

Northwest Atlantic Fisheries Organization



**Report of the NAFO Commission and its Subsidiary Bodies
(STACTIC and STACFAD)**

40th Annual Meeting of NAFO
17-21 September 2018
Tallinn, Estonia

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2018

Report of the NAFO Commission and its Subsidiary Bodies (STACTIC and STACFAD)

40th Annual Meeting of NAFO, 17-21 September 2018

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PART I.

Report of the Commission

40th Annual Meeting of NAFO, 17-21 September 2018
Tallinn, Estonia

I. Opening Procedure

1. Opening by the Chair, Stéphane Artano (France-SPM)

The 40th Annual Meeting of NAFO was convened on Monday, 17 September 2018 at 9:30 hrs at the Radisson Blu Hotel Olumpia with over 175 delegates present from 11 NAFO Contracting Parties (Annex 1). The NAFO President and Chair of the Commission, Stéphane Artano (France-SPM), welcomed delegates to the Meeting and invited the Honourable Siim Kiisler, Minister of the Environment of Estonia, as the host of the 40th NAFO Annual Meeting, to welcome Contracting Parties. The Chair then made his opening statement (Annex 2).

Consistent with past practice, Contracting Parties agreed to submit their opening statements in writing for inclusion in the report. Opening statements from Canada, Denmark (in respect of the Faroe Islands and Greenland), European Union, Japan, Russian Federation and the United States of America (USA) are attached (Annexes 3-8).

2. Appointment of Rapporteur

The NAFO Secretariat (Fred Kingston, Executive Secretary, and Ricardo Federizon, Senior Fisheries Management Coordinator) was appointed as Rapporteur.

The summary of decisions and actions taken by the Commission is presented in Annex 9.

3. Adoption of Agenda

Under item 22 of the provisional agenda that was previously circulated, four (4) fish stocks were added: Redfish in Divisions 3LN, Witch flounder in Divisions 3NO, Shrimp in Divisions 3LNO, and Greenland shark. The adopted agenda reflects the addition (Annex 10).

4. Admission of Observers

In accordance with the NAFO Rules for Observers and in advance of the meeting, the Executive Secretary formally invited the following States and intergovernmental organizations (IGOs) to attend:

- Government of Bermuda
- Convention on Biological Diversity (CBD) Secretariat
- Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)
- Permanent Commission for the South Pacific (CPPS)
- Food and Agriculture Organization of the United Nations (FAO)
- General Fisheries Commission for the Mediterranean (GFCM)
- International Commission for the Conservation of Atlantic Tunas (ICCAT)
- International Council for the Exploration of the Seas (ICES)
- International Monitoring, Control and Surveillance (IMCS) Network
- North Atlantic Marine Mammal Commission (NAMMCO)
- North Atlantic Salmon Conservation Organization (NASCO)
- North East Atlantic Fisheries Commission (NEAFC)
- North Pacific Anadromous Fish Commission (NPAFC)
- North Pacific Fisheries Commission (NPFC)
- North Pacific Marine Science Organization (PICES)

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- Sargasso Sea Commission
- South East Atlantic Fisheries Organization (SEAFO)
- South Indian Ocean Fisheries Agreement (SIOFA)
- South Pacific Regional Fisheries Management Organisation (SPRFMO)
- United Nations Environment Programme World Conservation Monitoring Centre (UNEP-WCMC),
- Western Central Atlantic Fishery Commission (WECAFC).

The IGOs that attended were:

- Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) – represented by the USA
- North-East Atlantic Fisheries Commission (NEAFC) – represented by Denmark (in respect of the Faroe Islands and Greenland)
- North Pacific Anadromous Fish Commission (NPAFC) – (Opening Statement – Annex 11)
- South East Atlantic Fisheries Organisation (SEAFO) – represented by European Union
- South Pacific Regional Fisheries Management Organisation (SPRFMO) – represented by the USA

Non-governmental organizations (NGOs) accredited with NAFO Observer Status that attended the 40th Annual Meeting were:

- Conseil de Bande de la Nation Innue de Nutashkuan
- Ecology Action Centre (EAC)
- Deep Sea Conservation Coalition (Opening Statement – Annex 12)
- Shark Trust (Opening Statement – Annex 13)

5. Publicity

In accordance with established practice, Contracting Parties agreed that no public statements would be made until after the conclusion of the meeting when a press release would be prepared by the Executive Secretary in collaboration with the Chairs of the Commission and Scientific Council.

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

6. Review of Membership of the Commission

The membership of the Commission has not changed since the 2017 Annual Meeting and is currently comprised of twelve (12) 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, Norway, Republic of Korea, Russian Federation, Ukraine and United States of America (USA).

7. Administrative and Activity Report

The Administrative Report and Financial Statements (COM Doc. 18-05 Revised) was referred to STACFAD.

8. NAFO Headquarters Agreement

Canada presented COM Working Paper 18-32 introducing a revised draft text of a proposed headquarters agreement between the Organization and the Government of Canada, as the host Contracting Party. This revised draft text is intended to update the text of the headquarters agreement adopted by NAFO in 2009. The Working Paper also contained a table comparing the provisions of the 2009 text with the 2018 text. Canada explained that the 2018 proposed revisions to the 2009 text reflect both current domestic practices and are consistent with the Convention on the Privileges and Immunities of the United Nations. Canada added that the immunities NAFO enjoys in Canada would remain unchanged by this 2018 text. Canada proposed that the 2018 text be adopted by Contracting Parties as the text of the Headquarters Agreement between Canada and NAFO. The matter was referred to STACFAD.

Following the Report of STACFAD (agenda items 30 and 31), the revised draft text of a proposed headquarters agreement was **adopted**.

9. Review of the list of experts to serve as panelists under the NAFO Dispute Settlement provisions

The Executive Secretary introduced COM Working Paper 18-08 that listed, as of 31 July 2018, the experts nominated by Contracting Parties to serve as possible panelists in any ad hoc panel established under the settlement of disputes provisions of the NAFO Convention (Article XV). He added that several Contracting Parties had not yet nominated any experts. Iceland and Japan said that they intend to nominate their respective experts shortly.

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

The issue of the proposed NAFO Headquarters Agreement (as discussed under agenda item 8 of the Commission's Agenda) and a proposal by Norway to amend the Commission's Rules of Procedure (STACFAD Working Paper 18-07) were added to STACFAD's provisional Agenda. The Chair of STACFAD, Deirdre Warner-Kramer (USA), was invited to prepare a report before the closing session.

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

The Chair of STACTIC, Judy Dwyer (Canada), presented the results of the STACTIC May 2018 intersessional meeting, which was held at the NAFO Secretariat in Dartmouth, Canada (COM Doc. 18-02). The Chair reported on the status of the proposals on changes to the NAFO Conservation and Enforcement Measures (NCEM). The Chair advised that STACTIC will continue the discussions and deliberations on its work related to, among others, the enhancement of the Annual Compliance Review, measures concerning repeat non-compliance of serious infringements, Observer Scheme, stowage plans, move-along provisions for smaller longline vessels, the NAFO Monitoring, Control, and Surveillance (MCS) Website, reporting of haul by haul catches, bycatch and discards, data classification and access rights, Joint Advisory Group on Data Management (JAGDM), garbage disposal and labour conditions onboard vessels.

The Commission commended STACTIC for its hard work and encouraged STACTIC to continue working on the pending issues.

The Commission **accepted** the report. The formal adoption of the recommendations contained therein was done under agenda item 28.

The Commission forwarded to STACTIC the task of reviewing the charter arrangements (agenda item 25) and the Denmark (in respect of the Faroe Islands and Greenland) proposal concerning the definition of *bycatch* in the NCEM. The Commission also instructed STACTIC to examine the issue of American plaice bycatch in the yellowtail flounder fishery in Division 3LNO for a possible re-instatement of the current footnote 14 related to the bycatch provision as an article in the NCEM.

III. Coordination of External Affairs

12. Report of Executive Secretary on External Meetings

The Executive Secretary referred to section 12 of the Administrative and Activity Report (COM Doc. 18-05 Revised) and highlighted some of the external meetings that members of the Secretariat participated in since the last Annual Meeting, such as:

- Our Ocean Conference, Malta, 05–06 October 2017;
- The 5th Sustainable Ocean Summit (SOS), Halifax, Nova Scotia, Canada, 29 November–01 December 2017;
- Second meeting of the Sustainable Ocean Initiative (SOI) Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating the Progress towards the Aichi Biodiversity Targets, Seoul, Republic of Korea, 09–13 April 2018;

- The thirteenth round of Informal Consultations of State Parties to the United Nations Fish Stocks Agreement Meeting, "*Science-policy interface*", New York, New York, United States of America, 22–23 May 2018;
- NASCO Annual Meeting, Portland, Maine, United States of America, 11–12 June 2018;
- Regional Fishery Body Secretariats' Network (RSN) and the 33rd Meeting of the Committee on Fisheries (COFI), Rome, Italy, 09–13 July 2018;
- The First Session of the Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ), New York, New York, United States of America, 04–05 September 2018; and
- Second Global Fishery Forum & Seafood Expo 2018, St. Petersburg, Russia, 14-15 September 2018.

13. International Relations

a. Relations with other International Organizations

The Executive Secretary introduced COM WP 18-09 which outlined contacts the NAFO Secretariat has had with other international organizations since the last Annual Meeting. He recalled that Contracting Parties had agreed that the NAFO Secretariat should maintain dialogue with relevant organizations and explore mechanisms to improve the exchange of information. In this context, he reported that, in addition to already-established links with the UN Food and Agricultural Organization (FAO) and the UN Division for Ocean Affairs and the Law of the Sea (UNDOALOS), NAFO has participated in a number of initiatives of the Secretariat of the Convention on Biological Diversity (CBD). These include a member of the Scientific Council participating in a CBD expert workshop concerning marine protected areas and other effective area-based conservation measures for achieving Aichi Biodiversity Target 11 in marine and coastal areas and the Executive Secretary participating in the 2nd Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress towards the Aichi Biodiversity Targets organized by the CBD. The Executive Secretary also highlighted some of his contacts with Regional Fisheries Bodies (RFBs) and Regional Fishery Management Organizations (RFMOs) since the last Annual Meeting. These include participation in the Regional Fishery Body Secretariats' Network (RSN) meeting in the margins of the 33rd Meeting of the Committee on Fisheries (COFI), a meeting of the so-called Deep Sea RFMOs under the ABNJ Deep Seas Project (see agenda item 13.c), attendance as an observer at the NASCO Annual Meeting and separate visits to the Secretariat from the General Secretary of the North Atlantic Marine Mammal Commission (NAMMCO) and from the Compliance Manager of the North Pacific Fisheries Commission (NPFC).

The Executive Secretary also introduced COM WP 18-10 concerning the recently-convened Intergovernmental Conference under the auspices of the United Nations to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, the so-called *BBNJ negotiations*, with a view to developing the instrument as soon as possible. He reported that he attended the first two days of the first negotiating session (4 to 17 September 2018) and participated as a panelist in side events organized by the FAO on both days. The second and third sessions will take place in 2019 – 25 March to 5 April 2019 and 19 to 30 August 2019 respectively -- and the fourth session in the first half of 2020 -- all at the UN Headquarters in New York. The Executive Secretary noted the importance of these negotiations, the results of which could significantly affect high seas fisheries and the role of RFMOs. He encouraged Contracting Parties to participate actively in these negotiations to ensure these interests are adequately taken into account. Several Contracting Parties expressed support for this position.

b. NAFO Members as Observers to External Meetings

At the last Annual Meeting (September 2017), it was agreed that the following NAFO Contracting Parties would represent NAFO at meetings of the following organizations during 2017/2018:

- Canada would represent NAFO at the North Atlantic Salmon Conservation Organization (NASCO) and the North Pacific Fisheries Commission (NPFC).

- Denmark (in respect of the Faroe Islands and Greenland) would represent NAFO at the North East Atlantic Fisheries Commission (NEAFC).
- European Union (EU) would represent NAFO at the International Commission for the Conservation of Atlantic Tunas (ICCAT) and South Indian Ocean Fisheries Agreement (SIOFA).
- Norway would represent NAFO at the South East Atlantic Fishery Organisation (SEAFO) and the North Atlantic Marine Mammal Commission (NAMMCO).
- USA would represent NAFO at the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the North Pacific Anadromous Fish Commission (NPAFC).

