format prescribed in Annex IV. C (PSC 3). The PSC 3 shall be submitted to the Executive Secretary as soon as possible after the infringement has been confirmed.	<ul style="list-style-type: none"> <li>No need for reference of PSC 3 as it is covered in Article 47 – change language to state an inspection will occur (EU to suggest textual change)</li> </ul>	
30.6.d	as soon as possible in advance of the fishing trip, notify the Executive Secretary: (i) the name, IMO number, and International Radio Call sign of the vessel, (ii) the factors that support the decision to grant the derogation to the 100% coverage;	<ul style="list-style-type: none"> <li>No template for this notification currently exists</li> <li>Addition of REM reference</li> <li>Addition of language regarding timeline</li> <li>Suggestion that rationale for derogation be included in 30.6(e) template</li> </ul>	<ul style="list-style-type: none"> <li>The WG-OPR recommends to consider the use of REM as justification to derogate from a 100% observers' coverage. In connection with this option, the Working Group recommends to develop minimum standards for the system and to identify scientific data that the system could not provide, as well as appropriate alternatives to collect this data (e.g. by the operator).</li> <li>The WG-OPR recommend to STACTIC that Contracting Parties share information on their REM experiences including successes and any challenges faced.</li> </ul>



30.6.e	submit to the Executive Secretary by 1 March each year, for the previous calendar year, a report containing a comparison of all relevant catch and fishing activities showing the difference between the trips where the vessel had an observer on board and those where the observer was withdraw	<ul style="list-style-type: none"> <li>No template for how to conduct comparison – US and CAN offered to draft template</li> </ul>	<ul style="list-style-type: none"> <li>The WG-OPR recommends the drafting of templates for Contracting Parties' reporting obligations including 30.6.e, 30.9.c, and 30.10.d.</li> </ul>
30.7	Where an inspector issues a notice of an infringement to a fishing vessel that is not carrying an observer, in accordance with this derogation, at the time of the notice, the infringement shall be deemed a serious infringement for the purpose of Article 38.1 and, where the flag State Contracting Party does not require the fishing vessel to proceed immediately to port in accordance with Article 38.3, it shall deploy an observer to the fishing vessel without delay.	<ul style="list-style-type: none"> <li>Issues with "immediate deployment" timeline</li> <li>This provision should be added to STACTIC WP 22-26REV.</li> </ul>	
30.8.a	each year, before its vessels start fishing in the NAFO Regulatory Area, post to the MCS Website an ongoing list of observers (name and ID if applicable) that it intends to deploy to vessels entitled to fly its flag operating in the Regulatory Area;	<ul style="list-style-type: none"> <li>Addition of a timeline</li> </ul>	
30.8.b	require its vessels to carry an observer from the list it has posted to the NAFO MCS website, in accordance with this Program	<ul style="list-style-type: none"> <li>Addition of timeline for updated list throughout the year</li> </ul>	

30.8.c	to the extent practicable, ensure that individual observers are not deployed on consecutive trips on the same vessel	<ul style="list-style-type: none"> <li>• Discussion on the varied length of trips and the challenges of both short and long trips being completed consecutively.</li> <li>• Definition of “trip” must be clarified – potential modification of timeline</li> </ul>	
30.8.d	ensure that vessel Masters, operators, or owners cannot refuse to accept an observer deployment	<ul style="list-style-type: none"> <li>• Discussion on connection between this section and Article 30.12</li> </ul>	
30.8.e	Ensure that observers are equipped with an independent two-way communication device at sea	<ul style="list-style-type: none"> <li>• Definition of “independent” is needed for clarification</li> <li>• Discussion on safety of observer – inclusion of Master’s requirement of ensuring communication lines are not broken</li> </ul>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends to establish a common understanding on the meaning of the requirement to ensure that observers are equipped with an independent two-way communication device at sea”, in particular whether it entails an independent data connection or only an independent device; as well as, for the latter case, to consider the introduction of an obligation of the Master to provide a data connection for the observer.</li> </ul>
30.8.f	take appropriate action with respect to their vessels to ensure safe working conditions, the protection, security and welfare of observers in the performance of their duties, consistent with international standards or guidelines	<ul style="list-style-type: none"> <li>• Addition of mentioning safety of transferring at sea</li> <li>• Potential creation of group to focus on working conditions</li> </ul>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends compiling “international standards or guidelines” with a view to consider the adoption of NAFO ones.</li> <li>• The WG-OPR recommends developing common standards (e.g. training, equipment, working conditions, safety, etc) to be made part of the Observer Program. This task can be linked to the research and identification of international standards and guidelines referred to in Art 30.8(f) of the NAFO CEM.</li> </ul>
30.8.g	ensure that the observers treat all data and information related to the fishing operations collected during their deployment, including images and videos taken, in accordance with applicable confidentiality requirements	<ul style="list-style-type: none"> <li>• Potentially linking to duties of observer section</li> </ul>	