The reports by these Observers were presented (COM WP 18-11 to 18-19). The same Contracting Parties agreed to represent NAFO at the same meetings for 2019 and the USA agreed to represent NAFO at the South Pacific Regional Fisheries Management Organization (SPRFMO).

c. Areas Beyond National Jurisdiction (ABNJ) Deep-Seas Project

In 2013, NAFO was invited to be a partner in the FAO-Global Environment Facility (GEF) Project “*Sustainable fisheries management and biodiversity conservation of deep-sea living marine resources and ecosystems in the Areas Beyond National Jurisdiction (ABNJ) Deep Seas Project*”. NAFO’s participation has been guided by the activities table which was jointly prepared by FAO and the NAFO Secretariat, in which NAFO support to the project would be an estimated in-kind contribution over the period of 2014-2018. This in-kind contribution represents staff time for activities and meeting expenses for work on deep sea fisheries, as well as administrative expenses for NAFO’s current core activities and operations which are of direct relevance to deep sea fisheries. Almost all the costs that have been implemented or are being planned are part of the regular work of NAFO.

The Executive Secretary, on behalf of the FAO, presented the latest project update from the ABNJ Project (COM WP 18-20 and COM WP 18-35). He added that the Project will close operationally in August 2019, but that a Phase Two of the Project is being considered. A Global Symposium is also scheduled for late June/early July 2019, which will bring together the Project’s various strands. The Executive Secretary also mentioned that the Project has been used as a means to bring together and coordinate the so-called *Deep Sea RFMOs* with regard to issues of mutual interest, including developments in the BBNJ negotiations (see agenda item 13.a).

14. Oil and Gas Activities in the NAFO Regulatory Area

The Executive Secretary presented COM WP 18-21 (Revised) on oil and gas activities in the NAFO Regulatory Area (NRA) and activities under the proposed information exchange arrangements, including an update on the use of the new provision to the NCEM that were adopted at the 2016 Annual Meeting to allow, under certain circumstances, the provision of a five-year monthly snapshot of fishing activity in the NRA on the basis of VMS data. The Executive Secretary also mentioned that, since the last Annual Meeting, Canada has sent six notifications to the NAFO Secretariat about petroleum-related activities on Canada’s continental shelf in the NRA for onward transmission to Contracting Parties.

Canada then presented COM WP 18-33, which details the measures that Canada has in place to ensure minimal impacts of oil and gas exploration activities on the marine ecosystem in the NAFO Regulatory Area (NRA). This information was already sent to Contracting Parties earlier in the month. Canada noted that NAFO has no regulatory authority over oil and gas activity, that there has been good cooperation by the oil and gas industry in providing information and that the current information exchange arrangement is complete. In the ensuing discussion, the European Union (EU) said that there is still scope for further fine-tuning of the information exchange arrangement. The EU noted an increasing trend recently in seismic activities in the NAFO Regulatory Area, particularly in Division 3L, and some of these activities were within VME closed areas. The EU would like to understand better the efforts by Canada to ensure that oil and gas activities were not unduly affecting fishing activities, such as catch rates and fishing times. Canada replied that much of the information the EU is requesting has already been shared. Canada said that the information exchange arrangement also envisages a two-way exchange of information, noting Canada’s outstanding request that Contracting Parties share their respective annual fishing plans. Canada added that it was not aware of any conflicts between the industries this

year. The EU agreed that there were no such incidents this year because the fishing vessels complied with requests from seismic vessels to leave the area. The EU added that it was not aware of the legal basis for seismic vessels to make such requests.

IV. Joint Session of Commission and Scientific Council

15. 2018 Performance Review

The Coordinator of the 2018 NAFO Performance Review Panel, Jane Willing, presented a summary of the Performance Review Panel Report and its 36 recommendations. In her presentation she noted many of NAFO's recent positive achievements including increased transparency, the protection of Vulnerable Marine Ecosystems (VME), improvements in data collection, compliance based on control measures and greater internal and external co-operation.

In addition, the Coordinator noted that a Contracting Party had commented that there should have been an added recommendation related to addressing the cumulative impacts of human activities on the marine environment. This comment was made after the Panel had distributed the provisional final Report to Contracting Parties. She said that the Panel saw merit in this comment but decided not to include it in the final Report, since the Panel was only considering factual changes to the Report at that stage in the Review process. Instead the Panel agreed that the issue would be raised at the time the Report was officially presented.

Contracting Parties **agreed** to accept the Report and thanked the Coordinator and the rest of the Panel for its work.

After discussion concerning the follow up to the Performance Review Panel's recommendations, Contracting Parties **agreed** to form a Working Group to develop an action plan to address these recommendations. It was also agreed that the Working Group would include in its action plan as an addendum the issue highlighted by the Panel related to the cumulative impact of various human activities beyond the mandate of NAFO on the marine environment. At the same time the Commission noted a related recommendation had already been adopted at this meeting. The terms of reference of this Working Group are set out in COM WP 18-46 Rev. 3 (Annex 14).

16. Presentation of scientific advice by the Chair of the Scientific Council

a. Response of the Scientific Council to the Commission's request for scientific advice

The Chair of the Scientific Council (SC), Brian Healy (Canada), presented this year's advice. The presentation included a report on the catch and survey data used in the stock assessment, environmental and ecosystem trends (COM WP 18-22). The scientific advice was formulated during the SC meeting in June 2018 (SCS Doc. 18-19). It represents the response of SC to the request from the Commission (COM Doc. 17-22). The specific advice or response is outlined below (according to request item number):

1. Assessment of Fish Stocks

- Cod in Div. 3M. For 2019, a catch of no more than 20 796 tonnes.
- American plaice in Divs. 3LNO. No directed fishing for 2019-2021.
- Thorny skate in Divs. 3LNO. No increase in catches (approximately 4 060t, 2013-2017).
- Yellowtail flounder in Divs. 3LNO. Catches of 24 900, 22 500 and 21 100 tonnes in 2019 to 2021, respectively have a less than 30% risk of exceeding F_{lim} .
- Cod in Divs. 3NO. No directed fishing for 2019-2021.
- Capelin in Divs. 3NO. No directed fishing for 2019-2021.

- Splendid alfonsino in SA6: Unable to advise on an appropriate TAC for 2019, 2020, 2021. Fishing should not be allowed to expand above current levels in *Kükenthal Peak (Div. 6G, part of the Corner Rise seamount chain)*
 - Monitoring of stocks 3M Redfish, 3M American plaice, 3NO White hake, 3O Redfish, 2J3KL Witch flounder, SA 3+4 Squid: No change to stock status or previously issued advice.
2. HCR for 2+3KLMNO Greenland halibut: The TAC for 2019 derived from the HCR is 16 521 tonnes.
 3. HCR for 3LN Redfish: Stock decreasing towards B_{msy} but no warning signs that catches adopted under management plan are problematic with respect to stock status. The stock is currently in the safe zone of the NAFO Precautionary Approach (PA) framework and is estimated to be at $1.5 \times B_{msy}$. There is a very low risk of the stock being below B_{lim} .
 4. Defining Exceptional Circumstances – MSE for GHL 2+3KLMNO: [Condensed] Expert judgement is applied in annual monitoring, five survey indices will be monitored, recruitment indices at age 4 will be compared to series mean, discrepancies between TAC and catch.
 5. Benchmark and MSE work plan – 3M Cod: Benchmark assessment is completed. A new assessment model was adopted in providing advice for 2019. Work on the MSE must be prioritized if completion is anticipated in September 2019.
 6. Impact of scientific surveys on Vulnerable Marine Ecosystems (VMEs) in closed areas: SC reiterates its 2017 recommendation that scientific bottom trawl surveys in existing closed areas be avoided if possible.
 7. Bycatch and Discard Action Plan: SC discussed the Action Plan developed by Working Group on Bycatch, Discards, and Selectivity (WG-BDS) and noted that most of the items will be worked on over the next few years and noted where work has been done in the past.
 8. Assessment of 3M Golden Redfish in 2019: SC will conduct a full assessment on 3M golden redfish in June 2019, consistent with the timing of the Commission Request.
 9. Implementation of Ecosystem Approach/application of Roadmap: [Condensed]: SC notes that Total Catch Ceilings (TCCs) aim to provide information for ecosystem-level strategic management advice. Formation of an ad hoc COM-SC Working Group consisting of subgroup of Working Group on Ecosystem Approach Framework to Fisheries Management (WG-EAFFM) to identify a mechanism or framework by which ecosystem considerations could be integrated into fisheries management advice and which would provide a basis for SC (WG-ESA) to investigate further options for the implementation of the NAFO Ecosystem Roadmap.
 10. 2021 Re-assessment of NAFO bottom fisheries: [Condensed] Four tasks for SC – a) assess the overlap of NAFO fisheries with VME and examine fishery specific and cumulative impacts, b) consideration of ranking processes and objective weighting criteria for the overall assessment of SAI and the risk of future impacts, c) maintain efforts to assess all of the six FAO criteria; and d) continue work on non-sponge and coral VMEs.
 11. Review of Precautionary Approach Framework: No progress since 2017 due to heavy workloads and limited capacity. SC encourages participation of additional quantitative experts in an effort to make progress.
 12. Greenland shark biology and management advice: Longevity = 392 ± 120 years, age at maturity = 156 ± 22 years, low fecundity. SC recommends that retention and landings be prohibited, requiring live release. SC also suggest that where appropriate, gear restrictions and modifications, and/or spatial and temporal closures.
 13. SWOT analysis/strategic plan: SC accomplished the first part of the request in 2017, completing the analysis. Due to heavy workload, SC was unable to start to develop a strategic scientific plan. It awaits the results of the Performance Review which would give more insight as to what the plan should include.

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In addition, SC, on its own accord, provided advice pertaining to:

- Sea pen closure area (Area 14): Following an updated analysis with additional sea pen biomass records (2014-2017), SC concludes there is very little change in the overall distribution of sea pen VME found on the eastern area of the Flemish Cap.
- Witch flounder in Divs. 3NO: No directed fishing in 2019 and 2020.

b. Other issues as determined by the Chairs of the Commission and Scientific Council

The SC Chair highlighted the following issues that would require further reflection of the Commission:

- Ad-hoc committee to produce next year's request for advice,
- Precautionary Approach Review – workplan and timelines,
- Implementation of ecosystem approach to fisheries management,
- Prioritization, resourcing, and reasonable timelines.

Discussions, follow-up actions, and decisions pertaining to the issues are reflected in various sections of this report (see agenda items 17 b. and c. and 18).

c. Feedback to the Scientific Council regarding the advice and its work during this meeting

The Commission noted the SC Reports and the presentation of advice. They engendered questions and inquiries for further clarification to which SC provided responses during the meeting. The Commission noted the response.

The Commission questions and SC responses were compiled in COM WP 18-50 (Annex 15).

17. Meeting Reports of the Joint Commission-Scientific Council Working Groups

a. Working Group on Improving Efficiency of NAFO Working Group Process, 2018

The Executive Secretary presented the report and recommendations of the Joint Commission-Scientific Council Efficiency Working Group (COM-SC WP 18-02) which was **accepted** by the Commission.

The Working Group recommends three (3) two-week periods where intersessional meetings by STACTIC and other Working Groups can be held (COM-SC WP 18-08, Annex 16). In this regard, the Tentative Schedule for 2018/2019 NAFO Meetings was developed (COM-SC WP 18-10 Rev. 2). This will serve as a guide for the Working Groups in determining exact dates of the meetings.

The report and recommendations of the Working Group were **adopted**. It was also agreed that the Working Group should continue its work for the next year under its current terms of reference.

b. Joint Commission-Scientific Council Working Group on Risk-based Management Strategies (WG-RBMS), August 2018

The co-Chair of WG-RBMS, Jacqueline Perry (Canada), presented the report of WG-RBMS 2018 (COM-SC Doc. 18-02).

There was discussion of the proposed Greenland halibut Exceptional Circumstances protocol, the work plan for the development of a Management Strategy Evaluation (MSE) for cod in 3M and the review of the Precautionary Approach framework.

Norway requested clarification on whether the Exceptional Circumstances protocol would take account of biological parameters, such as recruitment failure. The SC Chair noted that low recruitment scenarios had been tested in the Greenland halibut Management Strategy Evaluation, however, monitoring of recruitment will continue to be included in annual monitoring for Exceptional Circumstances.

Regarding the Management Strategy Evaluation (MSE) for 3M cod, Denmark (in respect of the Faroe Islands and Greenland) enquired whether consideration had been given to what would happen if the work is not complete by next year. The SC Chair noted that, during the 2018 Greenland halibut MSE process, SC developed one-year advice during the June meeting to guard against the possibility that the MSE could not be completed in time. Such contingency could be built into the 3M cod timeline.

Regarding the Precautionary Approach Framework review, the Chair of the Scientific Council Precautionary Approach Working Group acknowledged the problems associated with the development of the Precautionary Approach but urged SC to continue to make efforts. The SC will consider appropriate responses to alleviate the situation.

The report was **accepted** and all the recommendations of WG-RBMS were **adopted** (COM-SC WP 18-06, Annex 17). The major recommendations pertain to Exceptional Circumstances protocol, calendar for the development of the 3M Cod MSE and the NAFO Precautionary Approach Framework.

The SC Chair informed the plenary that Carmen Fernandez Llana (EU) agreed to serve as co-Chair of the Working Group, replacing Carsten Hvingel (Norway) who stepped down from this capacity last year.

c. Joint Commission-Scientific Council Working Group on Ecosystems Approach Framework to Fisheries Management (WG-EAFFM), August 2018

The WG-EAFFM co-Chair, Elizabethann Mencher (USA), presented the 2018 report (COM-SC Doc. 18-03) and the recommendations.

There were discussions on the major recommendations.

Denmark (in respect of the Faroe Islands and Greenland) noted that stopping trawl surveys in VME closed areas would result in lost survey data. An alternative must be found in obtaining comparable data without trawling. The SC Chair responded that SC has done work on this issue and the difference from eliminating the survey stations within the protected areas was found to be minimal.

The EU inquired as to what work will be required to re-assess all 6 FAO criteria, including those relating to ecosystem function. The co-Chair of SC Working Group on Ecosystem Science and Assessment (WG-ESA), Dr. Pierre Pepin (Canada), responded that functionality of VMEs is being assessed through literature review. This aspect of the FAO criteria is challenging, and WG-ESA has come up with a protocol (decision tree) to deal with this. Other Contracting Parties emphasized the importance of application of the precautionary approach in NAFO's VME work.

Noting that the closure of Area 14 was scheduled to expire at the end of 2018, Contracting Parties expressed differing views on the question of whether area 14 should remain closed following the expiry. Contracting Parties noted the recent SC advice and there was no consensus on extending the current term of this closure. Contracting Parties noted that the Area 14 polygon would be included in NAFO's 2020 review of the VME closures.

On the recommendation pertaining to the implementation of the ecosystem approach and application of the EAF Roadmap, Dr. Pepin elaborated on the sample ecosystem-level advice contained in the Ecosystem Summary Sheets (ESS), which was developed by SC and the WG-ESA.

Several Contracting Parties commented that they were impressed with the work that has been done but more work will be required to integrate the ecosystem-level advice into the management decisions. For coastal States, there will be additional challenges in considering how this is going to be implemented domestically as well as in the NAFO context.

Several Contracting Parties commented that it will be important to use appropriate terminology to avoid using words that may have set legal meanings. The co-Chair and Dr Pepin reported that a WebEx meeting is planned

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for October to discuss terminology used in the EAFFM recommendation and this discussion is expected to continue in the coming year.

All the recommendations were **adopted** (COM-SC WP 18-07, Annex 18). The major recommendations pertain to, among others, scientific trawl surveys and their impact on VMEs in closed areas, implementation of the Ecosystem Approach Roadmap and Ecosystem Summary Sheets, Area 14 and the assessment of significant adverse impacts.

d. Joint Commission–Scientific Council Catch Estimation Strategy Advisory Group (CESAG), 2018

CESAG co-Chair, Katherine Sosebee (USA) presented the report of this Working Group (COM-SC Doc. 18-01). The Commission **accepted** the report and the recommendations were **adopted** (COM-SC WP 18-05, Annex 19).

The recommendations pertain to forwarding the catch estimates to SC for consideration in its fish stock assessment work and to the improvement of haul by haul data submissions from Contracting Parties.

18. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2020 and Beyond of Certain Stocks in Subareas 2, 3, and 4 and Other Matters

In accordance with the procedure outlined in FC Doc. 12-26, a steering committee was formed to assist in the drafting of the Commission request. The committee was comprised of the SC Coordinator, Sandra Courchesne (Canada), Élise Lavigne (Canada) and Cristina Almendra Castro Ribeiro (EU).

The Commission, as requested by SC, prioritized the request items, placing the 3M Cod Management Strategy Evaluation and Precautionary Approach Framework as top priorities.

The Commission request is presented in COM WP 18-51 Rev. 2 (Annex 20).

V. Conservation of Fish Stocks in the Regulatory Area

19. Recommendations of the Joint Commission–Scientific Council Working Group on Risk-based Management Strategies (WG-RBMS), August 2018 (if more discussion is required)

There was no further discussion on the WG-RBMS recommendations as they have been addressed under agenda item 17.b.

20. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2019

The Quota Table for 2019, presented in Annex 21, incorporates the TAC decisions, updates of the relevant footnotes, and the footnote edits recommended by STACTIC (see agenda item 28).

a. Cod in Division 3M

Noting that the scientific advice recommends no more than 20 796 tonnes and that a Harvest Control Rule is anticipated to be applied next year, the Commission **agreed** on a 17 500 tonnes Total Allowable Catch (TAC) for 2019. Consequently, footnote 15 of the 2018 NCEM would be deleted.

Norway expressed that all CPs having a quota allocation in the 3M cod fishery agreed to the consideration made by SC (see Annex 15) that the starting points (2020 TAC) to be evaluated in the upcoming MSE process would be independent from the 2019 TAC.

b. Shrimp in Division 3M

It was **agreed** the moratorium continues in 2019 and 2020.

Some Contracting Parties expressed disappointment that the shrimp assessment meeting is scheduled after the Annual Meeting with the consequence that the scientific advice for this stock will not be available for the Annual Meeting. The SC was urged to re-consider its meetings calendar to be able provide more timely advice on this short-lived species.

EU noted that, with the improvement of the 3M shrimp situation (it is slightly above B_{lim}), it would be necessary to get advice on a yearly basis. Therefore, an update is needed in 2019.

Iceland expressed that, notwithstanding the moratorium, it maintains its objection to the effort allocation scheme traditionally applied to this stock.

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

It was **agreed** to rollover the TAC, which is set at zero, noting that the TAC might be adjusted in accordance with the footnote 3 of the Quota Table.

The Russian Federation read the following statement: *The Russian Federation adheres to its position that there is a single stock of pelagic Sebastes mentella in the Irminger Sea and adjacent waters, including the NAFO Convention Area. Russia reiterates its standpoint that studies into the redfish stock structure should be continued using all available scientific and fisheries data as a basis. Until new data on the stock structure are available, Russia will continue to regulate the pelagic fishery for Sebastes mentella based on the concept of the single stock structure of this stock.*

d. Splendid alfonsino (*Beryx splendens*)

Norway referred to the SC advice for 2019-2021 stating that in order "to prevent extirpation of entire subpopulations of Alfonsino, fishing should not be allowed to expand above current levels" which according to the SC correspond to the average catch for the years 2012-2017, i.e. 139 tonnes. Norway noted that the Performance Review Panel had recommended that the unregulated alfonsino fisheries be regulated at the earliest opportunity. Norway was therefore of the opinion that, to prevent extirpation of alfonsino, a precautionary TAC of 139 tonnes should be set and expressed their concern that NAFO is not willing to set catch limits for these fisheries as effectively recommended by the SC. Norway further noted that the alfonsino fishery is conducted within one of the NAFO seamount closures.

The EU stated that the alfonsino fishery is not an unregulated fishery, since there are already measures in the NCEM that apply to this fishery, e.g. haul by haul reporting product labelling requirements, and 100% observer coverage.

No consensus was reached on a new management measure for this stock.

In consideration of the scientific advice pertaining to this stock, a request was made to SC to provide the map and coordinates of the Kükenthal Peak in Division 6G, a part of the Corner Rise seamount chain, where alfonsino fishing occurs (see Annex 20).

21. Management and Technical Measures for Fish Stocks Straddling National Jurisdictions, 2019

a. Cod in Divisions 3NO

Contracting Parties **agreed** to maintain the moratorium for 2019, 2020 and 2021.

b. American plaice in Divisions 3LNO

Contracting Parties **agreed** to maintain the moratorium for 2019, 2020 and 2021.

c. Yellowtail flounder in Divisions 3LNO

Noting the SC advice, and in particular taking into consideration impacts on other fisheries, particularly bycatch of 3NO cod and 3LNO American plaice, the Commission **agreed** to rollover the TAC for one year at 17 000 tonnes.

d. Capelin in Divisions 3NO

Contracting Parties **agreed** to maintain the moratorium for 2019, 2020 and 2021.

Article 7.10 of the NCEM was **updated** in view of the extension of the moratorium.

e. Thorny Skates in Divisions 3LNO

The Commission **agreed** to rollover the TAC of 7 000 tonnes, applicable to 2019 and 2020. Footnote 13 of the Quota Table was **updated**.

f. Greenland halibut in Subarea 2 and Divisions 3KLMNO

As calculated by SC and consistent with the MSE and Harvest Control Rule, it was **agreed** to set the TAC at 16 521 tonnes in 2+3KLMNO, 12 242 tonnes of which is allocated to the fishery in 3LMNO.

22. Other matters pertaining to Conservation of Fish Stocks**a. Redfish in Divisions 3LN**

According to the SC advice, there are no warning signs that the catches adopted under the management plan are problematic with respect to stock status. In this regard, the Commission **agreed** to continue to apply the Harvest Control Rule outlined in Annex I.H of the NCEM resulting in a TAC of 18 100 tonnes for 2019.

b. Witch Flounder in Divisions 3NO

In 2017, SC provided TAC advice of 1 116 tonnes and 1 175 tonnes for 2018 and 2019, respectively. The advice came with a caution that *“because of the uncertainty and proximity to limit reference points the next full assessment is rescheduled for 2018”*. The Commission adopted the advice, including the 2019 TAC of 1 175 tonnes.

In 2018, SC conducted a full assessment at its own accord and provided updated advice of *“no directed fishery”* for 2019 and 2020.

Based on a question posed to SC on the impact of various harvest levels of the stock, some Contracting Parties noted that there was negligible impact on the resource between no directed fishing and the TAC at the previously agreed level, and the two-year decision taken in 2017 should be maintained.

A Contracting Party with a quota allocation expressed disappointment and concern that the timing in providing a change of advice (from 1 175 tonnes TAC to no directed fishery in 2019) poses considerable challenge for the fishery managers in applying the updated measure to the stakeholders which have already made their fishing plans for 2019.

The Commission **agreed** to maintain its decision that was made in 2017, i.e. 1 175 tonnes TAC for 2019.

Norway issued a statement: *The Norwegian delegation referred to the advice provided by the SC stating that in all tested scenarios the probability of the stock being below B_{lim} in 2021 ranges between 15 % and 24 %. In accordance with the PA Framework, there should be a low probability (5 % - 10 %) of the stock being below B_{lim} . Hence Norway could not support setting a TAC when the SC advice was no directed fishing in 2019 and 2020.*

c. Shrimp in Divisions 3LNO

It was **agreed** to continue the moratorium in 2019.

d. Greenland shark

Consistent with the SC advice, the Commission strengthen the conservation measures by **revising** Article 12 *“Conservation and Management of Sharks”* of the NCEM (COM WP 18-38 Rev. 4, Annex 22).

VI. Ecosystem Considerations

23. Recommendations of the Joint Commission–Scientific Council Working Group on Ecosystem Approach Framework to Fisheries Management (WG-EAFFM), August 2018 (if more discussion is required)

The proposal to extend the Area 14 closure to 2020 did not attain consensus and was eventually withdrawn by the proponents (Canada, Norway, and the US). Consequently, reference to Area 14 in the 2019 NCEM will be deleted. It was **agreed** that the Area 14 closure would be included in the scheduled review of the current closures in 2020.

24. Other matters pertaining to Ecosystem Considerations

There was no further matter discussed under this agenda item.

VII. Conservation and Enforcement Measures

25. Review of Chartering Arrangements

The annual review of chartering arrangements was tasked to STACTIC (see Part II).

26. Recommendations of the Joint Commission–Scientific Council Catch Estimation Strategy Advisory Group (CESAG), 2018 (if more discussion is required)

Acting on the recommendation pertaining to the haul by haul data submission requirements (see agenda item 17 d.), the Commission **adopted** the proposal outlining follow-up procedure to improve compliance (COM WP 18-37, Annex 23).

27. Meeting Report and Recommendations of the Ad hoc Working Group on Bycatches, Discards, and Selectivity (WG-BDS), May 2018

The Working Group Chair Temur Tairov (Russian Federation) presented the meeting report (COM Doc. 18-04) and the recommendations (COM WP 18-23, Annex 24). The Commission **accepted** the report and **adopted** all the recommendations.

The Chair also presented, and the Commission noted, the WG-BDS/Secretariat work plan (COM BDS WP 18-02) in support of Task 1.3 of the *Action Plan in the Management and Minimization of Bycatch and Discards* which was adopted last year (Com Doc. 17-26). The Chair indicated that a coordinated work plan is being developed with the STACTIC Chair (see Part II).