30.9	Upon the receipt of an OBR from an observer reporting discrepancies with the CEM or an incident, including any instances of obstruction, intimidation, interference with, or otherwise prevention of the observer from performing their duties, concerning a vessel entitled to fly its flag, a Contracting Party shall:	<ul style="list-style-type: none"> <li>To be reviewed (EU)</li> </ul>	
30.9.a	treat the report with upmost sensitivity and discretion, in accordance with applicable confidentiality requirements	No comment	
30.9.b	assess discrepancies identified in the OBR and conduct any follow-up action deemed appropriate	<ul style="list-style-type: none"> <li>Addition of non-discrepancies</li> <li>Discuss with larger STACTIC group the sharing of weights between the observer and the vessel master               <ul style="list-style-type: none"> <li>Addition of template and timeline</li> </ul> </li> </ul>	
30.9.c	create a report on follow-up actions and post it in a computer readable format to the NAFO MCS website	<ul style="list-style-type: none"> <li>Addition of template and timeline</li> </ul>	<ul style="list-style-type: none"> <li>The WG-OPR recommends adoption of templates for Contracting Parties' reporting obligations including 30.6.e, 30.9.c, and 30.10.d.</li> </ul>
30.10.a	no later than 24 hours in advance of an observer's deployment onboard a fishing vessel, by posting to the MCS Website the name of the fishing vessel and International Radio Call Sign, together with the name and ID (if applicable) of the observer concerned	<ul style="list-style-type: none"> <li>Discussed difficulties in meeting this requirement in addition to possible changes</li> </ul>	<ul style="list-style-type: none"> <li>The WG-OPR recommends to simplify the 24h observer deployment notification under Article 30.10(a) of the NAFO CEM.</li> </ul>
30.10.b	electronically and without delay following its receipt, the daily OBR report referred to in paragraph 13 (e)	<ul style="list-style-type: none"> <li>Addition of mentioning that derogated vessels do not need to submit OBRs</li> </ul>	

30.10.c	within 30 days following the arrival of the vessel in port, the observer trip report referred to in paragraph 13	<ul style="list-style-type: none"> <li>• Definition of “trip”</li> <li>• Discussion regarding timeline</li> <li>• To be revisited after the development of the observer application</li> </ul>	
30.10.d	By March 1 each year for the previous calendar year, a report on its compliance with the obligations outlined in this Article.	<ul style="list-style-type: none"> <li>• See discussion under 30.18(d)</li> </ul>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends adoption of templates for Contracting Parties' reporting obligations including 30.6.e, 30.9.c, and 30.10.d.</li> </ul>
30.11	If a vessel is carrying an observer from another Contracting Party, that Contracting Party shall ensure that its observer reports [are sent to] the vessel's flag State Contracting Party.	<ul style="list-style-type: none"> <li>• To be revisited after the development of the observer application</li> </ul>	
30.12	If a vessel required to carry an observer is not carrying one, the flag State Contracting Party may allow any other Contracting Party to deploy an observer to the vessel	No comment	
30.13	If, during deployment, it is determined that a serious risk to the observer exists, the flag State Contracting Party of the vessel concerned shall take steps to ensure that the observer is removed from the vessel unless and until the risk is addressed.	<ul style="list-style-type: none"> <li>• Potential relocation to the obligations of the Contracting Party section</li> </ul>	