28. Report of STACTIC from this Annual Meeting and Recommendations

The STACTIC Chair Judy Dwyer (Canada) presented the STACTIC Meeting Report (see Part II), and highlighted the following amendments to the NAFO CEM that were forwarded to the Commission for adoption:

- STACTIC WP 18-18 *Vessel Monitoring System (VMS) (Article 29 and Annex II.E)* (Annex 25),
- STACTIC WP 18-21 (Rev.) *NAFO CEM Article 10 – Stowage plan requirement at checkpoint* (Annex 26)
- STACTIC WP 18-22 (Rev. 2) *NAFO CEM Article 35 – Collection of DNA samples by inspectors* (Annex 27),
- STACTIC WP 18-27 (Rev. 3) *Amendments to stowage of catch (Article 28.5)* (Annex 28),
- STACTIC WP 18-31 (Rev.) *Proposal for amendments to the NCEM – Chapter VII -- Port State Control* (Annex 29),

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- STACTIC WP 18-35 (Rev. 2) *Distribution of Notification of Infringements (Article 37.4)* (Annex 30),
- STACTIC WP 18-41 *Reinstatement of Footnote 14 into Article 6.3 for American plaice bycatch provisions in the 3LNO directed yellowtail fishery* (Annex 31),
- STACTIC WP 18-43 (Rev. 3) *CEM Article 12 – Catch reporting of individual sharks* (Annex 32),
- STACTIC WP 18-45 (Rev.) *Proposed revision of the NAFO Observer Program* (Annex 33),

The STACTIC Chair also forwarded other recommendations for adoption:

- STACTIC WP 18-28 (Rev. 4) *Action Plan to minimize or eliminate discards in NAFO* (Annex 34),
- STACTIC WP 18-29 (Rev. 2) *Draft Annual Compliance Review 2018 (Compliance Report for Fishing Year 2017)* (Annex 35),

The Commission accepted the report and **adopted** all the recommendations from the 2018 intersessional meeting (COM Doc. 18-02) and this meeting (see Part II),

STACTIC requested guidance from the Commission on how to move forward with regards to the pending proposals on bycatch definition and garbage and labour conditions on fishing vessels.

STACTIC sought guidance on the issue of participation of other stakeholders in STACTIC meetings from the Commission. The issue was unresolved at the meeting but STACTIC was advised to work together toward a solution at the May 2019 intersessional which should be presented to the Commission for validation.

29. Other matters pertaining to Conservation and Enforcement Measures

There was no further matter discussed under this agenda item.

VIII. Finance

30. Report of STACFAD from this Annual Meeting

The report of STACFAD (see Part III) was presented by the Chair, Deirdre Warner-Kramer (USA). The report contained recommendations for the adoption of the budget for 2019, the Auditor's Report for 2017, financial matters as well as an update on the Headquarters Agreement and office relocation.

31. Adoption of the 2019 Budget and STACFAD recommendations

It was agreed that the report and recommendations of STACFAD be adopted by the Commission.

STACFAD recommends that:

- **Rule 4.5 of the NAFO Financial Regulations be amended to allow for the establishment of a recruitment and relocation fund within the accumulated surplus account, as follows:**

The Standing Committee on Finance and Administration and the Commission shall review the amount available in the accumulated surplus account during each annual meeting. Insofar as possible, the Commission shall anticipate unforeseen expenditures during the succeeding three years and shall attempt to maintain the accumulated surplus account at a level sufficient to finance operations during the first three months of the year plus an amount up to a maximum of 10% of the annual budget for the current financial year for use in an emergency in accordance with Rule 4.4. In addition, the Organization shall also maintain a recruitment and relocation fund to pay recruitment and relocation costs for incoming and outgoing internationally recruited staff. The recruitment and relocation fund balance shall be kept at a maximum of \$100,000.

- **The 2017 Financial Statements be adopted.**

- The amount maintained in the accumulated surplus account be set at \$285,000 of which \$200,000 would be sufficient to finance operations during the first three months of 2018, and of which \$85,000 would be a contingency fund available to be used for unforeseen and extraordinary expenses.
- The recruitment and relocation fund be set at \$48,000 to pay for future recruitment and relocation costs for incoming and outgoing internationally recruited staff.
- The internship period be maintained for six (6) months during 2019.
- The budget for 2019 of \$2,274,000 (Annex 3) be adopted.
- The Commission appoint the three Staff Committee nominees for September 2018–September 2019: Justine Jury (EU); Joanne Morgan (Canada) and Deirdre Warner-Kramer (USA).
- The Commission adopt the revised Headquarters Agreement and request that the Government of Canada proceed with the next step of its domestic process to sign and ratify the revised Headquarters Agreement
- NAFO sign the memorandum of understanding with Fisheries and Ocean Canada, following the ratification of the revised Headquarters Agreement.
- Rule 2.7 of the NAFO Rules of Procedure be amended, as follows:

~~The result of a vote taken by e-mail or other electronic means shall be ascertained by the Executive Secretary at the end of a period of at least thirty (30) days after the date of the initial request for the vote and such period shall be made clear in the text of that request.~~

When requesting a vote referred to in Rule 2.6, the Executive Secretary shall advise the Contracting Parties of the closing date to submit a vote. This date shall be at the end of a period of at least 30 days after the initial request for the vote.

- Rule 2.8 of the NAFO Rules of Procedure be amended, as follows:
 - ba) Contracting Parties shall promptly acknowledge receipt of any request for vote by e-mail or other electronic means. If no acknowledgement is received from any particular Contracting Party within one week of the date of transmittal the Executive Secretary ~~will~~ shall retransmit the request, and ~~will~~ shall use all additional necessary means available to ensure that the request has been received. Confirmation by the Executive Secretary that the request has been received shall be deemed conclusive regarding the inclusion of the Contracting Party in the quorum for the purpose of the relevant vote by e-mail or other electronic means.
 - ab) If no reply from a Contracting Party, in the case of a vote taken by e-mail or other electronic means, reaches the Secretariat within the period established under 2.7, that Contracting Party would be recorded as having abstained and it shall be considered part of the relevant quorum for voting purposes.
- Insert a new Rule 2.9 in the NAFO Rules of Procedure, as follows:

The Executive Secretary shall communicate the result of a vote taken by e-mail or other electronic means to all Contracting Parties, without delay following the end of the period referred to in Rule 2.7.”
- Rule 3.5 of the NAFO Rules of Procedure be amended, as follows:

The Chairperson, or Vice-Chairperson when acting as Chairperson, shall not act as a Representative, Alternate Representative, Expert or Adviser of a Contracting Party. shall not vote and another representative of his or her delegation shall exercise this function.

- A practice be implemented that, unless otherwise requested by a delegation, each Contracting Party will receive three (3) sets of printed meeting documentation produced at NAFO meetings and meeting documentation will also be available electronically.
- The 2021 Annual Meeting (to be held in Halifax, Nova Scotia, Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) be held 20–24 September 2021.

To increase transparency of its documentation:

- An exclusive STACFAD Username and Password will no longer be required to access STACFAD documentation on the NAFO Members' pages.
- STACFAD documentation will be available in the NAFO Meetings SharePoint (<https://meetings.nafo.int/>) with the exception of Working Papers deemed restricted (e.g. personnel matters).
- Following a meeting, STACFAD Working Papers will be made publicly available on the NAFO website (<https://www.nafo.int/>) with the exception of Working Papers deemed restricted (e.g. personnel matters).
- General Council (GC) and Commission Documents will be made publicly available on the NAFO website (<https://www.nafo.int/>) with the exception of documents deemed restricted (e.g. personnel matters).

IX. Closing Procedure

32. Other Business

There was no further matter discussed under this agenda item.

33. Time and Place of Next Annual Meeting

An invitation to host the next Annual Meeting was extended by France (in respect of St. Pierre et Miquelon) and accepted by the Organization. The 41st Annual Meeting will be held in Paris, France during the dates of 23-27 September 2019.

34. Press Release

The Press Release of the meeting was developed by the Executive Secretary, Senior Fisheries Management Coordinator, Scientific Council Coordinator through consultations with the Chairs of the Commission and Scientific Council. The agreed Press Release (Annex 36) was circulated and posted to the NAFO website at the conclusion of the meeting on Friday, 21 September 2018.

35. Adjournment

The Chair thanked Contracting Parties for their collaboration and contributions through the course of the meeting. He also expressed his thanks to the EU and Estonia for hosting the meeting and to the NAFO Secretariat for their support throughout the week.

The meeting adjourned 11:00 hrs on Friday, 21 September 2018.

Annex 1. Participant List

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Annex 2. Opening Statement by the NAFO President

Dear Minister, Distinguished colleagues and friends,

I am honoured to welcome all of you to Tallinn for the 40th Annual Meeting of the Northwest Atlantic Fisheries Organization. I wish to express my appreciation to the Government of Estonia for hosting this Meeting and for the outstanding support and facilities provided. As you all are aware, this year marks the 100th anniversary of the Republic of Estonia and I am very happy that we are here in beautiful Tallinn for these celebrations. But for now we have work to do!

One of the key issues we will have to address this week is the recommendations of NAFO's second Performance Review. The Performance Review Panel's Chair will present the report and its recommendations on Tuesday morning.

I believe we can take some comfort from the Performance Review Report. We have come a long way since 2011 following our first Performance Review and the current Report acknowledges that NAFO has made great efforts to address the previous Review's recommendations. However, the Panel has also found some areas that still need further attention and has highlighted a number of significant external challenges for the Organization. I expect these recommendations will provide a focus for NAFO's work in the coming years and I look forward to the discussion on this Report later this week.

With regard to significant external challenges, I should note the increasing attention to the work of RFMOs by the public and the international community. Today, for instance, at the UN Headquarters, the first substantive session of the intergovernmental conference on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction – the so-called BBNJ process – closes. The result of these negotiations, in areas such as governance structure, environmental impact assessments, area-based management tools and even capacity building, could affect the future functioning of NAFO. As I mentioned last year, I believe that NAFO is a model for best practices in international regional fisheries governance and it is incumbent on all of us to get this message out.

As I reflect on the past year, we have once again had a very busy year. We have met over 25 times since the last Annual Meeting, both virtually and face-to-face, to prepare for this Meeting. Besides the recommendations of the Performance Review, some of the issues we should address this week include:

- An exceptional circumstances protocol for the Greenland halibut Management Strategy Evaluation (MSE);
- A workplan for the 3M cod MSE;
- Further implementation of NAFO's ecosystem approach roadmap; and
- A possible overhaul of the observer programme.

We will indeed be very busy. However, I am confident that Contracting Parties are ready to meet the challenges ahead of us.

Finally, I would also thank the Secretariat for all its work throughout the year and its preparations for this meeting.

I now declare the 40th Annual Meeting of NAFO officially open!

Annex 3. Opening Statement by Canada

Canada is pleased to be a part of the 40th Annual Meeting in Tallinn. Those of us that were fortunate to be here for the 2005 Annual Meeting remember fondly the warm hospitality of this beautiful and historic city and hopefully those who are here for the first time will have an opportunity to discover this for themselves in the days ahead.

We extend our warmest thanks to the European Union and the people of Estonia for hosting us this year as they celebrate the 100th anniversary of the Republic of Estonia.

We would also like to acknowledge the efforts of the NAFO Secretariat in organizing this year's meeting. Their careful attention to meeting logistics and continued expertise in support of the Commission, the Scientific Council and other NAFO bodies is appreciated by all Contracting Parties.

In recent years, the co-operation of Contracting Parties has resulted in significant gains and we are confident that this will continue during what is expected to be a busy and productive week.

The recently completed second NAFO Performance Review detailed some of these recent gains and we are pleased with the overall positive tone of the report. We are keen to join with others on working to advance these recommendations in the years ahead.

NAFO's Scientific Council deserves recognition for another busy year. Their work is critical to inform management decisions in support of the sustainable management of stocks. We, along with other Contracting Parties, share the concern about the continued heavy workload of the Council and urge all Contracting Parties to make every effort to expand their participation and increase the overall capacity of the Council.

2018 was also marked by significant progress by each of the NAFO Working Groups. Consensus was reached on the exceptional circumstances protocol for the 2+3KLMNO Greenland halibut management strategy, a revised calendar for the development of the 3M Cod MSE and a commitment to try and make progress the review of the NAFO Precautionary Approach Framework. It was very encouraging to see agreement on continued dialogue between scientists and managers on the implementation of the Ecosystem Road Map. Further, efforts continued to refine catch estimates and advance the Action Plan on Bycatch and Discards.

Each of these elements contributes significantly to achieving NAFO's overall objectives and serve to promote and protect our ocean resources. We need to ensure that they remain healthy for future generations, while providing important economic opportunities to Canadians and its coastal communities and all Contracting Parties of NAFO.

Annex 4. Opening Statement by Denmark (in respect of the Faroe Islands and Greenland)

Mister Chair, Distinguished Delegates, Observers, Ladies and Gentlemen,

The Faroe Islands and Greenland would first of all like to thank Estonia for their hospitality to host this Annual Meeting in Tallinn. We appreciate the hard work you have put in the practical preparations of this meeting.

The DFG will present two working papers on how a part of the by-catch and discard problems may be solved in those fisheries where we encounter considerable by-catches.

It is our hope this can contribute constructively to better selectivity in the fishing gears and to a more appropriate way to look at by-catches.

The Second Performance Review of NAFO is finalized and the Panel will present the report. The DFG will continue to work constructively with our NAFO partners to address the recommendations of the 2018 Performance Review. The cod stock of 3M is of high importance to the DFG. A full benchmark evaluation was performed in 2018 and the scientific advice from the Scientific Council of NAFO for the cod stock of 3M is a significant increase in the total quota. This quota is only $\frac{3}{4}$ of $F(lim)$, with less than 1% probability for the stock to be affected by the fisheries. Furthermore, we look forward to the Management Strategy Evaluation for cod in 3M which will be performed in the coming year.

Furthermore, the biological advice on NAFO stocks for the next year and beyond is, as usual, a mixed advice of stocks to be maintained under moratoria, of stocks in decline and of stocks that are healthy and growing.

Working groups take important tasks on their shoulders. However, it is increasingly a challenge to find time to participate in the various numbers of working groups, especially for Contracting Parties with limited resources in terms of staff.

Our delegation would like to take this opportunity to convey our appreciation and warm thanks to the Secretariat for once again having prepared this annual meeting so well.

The Faroe Islands and Greenland (DFG) can assure you that we are looking forward to working constructively with all delegations in the week ahead of us to bring the many points on our agenda to successful conclusion.

Annex 5. Opening Statement by the European Union

Mister Chair, Distinguished Delegates, Observers, Ladies and Gentlemen,

First of all, we would like to thank the Government of Estonia for hosting the 40th Annual Meeting of NAFO in this beautiful city, which hosted the tallest building in the world 400 years ago!

Secondly, I would like to congratulate all of us for the preparatory work carried out ahead of this meeting which should allow us to reach consensus in several important areas. In particular, the setting of TACs for fish stocks under the purview of this organisation will favour their sustainable management in the years to come. In this regard, the EU will continue to seek solutions based on the best available scientific advice, aiming to ensure long-term sustainability for the stocks and predictability for the industry that depend on exploitation of these stocks.

I would also like to highlight our strong support for long-term management approaches to key stocks such as Greenland Halibut and cod in the Flemish Cap.

In addition, the EU will continue supporting the protection of VMEs and will strive to ensure that NAFO's VMEs protection policy is based on the latest and best science available. To this end, the EU has, for example, contributed substantially over the years to the NEREIDA seabed mapping project, which aims at improving knowledge on the sea bottom. Moreover, the EU will support the ongoing efforts to pave the way towards an efficient implementation of the ecosystem approach.

The EU will also promote concrete protective measures for the Greenland sharks, taking into account the latest scientific advice.

Last and not the least, we are keen to review the conclusions of the new Performance Review exercise for the organisation carried out this year and to work towards implementation of many of its recommendations.

Regarding control and enforcement, the EU will continue to promote compliance of the EU fleet with the NAFO rules in force, both at sea and in port, and measures that increase the efficiency of NAFO's control and inspection systems.

The EU delegation looks forward to working with all Parties around the table in order to achieve the best possible result for NAFO stocks and ecosystems and to make this Annual Meeting in Tallinn a joint success.

Annex 6. Opening Statement by Japan

Mr. Chairman, Distinguished Delegates, Observers, Ladies and Gentlemen,

On behalf of the Japanese Delegation, I would like to express my deepest gratitude to the Government of Estonia for hosting the 40th Annual Meeting of NAFO in this beautiful city, Tallinn. We also thank the NAFO Secretariat staff for the excellent preparation and arrangements, and wish all the best to our Chair, Mr. Artano.

As the Japanese Delegation expressed in the past meetings, NAFO has played an important role for fisheries management. NAFO, as the historic and leading RFMO, should develop conservation and management measures for sustainable use of fishery resources and the measures should be based on scientific advice. We should bear in mind that the NAFO Conservation and Enforcement Measures (CEM) would be taken into account by other RFMOs.

Mr. Chairman, on this occasion, I would like to address two concrete issues and explain our thought for this year's NAFO Annual Meeting, namely (1) development of criteria for the identification of Exceptional Circumstances under the Greenland halibut 2+3KLMNO management strategy and (2) reviewing the closure of the area 14 in accordance with the paragraph 3 of the Article 17 of the CEM.

At the Annual Meeting last year, the new management strategy for 2+3 KLMNO Greenland halibut was adopted and it was decided that the total allowable catch would be adjusted annually from 2018 to 2023 according to the harvest control rule. It was the significant step for modernizing the fishery managements of NAFO. This year's Annual Meeting will address Exceptional Circumstances (EC) protocol which is outside of the range of possibilities considered within the Management Strategy Evaluation (MSE), based on the recommendation by the NAFO Joint Commission-Scientific Council Working Group on Risk-based Management Strategies (WG-RBMS). Japan strongly believes that the EC should be applied for very limited cases, and that will contribute to stable operation of the Management Strategy and the fisheries.

I also would like to touch upon the closure of the area 14 (Eastern Flemish Cap), which is going to expire at the end of December this year. In our view, the area 14 should be opened from 2019 because the closure does not meet all of the six FAO criteria (Article 18 of the FAO International Guidelines for the Management of Deep Sea Fisheries in the High Seas) at this moment. Japan support the idea that development of any area-closure must be carefully considered with a universal standard.

Mr. Chairman, the Japanese Delegation is ready to work closely and cooperatively with other delegations to find good solutions and sincerely hopes that this Annual meeting will be successfully and fruitfully concluded.

Thank you.

Annex 7. Opening Statement by the Russian Federation

Good morning Mr. President,

Distinguished Delegates, Observers, Ladies and Gentlemen,

First of all, as the Russian Representative, on behalf of the Russian Delegation I would like to thank the Government of Estonia for hosting the 40th Anniversary Meeting of NAFO in Tallinn. We look forward to visiting historical and cultural heritage sites in this beautiful city. I would also like to thank the NAFO Secretariat for all their preparatory work they have done to set up this meeting.

We attach great importance to the findings by the Performance Review Panel, which assessed NAFO's performance in 2011-2017, with special attention being given to the follow-up to the recommendations from the 1st Performance Assessment Report. As you know, NAFO established a Performance Assessment Working Group in 2009 to set up a performance review tasked with addressing NAFO's strengths, weaknesses, challenges and successes, using specifically identified criteria and identified areas for improvement. Looking back at the 1st performance assessment, we emphasize with a sense of deep satisfaction the enormous scope of work done based on those recommendations. The Working Group has largely contributed to identifying the key focus areas of NAFO activities over recent years, and now we clearly see the results. We would like to thank the members of the new Panel for their work and hope that their findings and recommendations will define new ways for improvement of NAFO and provide new capabilities for achievements in future.

We would like to note the progress by the Joint Commission-Scientific Council Catch Estimation Strategy Advisory Group in addressing the improvement of catch estimation accuracy. In our opinion, the use of haul-by-haul data and implementation of relevant technical measures in fisheries represent an important step forward to increased accuracy of fisheries data and stock assessments.

In our opinion, the precautionary approach in fisheries and development of fisheries management strategies for commercial stocks give tangible results. Each year we approach closer, though not as fast as we wish, to ensuring the maximum sustainable yield in the NAFO Regulatory Area. This will allow a more efficient use of fishing efforts and sustainability of the stocks. However, there is a concern that this process is of infinite nature because the more information we get about general factors influencing interactions among species, with environment and human activities, the more factors need to be taken into account in fisheries management. We do hope that the efforts put to achieve this goal will be commensurate to the benefits the fishing industry will obtain.

We should note the progress in assessment of risks associated with the vulnerable marine ecosystems. The evolution of perception about the VMEs has gone from an abstract concept, which was largely neglected in fisheries management, to a set of certain grades and criteria. This allows a gradual transition from the binary management logic, when the fishery in a certain area is either open or closed, to a more flexible scheme when the degree of benthic community vulnerability is evaluated depending on the type and severity of the impact. We believe that it will be possible to establish the more accurate conservation measures in the near future so that different types of fisheries are treated individually and scientific research is completely separated from commercial fishing activities.

In conclusion, we are assured that the work during this meeting will be efficient. We hope for a fruitful cooperation between all the Contracting Parties based on joint efforts by managers, scientists and observers.

Annex 8. Opening Statement by the United States of America

The United States is pleased to be here in beautiful, historic Tallinn once again, and we thank the Government of Estonia for hosting the 40th NAFO Annual Meeting. We also thank the NAFO Secretariat for their excellent organization of this meeting, and continuing efforts to ensure that our work is efficient and productive. We look forward to a successful week.

I would like to begin by introducing myself. My name is Michael Pentony, and I am the new U.S. Federal Commissioner to NAFO. At home, I serve as the Regional Administrator of the Greater Atlantic Regional Fisheries Office of NOAA Fisheries, which is charged with ensuring the sustainable use of fisheries and other living marine resources, conservation of marine habitats, and protection of endangered and threatened marine species in the U.S. waters of the NAFO Convention Area, off of New England and the mid-Atlantic. Although I am new to the NAFO world, I have spent a large part of my career focusing on sustainable management of Northwest Atlantic fisheries, and I look forward to participating in the international side of these efforts.

With regard to U.S. priorities for the 40th annual meeting and the U.S. goal for NAFO in the long term, the United States will continue to promote consistency between the management decisions of the Commission and the advice of the Scientific Council to achieve science-based management. We believe this approach will result in sustainable benefits from healthy fisheries and healthy marine ecosystems. As a NAFO coastal State with centuries of fishing history in the Northwest Atlantic, and a commensurate commitment to collection of reliable fisheries data, fisheries research, and sound management including enforcement, the United States has a strong stake in seeing those benefits realized – in our own waters, and in the Regulatory Area.

To achieve our goal, we must also recognize our role in ensuring that the needs of the Scientific Council are adequately addressed, so that its products are of the highest quality and utility in the management process. In recent years, the demands on the Scientific Council have increased substantially, while its resources -- especially its human resources -- have not kept pace. Thus, during this meeting the United States would like to have a practical discussion in the Commission on how to best meet the resource needs of the Scientific Council, in light of the priorities of the organization.

In addition to a significant number of stock management considerations before us this week, we look forward to deliberations on a number of broader ecosystem related issues. It is our hope that progress can be made on implementation of the ecosystem approach to fisheries framework. Additionally, the Commission will be deliberating on the future status of the Area 14 closure, and it is our hope that the Commission will follow the advice of the Scientific Council to maintain this status until the comprehensive review of VME's in NAFO in 2020.

Another key U.S. priority for the upcoming week will be initiating a process to implement the recommendations of NAFO's second External Performance Review. We welcome the Review Panel Chair, Ms. Jane Willing, and we look forward to her presentation. The Panel's report tells a good story about NAFO's successes since 2011, but it is also clear we have more work to do. So, the United States supports immediate action by the Commission to begin categorizing and assigning the task of responding to the recommendations to the various NAFO bodies.

Regarding conservation and enforcement measures, the United States has some concerns regarding the impact of the bycatch mitigation protocols, as currently written, on different gear types. We would proposing possible changes to the measures that will address these negative impacts, while at the same time ensuring that the conservation intention of the management measure remains intact. We will also be proposing to increase transparency for STACTIC working papers.

Finally, we note that NAFO's Scientific Council has advised that Greenland sharks warrant precautionary consideration due to their unknown stock status in NAFO waters, and their long lifespan (estimated to be in the 300-400 year range), extremely delayed maturity, and low fecundity which make them more susceptible to overfishing. The Scientific Council further recommends prohibiting the landing of Greenland sharks and increased data collection for these animals. The United States feels strongly that NAFO must take steps to

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protect vulnerable species in NAFO waters. Thus, we will seek to have a discussion on adequate measures consistent with these recommendations.

In closing, I look forward to working with you all and to a productive week ahead. Thank you very much.