30.14.a	record for each haul/set, in the format indicated in Annex II.M, hereafter referred to as the observer trip report:	<ul style="list-style-type: none"> <li>• Potential for clarification and simplification of reporting.</li> <li>• Agreed for editorial revision (inclusion of EDG)</li> <li>• Canada and US to work on revision of Annex II.M</li> </ul> <p>See also discussion of Agenda item 9.</p>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends to undertake a revision of Annex II.M to incorporate additional elements (e.g. Greenland sharks' data) and to update the associated templates.</li> <li>• The WG-OPR recommends including within the observers' tasks the verification of average box weights and presentations. In adding these tasks, the frequency or scenarios for that verification must give due regard to the already many tasks of the observers.</li> <li>• The WG-OPR recommends that the requirements to verify production logbook data and labelling be made more explicit in the NAFO CEMs.</li> <li>• The WG-OPR recommends to establish the observer application as a main tool for the observers to carry out their reporting obligations and to explore the necessary steps to be undertaken including by the NAFO Secretariat to produce and maintain the observer application.</li> </ul>
30.14.b	monitor the vessel's stowage plan referred to in Article 28, and record in the observer report any discrepancies identified;	No comment	
30.14.c	record any observed interruption or interference with the Vessel Monitoring System (VMS);	<ul style="list-style-type: none"> <li>• Discussion if this should be monitored by the FMC instead of the observer</li> </ul>	
30.14.d	only set vessel's instruments with the Master's agreement;	<ul style="list-style-type: none"> <li>• Potential change in language regarding "set"</li> </ul>	

30.14.e	transmit daily, whether the vessel is fishing or not, before 12:00 UTC to the Fisheries Monitoring Centre (FMC) of the flag State Contracting Party, in accordance with Annex II.G, the OBR report, by division;	<ul style="list-style-type: none"> <li>Removal of redundancies</li> </ul>	
30.14.f	perform such work, including for scientific purposes, as the Commission may request;	<ul style="list-style-type: none"> <li>Potential change in wording regarding the “Commission”</li> </ul>	
30.14.g.i	submit the observer report... as soon as possible after leaving the Regulatory Area and at the latest at arrival of the vessel in port, to the flag State Contracting Party	<ul style="list-style-type: none"> <li>Timeline challenges noted with the submission deadline of report for coastal states due to limited time for observers to complete electronic files by the arrival of vessel in port. Canada to draft proposal (s).</li> <li>Review of language regarding “arrival...in port” – “offload”</li> </ul>	<ul style="list-style-type: none"> <li>The WG-OPR recommends that STACTIC review the wording of 30.14.g.</li> </ul>
30.14.g.ii	submit the observer report... immediately upon arrival in port, to the local port inspection authority if an inspection in port occurs;	<ul style="list-style-type: none"> <li>Review of language regarding “arrival in port” – “offload”</li> </ul>	
30.14.h	make themselves available to inspectors at sea, or in port upon arrival of the vessel, for the purposes of inspecting the fishing activities of the vessel;	<ul style="list-style-type: none"> <li>Discussion regarding the inclusion in inspections the level of cooperation of the observer</li> </ul>	

30.14.i	referring to any incidents of discrepancies with the CEM: (i) report without delay to the competent authority of the flag State Contracting Party of the vessel, any discrepancy with the CEM, including any instances of obstruction, intimidation, interference with or otherwise prevention of the observer from performing their duties, using the independent two-way communication device, and (ii) maintain detailed records, including relevant images and video footage, of any circumstances and information related to any instances of discrepancies with the CEM, for transmission to the to the Fisheries Monitoring Centre (FMC) of the flag State Contracting Party at the earliest opportunity, and at the latest upon arrival of the vessel in port	No comment	
30.14.j	for all observed hauls that contain Greenland shark, record the number, estimated weight and measured length (estimated length if measured length is not possible) per haul or set, the sex, and catch disposition (alive, dead, unknown) of each individual Greenland shark.	See discussion of Agenda item 8	<ul style="list-style-type: none"> <li>• The WG-OPR recommends to include as part of the revision of the observers' reporting template (Annex II.M) information on maturity, disposition, pictures and fork length of Greenland sharks, and to the extent necessary, location; as well as an indication that data collection is done minimizing damage to the sampled individuals.</li> <li>• The WG-OPR recommends to seek the Scientific Council's input on STACTIC WP 21-49 Rev. 3 as well as any resulting proposal.</li> </ul>