**Annex 9. Summary of Decisions and Actions of the Commission
from the 40th Annual Meeting of NAFO**

ANNEX #	NAFO WORKING PAPER #	DOCUMENT TITLE	NAFO DOCUMENT #
14	COM WP 18-46 (Rev. 3)	NAFO Working Group to Address the Recommendations of the 2018 Performance Review Panel	<u>COM Doc. 18-21 (Rev.)</u>
15	COM-WP 18-50	SC Response to Feedback Questions regarding its Scientific Advice	
16	COM-SC WP 18-08	Recommendations of the E-WG to forward to the NAFO Commission and Scientific Council, 2018	<u>COM-SC Doc. 18-07</u>
17	COM-SC WP 18-06	Recommendations of the WG-RBMS to forward to the NAFO Commission and Scientific Council, August 2018	<u>COM-SC Doc. 18-05</u>
18	COM-SC WP 18-07	Recommendations of the WG-EAFFM to forward to the NAFO Commission and Scientific Council, August 2018	<u>COM-SC Doc. 18-06</u>
19	COM-SC WP 18-05	Recommendations of the CESAG to forward to the NAFO Commission and Scientific Council, 2018	<u>COM-SC Doc. 18-04 (Rev.)</u>
20	COM WP 18-51 (Rev. 2)	The Commission's Request for Scientific Advice on Management in 2020 and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters	<u>COM Doc. 18-20</u>
21		2019 Quota Table	
22	COM WP 18-38 (Rev. 4)	Amendments to NAFO CEM - Measure to Conserve Greenland Sharks	<u>COM Doc. 18-17</u>
23	COM WP 18-37	Follow-up Procedure Regarding Haul-by-Haul Submissions	<u>COM Doc. 18-27</u>
24	COM WP 18-23	Recommendations of the WG-BDS to forward to the NAFO Commission, May 2018	<u>COM Doc. 18-22</u>
25	STACTIC WP 18-18	Amendments to NAFO CEM Article 29 and Annex II.E – Vessel Monitoring System (VMS)	<u>COM Doc. 18-06</u>
26	STACTIC WP 18-21 (Rev.)	Amendments to NAFO CEM Article 10 – Stowage Plan Requirement at Checkpoint	<u>COM Doc. 18-07</u>
27	STACTIC WP 18-22 (Rev. 2)	Amendments to NAFO CEM Article 35 – Collection of DNA samples by inspectors during sea Pilot project on DNA Analysis	<u>COM Doc. 18-08</u>
28	STACTIC WP 18-27 (Rev. 3)	Amendments to NAFO CEM Article 28.5 – Stowage of Catch	<u>COM Doc. 18-09</u>
29	STACTIC WP 18-31 (Rev.)	Amendments to NAFO CEM Chapter VII – Port State Control	<u>COM Doc. 18-10</u>
30	STACTIC WP 18-35 (Rev. 2)	Amendments to NAFO CEM Article 37.4 – Distribution of Notification of Infringements	<u>COM Doc. 18-11</u>
31	STACTIC WP 18-41	Reinstatement of Footnote 14 into Article 6.3 for American Plaice bycatch provisions in the 3NO directed Yellowtail fishery	<u>COM Doc. 18-12</u>
32	STACTIC WP 18-43 (Rev. 3)	Amendments to NAFO CEM Article 12 – Catch reporting of individual sharks	<u>COM Doc. 18-13</u>
33	STACTIC WP 18-45 (Rev.)	Amendments to NAFO CEM Article 30 – Revision of the NAFO Observer Program	<u>COM Doc. 18-14</u>
34	STACTIC WP 18-28 (Rev. 4)	Action Plan to minimize or eliminate discards in NAFO	<u>COM Doc. 18-18</u>
35	STACTIC WP 18-29 (Rev. 2)	Annual Compliance Review 2018 (Compliance Report Fishing Year 2017)	<u>COM Doc. 18-19</u>
	Part III - STACFAD Report	Headquarters Agreement between Government of Canada and the Northwest Atlantic Fisheries Organization	<u>COM Doc. 18-24</u>
	Part III - STACFAD Report	Amendments to the NAFO Rules of Procedure	<u>COM Doc. 18-25</u>
	Part III - STACFAD Report	Amendments to the NAFO Financial Rules	<u>COM Doc. 18-26</u>

Annex 10. Agenda

I. Opening Procedure

1. Opening by the Chair, Stéphane Artano (France-SPM)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

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

6. Review of Membership of the Commission
7. Administrative and Activity Report
8. NAFO Headquarters Agreement
9. Review of the list of experts to serve as panelists under the NAFO Dispute Settlement provisions
10. Guidance to STACFAD necessary for them to complete their work
11. Guidance to STACTIC necessary for them to complete their work

III. Coordination of External Affairs

12. Report of Executive Secretary on External Meetings
13. International Relations
 - a. Relations with other International Organizations
 - b. NAFO Members as Observers to External Meetings
 - c. Areas Beyond National Jurisdiction (ABNJ) Deep-Seas Project
14. Oil and Gas Activities in the NAFO Regulatory

IV. Joint Session of Commission and Scientific Council

15. 2018 Performance Review
16. Presentation of scientific advice by the Chair of the Scientific Council
 - a. Response of the Scientific Council to the Commission's request for scientific advice
 - b. Other issues as determined by the Chairs of the Commission and Scientific Council
 - c. Feedback to the Scientific Council regarding the advice and its work during this Meeting
17. Meeting Reports of the Joint Commission–Scientific Council Working Groups
 - a. Working Group on Improving Efficiency of NAFO Working Group Process, 2018
 - b. Joint Commission–Scientific Council Working Group on Risk-based Management Strategies (WG-RBMS), August 2018
 - c. Joint Commission–Scientific Council Working Group on Ecosystems Approach Framework to Fisheries Management (WG-EAFFM), August 2018
 - d. Joint Commission–Scientific Council Catch Estimation Strategy Advisory Group (CESAG), 2018

18. Formulation of Request to the Scientific Council for Scientific Advice on Management in 2020 and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters

V. Conservation of Fish Stocks in the Regulatory Area

19. Recommendations of the Joint Commission–Scientific Council Working Group on Risk-based Management Strategies (WG-RBMS), August 2018 (if more discussion is required)
20. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2019
 - a. Cod in Division 3M
 - b. Shrimp in Division 3M
 - c. Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
 - d. Splendid alfonsino (*Beryx splendens*)
21. Management and Technical Measures for Fish Stocks Straddling National Jurisdictions, 2019
 - a. Cod in Divisions 3NO
 - b. American plaice in Divisions 3LNO
 - c. Yellowtail in Divisions 3LNO
 - d. Capelin in Divisions 3NO
 - e. Thorny skates in Divisions 3LNO
 - f. Greenland halibut in Subarea 2 and Divisions 3KLMNO
22. Other matters pertaining to Conservation of Fish Stocks
 - a. Redfish in Divisions 3LN
 - b. Witch flounder in Divisions 3NO
 - c. Shrimp in Divisions 3LNO
 - d. Greenland shark

VI. Ecosystem Considerations

23. Recommendations of the Joint Commission–Scientific Council Working Group on Ecosystems Approach Framework to Fisheries Management (WG-EAFFM), August 2018 (if more discussion is required)
24. Other matters pertaining to Ecosystem Considerations

VII. Conservation and Enforcement Measures

25. Review of Chartering Arrangements
26. Recommendations of the Joint Commission–Scientific Council Catch Estimation Strategy Advisory Group (CESAG), 2018 (if more discussion is required)
27. Meeting Report and Recommendations of the Ad hoc Working Group on Bycatches, Discards, and Selectivity (WG-BDS), May 2018
28. Report of STACTIC from this Annual Meeting and Recommendations
29. Other matters pertaining to Conservation and Enforcement Measures

VIII. Finance

- 30. Report of STACFAD from this Annual Meeting
- 31. Adoption of the 2019 Budget and STACFAD recommendations

IX. Closing Procedure

- 32. Other Business
- 33. Time and Place of Next Annual Meeting
- 34. Press Release
- 35. Adjournment

Annex 11. Opening Statement by the North Pacific Anadromous Fish Commission (NPAFC)

Dear Mr. Chair, distinguished delegates, ladies and gentlemen:

I am Vladimir Radchenko, Executive Director of the North Pacific Anadromous Fish Commission (NPAFC).

I am honoured to be here on behalf of the NPAFC as observer for the NAFO 40th Annual Meeting. I would like to extend the NPAFC's appreciation to members of the NAFO Commission and Executive Secretary Dr. Fred Kingston for the invitation.

This particular NAFO Annual Meeting is an event of considerable interest to the NPAFC. Despite distinctions in areas of responsibility, there are several important fields, where NAFO and NPAFC work together at the inter-organizational level. More than eight years have passed since the 2010 UN Review Conference described a modernizing of regional fisheries management organizations (RFMOs) as a priority and noted that progress had been made in reviewing the performance of RFMOs against emerging standards. At this meeting, the final report from the second NAFO Performance Review will be presented that NAFO organized first among the Canada-based fisheries management organizations. A question of performance review periodicity is critically important for the long-term strategic planning of the NPAFC, and your experience in this matter is very helpful to us.

This year, the NAFO is celebrating its 40th anniversary. During celebration, it is a good opportunity to obtain important information on the NAFO impact and achievements, strategic messages, and the future plans, especially taking into account that all of the NPAFC member countries are also the NAFO states. NAFO's stability and great performance is a good example for the NPAFC, which recently celebrated 25 years from the establishment.

Because the NAFO Commission will consider an appointment of NAFO members as observers to external meetings, I would like to take this opportunity to confirm that NPAFC looks forward to seeing the NAFO representative at the NPAFC 27th Annual Meeting in Portland, Oregon, U.S.A.

The NPAFC Committee on Enforcement (ENFO) resumed the workshop series to improve international cooperation in enforcement. In May 2018, there were discussions on how to operationalize organic Monitoring, Control, and Surveillance (MCS) knowledge and tools to improve the real-time coordination, information sharing, and to help operational planning. Discussions will be continued in Portland in May 2019.

The NPAFC is currently implemented the International Year of the Salmon (IYS) project launched together with the North Atlantic Salmon Conservation Organization (NASCO) and other partners. The IYS focal year will be 2019, with projects and activities starting in 2018 and continuing into 2022. The IYS is an international framework for collaborative research and outreach. Through the outreach efforts, the IYS will raise awareness of what humans can do to better ensure salmon and their varied habits are conserved and restored against the backdrop of increasing environmental variability. Despite NAFO does not deal with salmon, we expect that the model of implementation will be useful to our partners in development of similar programs.

Wishing the best of success and spirit of cooperation to the NAFO Annual Meeting,

Thank you for your kind attention.

Annex 12. Opening Statement by the Deep Sea Conservation Coalition (DSCC)

Chair, Heads of Delegation, Delegates and fellow Observers, on behalf of the Deep Sea Conservation Coalition and our 80+ member organizations, we are pleased this year to be attending as full observers to NAFO.

We have been actively engaged in NAFO for over a decade through our member organizations. We note that NAFO has made significant progress in the past 10 years on protecting vulnerable marine ecosystems in accordance with UNGA resolutions and in response to issues related to bottom fisheries that have been highlighted in the UNGA reviews of the implementation of the UN Fish Stocks Agreement. We also commend NAFO for completing its second performance review in 2018. While NAFO has been among the leaders amongst RFMOs in terms of making progress to reduce the impact of destructive fishing practices on vulnerable deep-sea ecosystems, we note that continued progress must be made to protect these vital ecosystems upon which NAFO fisheries depend and to protect marine biodiversity in areas beyond national jurisdiction – as is increasingly expected by the international community.

In keeping with making our recommendations clear and simple and in line with the ongoing work of the various working groups as well as Scientific Council, our expectations from this meeting include:

- NAFO close the remaining seamounts in the Corner Rise seamount chain to bottom fishing.
- NAFO add observer codes for VME indicator species to its observer protocol and begin assessment of observer data for VME encounters, as recommended by WG-EAFM.
- NAFO maintain closed area #14 until the full review of VME closures is completed in 2020.
- NAFO formally prohibit bottom trawling surveys in VME closed areas to minimize destruction of these fragile species and ecosystems and adopt non-destructive sampling in these areas.
- NAFO to direct Scientific Council to conduct a full assessment of bycatch of deep sea fisheries using the haul by haul data and take steps to restrict catches of deep sea sharks.
- NAFO formally address the unregulated Splendid Alphonso fishery and adopt science-based catch limits.
- NAFO adopt quota decisions based on science advice for all NAFO managed species
- NAFO continue to make progress on adopting an ecosystem approach to fisheries management, including using ecosystem production and total catch ceilings as the basis for science advice on quotas.
- NAFO develop a workplan to implement recommendations of the 2018 Performance Review.

We look forward to this week's discussions and deliberations and urge Contracting Parties continue to make progress on ecosystem level fisheries management. Noting the ongoing negotiations of a new treaty under UNCLOS to conserve biodiversity on the high seas, we strongly urge NAFO to continue its collaboration and cooperation with other sectoral bodies and begin to identify mechanisms where biodiversity protection is achieved across these sectoral management organizations.

Matthew Gianni, Co-Founder, Political and Policy Advisor, DSCC
Susanna Fuller, Board of Directors, DSCC

Annex 13. Opening Statement by the Shark League (Represented by Ecology Action Centre & Shark Trust)

Dear Distinguished Delegates:

The Shark League thanks the Government of Estonia for hosting this 40th Annual Meeting of NAFO in the enchanting city of Tallinn. We appreciate the opportunity to participate in the deliberations and share our perspectives.

The members of Shark League (Shark Trust, Ecology Action Centre, Shark Advocates International, and Project AWARE) focus on conservation of sharks and rays (elasmobranchs) because low reproductive capacity leaves most species especially vulnerable to overfishing.

We are concerned about the status of **thorny skates** (*Amblyraja radiata*). The NAFO Scientific Council (SC) has noted this species' low resilience to fishing pressure and little improvement under NAFO management. The NAFO Total Allowable Catch (TAC) for skates, however, has been set significantly above advised levels since it was agreed in 2004. The SC is once again recommending that thorny skate catches not exceed recent levels (~4000t). In addition, more detailed catch data are needed for scientists to develop a robust thorny skate assessment.

Deep-sea sharks are exceptionally slow-growing, as evidenced by numerous cases of serious population depletion around the world. Scientists estimate that Greenland sharks (*Somniosus microcephalus*) mature at ~150 years of age and can live 400 years or more. This species, and smaller deep-sea sharks, are taken in NAFO fisheries, yet catch data are lacking. In special advice commissioned in 2016, the SC is recommending a suite of measures to protect Greenland sharks, the most straight-forward of which is a prohibition on retention.

Accordingly, we urge NAFO to:

- reduce the thorny skate TAC from 7000t to 4000t, and
- prohibit the retention of deep-sea sharks, particularly the Greenland shark, and adopt
 - other measures to minimize incidental mortality.

In addition, to improve elasmobranch management over the long term, we seek:

- significantly increased observer coverage and elasmobranch catch reporting detail, and
- further SC deliberation into means for:
 - minimizing incidental mortality of vulnerable elasmobranchs, and
 - establishing precautionary reference points for a thorny skate rebuilding plan.

We believe that these actions are consistent with amended Convention commitments to prevent overfishing, ensure long-term sustainability, heed scientific advice, apply the precautionary approach, minimize incidental catch, protect marine ecosystems, and preserve biological diversity.

We hope that important strides in elasmobranch conservation will be made this week in Tallinn.

**Annex 14. NAFO Working Group to
Address the Recommendations of the 2018 Performance Review Panel**
(COM WP 18-46 (Rev. 3) now COM Doc. 18-21 Rev.)

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

#	CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY			
			COM	SC	SECRETARIAT	CPs
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	
		In relation to the adoption of consistent/compatible management measures, the NAFO Performance Review Panel:				

#	CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY			
			COM	SC	SECRETARIAT	CPs
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)		
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:				

#	CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY			
			COM	SC	SECRETARIAT	CPs
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 the self-assessments should be submitted to STACTIC in order for it to present a summary report to the Commission. [pg. 30] 	x (STACTIC)			x
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:				

#	CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY			
			COM	SC	SECRETARIAT	CPs
22.	IV.3.1	• Recommends NAFO evaluates and adopts appropriate measures to deter repeat serious non-compliance. [pg. 32]	x (STACTIC)			
23.	IV.3.2	• 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	• 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	• Recommends NAFO reorganizes its website library based on the topics covered. [pg. 36]			x	
26.	V.3.2	• 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:				

#	CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY			
			COM	SC	SECRETARIAT	CPs
27.	VI.2.1	• 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	• 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	• 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	• 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	• 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	
		VII. International Cooperation				
		In relation to cooperation with other international organizations, the NAFO Performance Review Panel:				
32.	VII.2.1	• Recommends NAFO strengthens and enhances cooperation with RFMOs and other relevant international organizations. [pg. 46]	x			
33.	VI.2.2	• 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	x	x		x

#	CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY			
			COM	SC	SECRETARIAT	CPs
		sustainable use of marine biological diversity of areas beyond national jurisdiction. [pg. 46]				
		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)			
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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Annex 15. SC Response to Feedback Questions regarding its Scientific Advice – Compilation (COM WP 18-50)

From Norway:

Revised Request [COM Working Paper 18-26 Rev.]

Further detail on this question was requested by the SC.

In response, Norway provided the following clarification:

Given the options in the provided table for yield in 2019, compute the projected yield in 2020 that would result in the same level of SSB2021 as the $F=0.75 F_{MSY}$ scenario (i.e. 32,204 t)

Original Request [COM Working Paper 18-26]

In relation to the Scientific Council's advice on Cod in 3M,

The projection table indicates that a substantial change in quota advice from 2019 to 2020 is to be expected as the fish from the good recruitment years is gradually being fished out. If the $75\%F_{msy}$ -approach used for the 2019 advice is applied also for 2020 to this year's assessment results, the projections table indicate a decrease in TAC of about 40% (from 20,796 t to 12,359t). If the Commission, for the purpose of promoting stability in the fishery, was to consider evening out the large variations in TACs going from 2018 to 2020, i.e. choose to accept a lower TAC for 2019 to allow for a larger TAC in 2020, what would be the cost in loss of biomass to natural mortality?

If possible, fill out the blanks in table below:

Option	Yield (tonnes)			loss
#	2019	2020	total	%
1	20 796	12 359	33 155	0 %
2	18 000			
3	16 000			
4	14 000			

Scientific Council responded: [COM Working Paper 18-40]

SC noted that the advice of June 2018 for 3M cod was made only for one year, as the development of a MSE is in progress for this stock and it is scheduled to be in force for the next Annual Meeting to generate the TAC for 3M cod for 2020.

Projections assuming catches in 2019 equal to 18000, 16000 and 14000 tons were produced, and yield for 2020 that maintains the SSB in 2021 at the same value as in the projections made in June ($F = \frac{3}{4} F_{lim}$, median SSB=32 204 with 90% of confidence interval of (23 660 – 42 420)) was computed. The results of these projections, including the risks, are below:

F ₂₀₂₀	Yield					P(B < B _{lim})				P(F > F _{lim})		
	2018	2019	2020	Total (2019+2020)	Loss (%)	2018	2019	2020	2021	2018	2019	2020
0.115	11145	20796	12359	33155	0.00%	<1%	<1%	<1%	1%	<1%	1%	5%
0.131	11145	18000	14450	32450	2.25%	<1%	<1%	<1%	1%	<1%	<1%	18%
0.142	11145	16000	15956	31956	3.82%	<1%	<1%	<1%	1%	<1%	<1%	32%
0.152	11145	14000	17458	31458	5.26%	<1%	<1%	<1%	1%	<1%	<1%	49%

Decreasing the catch in 2019 increases the catch in 2020 without jeopardizing the SSB in 2021, but at the expense of increasing rapidly the risk of being above F_{lim} in 2020. The loss in yield for the sum of 2019 and 2020 is between 2.25% and 5.26%.

From Canada
[COM Working Paper 18-34]

In relation to the Scientific Council's advice on 3NO Witch flounder,

Taking into account that the relative biomass is higher in 2018 than 2017 and is projected to increase further under all five removal scenarios considered by the recent assessment of the Scientific Council (including F_{msy}), and observing that the TAC has not been taken since the fishery re-opened in 2015, Canada requests the Scientific Council to comment on the difference in the following TAC/removal scenarios, in terms of biomass growth and probability of being below B_{lim} :

1. *No Directed Fishing in 2019 and 2020, with bycatch in the range of 300-400t that was observed during 2008-14 before the fishery was re-opened*

Scientific Council responded:
[COM Working Paper 18-41]

Catches in the range of 300 to 400 t are bracketed within the first two rows of the risk table provided in the summary sheet. The risk of $B < B_{lim}$ is between 20% and 22% in 2020 and between 15% and 19% in 2021. In terms of biomass growth, the probability that $B_{2021} > B_{2018}$ under this scenario would be between 67-72%.

2. *TAC of 1175t, which is the Commission's decision for 2019 that was made last year based on $2/3 F_{msy}=0.04$*

Scientific Council responded:

Catches of 1175 t in 2019 and 2020 are bracketed within 3rd and 4th rows of the risk table provided in the summary sheet. The risk of $B < B_{lim}$ is between 23% and 24% in 2020 and between 21-23% in 2021. In terms of biomass growth, the probability that $B_{2021} > B_{2018}$ under this scenario would be between 63-65%.

3. *TAC of 979t in 2019 and 1035t in 2020, using the re-calculated $2/3 F_{msy}=0.04$ that was the basis of the Commission's decision made last year*

Scientific Council responded:

Catches of 979 t in 2019 and 1035 t in 2020 correspond to row 3 of the risk table provided in the summary sheet. The risk of $B < B_{lim}$ is 23% 2020 and 21% in 2021. In terms of biomass growth, the probability that $B_{2021} > B_{2018}$ under this scenario would be 65%.

There is little difference in risk among these catch scenarios; however, in all cases, there is a 15% or greater risk of being below B_{lim} .

Projected yield (t) and the risk of $F > F_{lim}$, $B < B_{lim}$ and $B < B_{MSY}$ and probability of stock growth ($B_{2021} > B_{2018}$) under projected F values of $F=0$, F_{2017} , $2/3 F_{MSY}$, $85\% F_{MSY}$, and F_{MSY} .

	Yield 2019	Yield 2020	P(F>F _{lim})		P(B<B _{lim})			P(B<B _{MSY})			P(B ₂₀₂₁ >B ₂₀₁₈)
			2019	2020	2019	2020	2021	2019	2020	2021	
F=0	0	0	0	0	26%	20%	15%	96%	95%	93%	72%
F2017=0.03	740	792	7%	8%	26%	22%	19%	96%	95%	93%	67%
2/3 F _{msy} =0.04	979	1035	19%	20%	26%	23%	21%	96%	95%	94%	65%
85%F _{msy} =0.05	1248	1306	36%	37%	26%	24%	23%	96%	95%	94%	63%
F _{msy} =0.06	1468	1522	50%	50%	26%	25%	24%	96%	95%	94%	61%

**From Russian Federation:
[from COM Working Paper 18-27]**

On the Scientific Council proposal for the 3NO witch flounder moratorium in 2019-2020, made at the SC meeting in June 2018.

Considering the recommendation for the 3NO witch flounder made by the Scientific Council during the June meeting:

"... SC recommends that there be no directed fishing in 2019 and 2020",

Noting that the most recent assessment (2018) indicates increase in witch flounder biomass, abundance and recruitment, as well as decrease in fishing mortality,

Reviewing the projected biomass growth under all scenarios shown in the same assessment,

Respecting the witch flounder fishery as a source of stock information on par with the annual surveys,

Russian Federation would like to make the following requests from the Scientific Council:

1. *The 2017 witch flounder assessment has shown that almost all projected scenarios had the probability of fishing mortality getting above the F_{lim} rather high (15-42% for 2018, 16-43% for 2019), with the probability of biomass declining below the B_{lim} being within 18-19% and 16-19% for the same years respectively, even in case of no fishery. SC has decided to recommend the TAC in accord with the F₂₀₁₆ scenario, which did not have the lowest possible mortality value. The 2018 assessment has shown the improvement of the stock and comparable projected scenarios; however, SC has chosen to recommend the moratorium for directed witch flounder fishery despite having several scenarios, including a more sparing one in compare with previous years, available. Have there been any additional factors not included in the assessment that might have affected the SC decision?*

**Scientific Council responded:
[COM Working Paper 18-42]**

When Witch flounder Div 3NO was assessed in 2017, SC accepted the model but because of uncertainty related to the model fit and proximity to reference points, SC scheduled another assessment for 2018. In 2018, the model formulation was improved by adjusting to accommodate rapid declines in survey biomass indices from 2014-16 and the issue was resolved. The stock status was worse in 2018 than had been seen in 2017 (according to the 2017 assessment the stock was 52% B_{msy} versus 34% B_{msy} in the 2018 assessment). Because of this, the probability of being below B_{lim} was higher in 2018 (0.29 versus 0.15 in the 2017 assessment) and in all projections. The basis for the advice is that according to NAFO's PA framework (FC Doc 04-18) there should be a very low probability (e.g. 5-10%) of biomass being below B_{lim} and all projections carried out in 2018 indicated that all probabilities were greater than or equal to 15%.

In 2018, further evidence of ecosystem wide decline in productivity (NAFO SCS 18-19 page 170; SCS 17-16 page 22) made SC more certain both about this change in productivity and the ability of the model to accommodate it.

2. *The witch flounder assessment uses commercial fishery data as part of its input. Should there be no directed fishery for that stock, will the witch flounder bycatch data from other fisheries be enough to use in the assessment? In addition, if there will be no sufficient survey coverage for witch flounder, do there exist any methods of assessing the stock with such lack of data?*

Scientific Council responded:

If there is no directed fishery on this stock, the stock will still be assessed using all available information including bycatch data. This could be either by an analytical assessment or a survey-based assessment as before the re-opening of the fishery in 2015.

Witch flounder uses two annual scientific surveys (Canadian fall and spring surveys) to assess the stock and these surveys cover most of the distribution of witch flounder. These are expected to continue in future years so sufficient survey coverage would persist.