30.15.a	extend such co-operation and assistance as may be required to enable the observer to carry out his or her duties. This cooperation shall include providing the observer with such access as may be required to the catch, including such catch as the vessel may intend to discard	No comment	
30.15.b	provide food and accommodations to the observer of a standard no less than that provided to the vessel's officers. If officers' accommodations are not available, the observer shall be provided accommodations of a standard as close to an officer's as practicable but no less than that provided to the crew	<ul style="list-style-type: none"> <li>To be included in group discussion on working conditions</li> </ul>	
30.15.c	provide access to all operational areas of the vessel necessary to complete their duties, including the vessel's hold(s), production area(s), bridge, garbage processing equipment and navigation and communication equipment	No comment	
30.15.d	do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties	<ul style="list-style-type: none"> <li>Comment that provisions worked well in single case to date.</li> </ul>	
30.15.e	include the observer in all emergency drills conducted on-board	No comment	



30.15.f	notify the observer when an inspection party has signaled their intent to board the vessel	No comment	
30.16	Subject to any arrangement with another Contracting Party, each Contracting Party shall bear the costs of remunerating every observer it has deployed.	<ul style="list-style-type: none"> <li>• Potential relocation to beginning of Article</li> <li>• Potential language change (CAN)</li> <li>• Link to Article 30.12 and 30.17</li> </ul>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends clarifying the wording of 30.16, linking the cost to the deployment of the observer.</li> </ul>
30.17	Contracting Parties shall ensure that their observers have no financial or beneficial interest in, and are paid in a manner that demonstrates financial independence from, the vessel(s) being monitored.	<ul style="list-style-type: none"> <li>• Potential relocation to beginning of Article in general provisions</li> </ul>	
30.18.a	posts without delay the information received in accordance with subparagraphs 6, 8, 9, and 10 to the NAFO MCS Website and ensures it is made available without delay to all Contracting Parties, for enforcement purposes only.	<ul style="list-style-type: none"> <li>• Simplification of language (EU)</li> </ul>	<ul style="list-style-type: none"> <li>• The WG-OPR recommends that the Duties of the Executive Secretary (30.18) are revised in light of the changes adopted in the observer program and that an assessment on the need to allocate appropriate resources to the Secretariat is carried out.</li> </ul>
30.18.b	makes available upon request the observer data, including the daily OBR report, to the other NAFO bodies;	No comment	
30.18.c	where a daily OBR report has not been received for 2 consecutive days, notifies the flag State Contracting Party and any Contracting Party participating in the at-sea Inspection and Surveillance Scheme that an OBR has not been received;	<ul style="list-style-type: none"> <li>• Potential change in language regarding “consecutive days” to “working days”</li> <li>• Need for Secretariat vs FMC responsibility</li> <li>• Revisit needed for this requirement.</li> </ul>	

Report of WG-OPR,  
26-28 July 2022

30.18.d	submits to STACTIC, at its Intersessional meeting, a synthesis of the Contracting Parties performance reports referred to in paragraph 10(d).	<ul style="list-style-type: none"> <li>• Simplification of language (EU)</li> <li>• Develop a contracting party Article 30 reporting template.</li> <li>• Formalize role of NAFO Secretariat with clear instructions and role in following up with Contracting Parties when information hasn't been submitted for the Article 30 report.</li> </ul>	
30.19	This Observer Program will be reviewed by STACTIC in 2022.	<ul style="list-style-type: none"> <li>• For further discussion</li> <li>• Potential to set a regular review cycle.</li> </ul>	