3. *Current Conservation and Enforcement Measures limit the 3NO witch flounder bycatch as 5% of haul or 1250 kg, whichever is greater. The rest of bycatch in case of no directed fishery would be inevitably discarded. Notwithstanding the 'move-on rule' when exceeding the mentioned limit (which only increases the time of fishery, without actually reducing the fishing effort), the systematic high bycatches of witch flounder do contribute to the increase in fishing mortality, regardless of whether the fish is retained or discarded. Has there been any research for the approximate amount of discard-related mortality increase. In general, are the bycatches and discards accounted for when assessing any stock and have they been accounted for when assessing the 3NO witch flounder.*

Scientific Council responded:

There has been no research on discard-related mortality for the witch flounder Div. 3NO stock. However, in NE US waters discard mortality was found to be 52% after 1.5-3 hours. Tow duration was not recorded and the study was based on a small sample size of juvenile witch flounder (27 animals, Hendrickson and Nies 2007; Ross and Hokenson 1997) caught at a depth of 110 m. This is likely an under-estimate as the mortality was only recorded for a up to 3 hours or less. Additionally, it has been found that witch flounder die after 15 min of exposure to air (Davis 2002).

Data on discards are included in the catch estimates that have been produced using the CESAG/CDAG method. Bycatches and discards are accounted for in all assessments including witch flounder.

References

Hendrickson, L. and T. Nies (2008). Discard and gear escapement survival rates of some Northeast groundfish species. Groundfish Assessment Review meeting, NOAA. Draft working paper.

Ross, M.R. and S.R. Hokenson 1997. Short-term mortality of discarded finfish bycatch in the Gulf of Maine fishery for northern shrimp *Pandalus Borealis*. *N. Am. J. Fish. Man.* 17: 902-907.

From Norway
[COM Working Paper 18- 43]

(In plenary) regarding Alfonsino catches,

1. What are the “current levels” (SC advice grey box):

- a. The average of STATLANT 21 catch figures for the period 2009-2017
- b. The average of STATLANT 21 catch figures for a selected number of years during the period 2009-2017? If yes, which years?
- c. The average of STACFIS catch figures for the period 2009-2017?
- d. The average of STACFIS catch figures for a selected number of years during the period 2009-2017? If yes, which years?

Scientific Council responded:
[COM Working Paper 18-44]

“Current levels” of catches, using the same number of years as in the 2015, advice is 139 t. The table below has catch data from:

- STATLANT 21A data available during June SC 2018
- STATLANT 21A data available during September 2018
- STACFIS estimates

	Alfonsino Catches (t) Div. 6G									Mean
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2012-2017
STATLANT June 2018 ¹		53		298	112	118	77		51	109
STATLANT Sep 2018		53		298	112	118	77	129	51	131
STACFIS	479	52	152	302	114	118	122	127	51 ²	139

SC reiterates its advice that it is unable to advise on an appropriate TAC for this stock.

2. How are the STACFIS catch estimates as tabled in the advice sheet derived?

Scientific Council responded:

Due to the problems with the availability and quality of the STATLANT, the catches used in the STACFIS are based on the data collected by NAFO and scientific observers until the year 2016. The 2017 catches are those estimated by CESAG.

3. What is the explanation for using STACFIS figures – if that is the case – rather than the officially reported STATLANT 21 figures?

-
- 1 Note that in the table in June 2018 SC report, the STATLANT values for the period 2012 to 2015 were accidentally reversed
 - 2 Mistakenly reported as 55 t in the June 2018 SC report.

Scientific Council responded:

STACFIS estimates were used because they were considered more reliable. This is consistent with other stocks (eg. Brodie 2013, History of catch estimates, SCR 13-051).

From Norway:**[COM Working Paper 18-48]*****(In plenary) regarding the Div. 3M Cod MSE,***

Can SC confirm that HCRs with starting points (TAC for 2020) which are independent of the 2019 TAC – e.g. not constrained by “max/min variation constraint” – will also be explored during the MSE process for 3M cod?

Scientific Council responded:**[COM Working Paper 18-49]**

RBMS is the main body tasked to develop the HCRs to be tested and any adopted HCR would have to be compliant with the prescribed management objectives. Expecting a similar procedure as for GHJ a variety of HCRs will indeed be tested. In this case with the expected low recruitment to the fishable stock in the coming years, it is likely that a range of starting points (2020 TAC) will need to be tested in order to meet management objectives, independent of the 2019 TAC.

Annex 16. Recommendations of the NAFO Working Group on Improving Efficiency of NAFO Working Group Process, 2018

(COM-SC WP 18-08 **now** COM-SC Doc. 18-07)

The Working Group on Improving Efficiency of NAFO Working Group Process recommends that:

- **For the 2017-2018 NAFO year, the following two-week periods, be considered for NAFO intersessional meetings:**
 - **25 February – 8 March 2019**
 - **29 April –10 May 2019 (including STACTIC intersessional meeting)**
 - **08 – 19 July 2019**

**Annex 17. Recommendations of the WG-RBMS to forward to the
NAFO Commission and Scientific Council, 2018**
(COM-SC WP 18-06 **now** COM-SC Doc. 18-05)

The NAFO Joint Fisheries Commission-Scientific Council Working Group on Risk-Based Management Strategies (WG-RBMS) met in August of 2018 (COM-SC Doc. 18-02) and agreed on the following recommendations to forward to the NAFO Commission and Scientific Council:

The WG-RBMS **recommends** that:

- **The Commission adopt the Exceptional Circumstances Protocol for 2+3KLMNO Greenland halibut management strategy as reflected in Annex 3. The Protocol would be inserted as Annex I.G in the NAFO Conservation and Enforcement Measures.**
- **The Commission and Scientific Council consider and endorse the revised calendar for the development of the 3M Cod MSE as reflected in Annex 4 of this report (COM-SC Doc. 18-02).**
- **The Commission and the Scientific Council continue their work on the NAFO PA Framework.**
- **The Commission approve the corrections in Annex I.F of the NCEM as reflected in Annex 5 of this report (COM-SC Doc. 18-02).**

Annex 3. Draft Exceptional Circumstances Protocol for the
Greenland halibut Management Procedure
(from COM-SC Doc. 18-02)

The following criteria constitute Exceptional Circumstances:

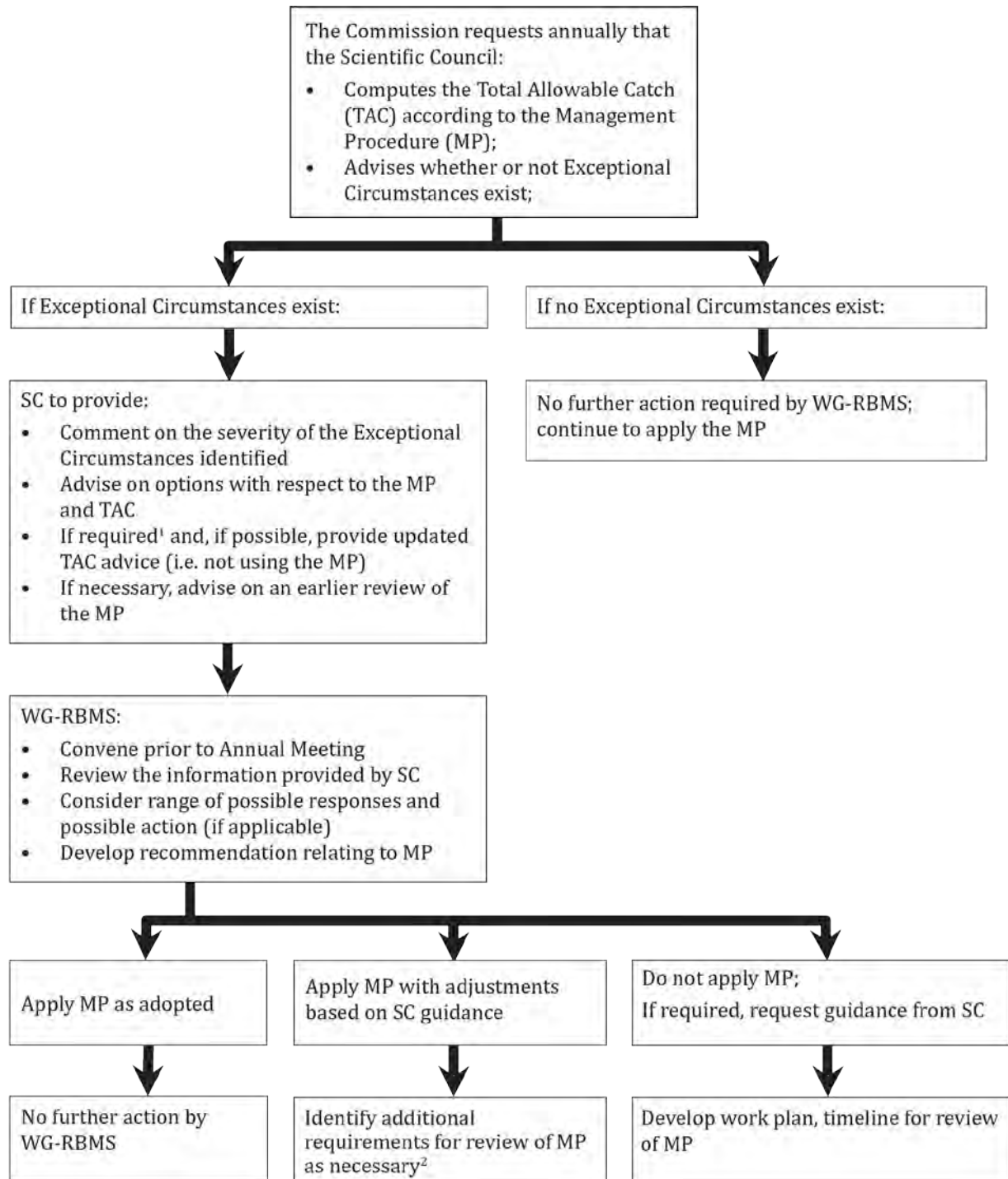
1. Missing survey data:
 - More than one value missing, in a five-year period, from a survey with relatively high weighting in the HCR (Canadian Fall 2J3K, Canadian Fall 3LNO, and EU 3M surveys);
 - More than two values missing, in a five-year period, from a survey with relatively low weighting in the HCR (Canadian Spring 3LNO and EU-Spain 3NO surveys);
2. The composite survey index used in the HCR, in a given year, is above or below the 90 percent probability envelopes projected by the base case operating models from SSM and SCAA under the MS; and
3. TACs established that are not generated from the MP

The following elements will require application of expert judgment to determine whether Exceptional Circumstances are occurring:

4. the five survey indices relative to the 80, 90, and 95 percent probability envelopes projected by the base case operating models (SSM and SCAA) for each survey;
5. survey data at age four (age before recruitment to the fishery) compared to its series mean to monitor the status of recruitment; and
6. discrepancies between catches and the TAC calculated using the MP.³

Figure 1 illustrates the actions to be taken in Exceptional circumstances.

³ Noting that 10% exceedance of TAC was tested during MSE.



¹ For example, where the SC determines that, in the light of identified exceptional circumstances, the application of the TAC generated by the MP may not be appropriate.

² This review may include updated assessment, sensitivity analysis, etc.

Figure 1. Decision tree illustrating actions to be taken in the event of Exceptional Circumstances.

Annex 4. Revised calendar for the development of 3M Cod MSE
(from COM-SC Doc. 18-02)

The table below shows actions required to complete the MSE process, the parties responsible for their completion, and indicative dates that would enable the process to be completed by September 2019.

Validation of code by independent analysts was initially suggested as a separate step towards the end of the process. It is considered to be unlikely that this could be done in the time available although this will remain under consideration. An alternative option would be that external validation could be achieved through some sort of continuous external review throughout the process.

Dates	Action	Responsibility
Fall 2018	Development of OMs	Analysts
	Testing of HCRs	Analysts
	Development of Projection Specifications	Analysts
	Proposals for full set of MO/PS/Risks	Analysts
	Develop Trials Specification document (to be updated as the process continues)	Analysts
	Arrange repository for code and results	Secretariat
January 2019	Review OMs and approve initial set of OMs, including the acceptability of their conditioning, and/or suggest further refinements	SC
	Approve Projection Specifications	SC
	Comments on initial set of HCR (if required)	SC
Feb-March 2019	Test initial/refined HCRs using initial/refined set of OMs	Analysts
March 2019	Review initial MSE results	WG-RBMS
	Update and possibly finalize PS and associated risk levels	WG-RBMS
	Indicate where improvements in performance are most required to guide analysts in revising HCRs	WG-RBMS
April – May 2019	Implement HCR improvements	Analysts
	Propose plausibility weightings for OMs (if required)	Analysts
June 2019 SC Meeting	Review refined OMs and approve final set of OMs, including the acceptability of their conditioning	SC
	Review results from refined HCRs and cull those HCRs not needing further consideration	SC
	Agree plausibility weightings of OMs (though subject to endorsement by RBMS)	SC
Summer 2019. (potentially an additional day on the end of the SC June meeting or separate July meeting, possibly by Webex)	Finalize PS and associated risk levels –	WG-RBMS
	Endorse plausibility weightings of OMs	WG-RBMS
August-early September 2019	Run tests of a final set of HCRs on finalized OMs and prepare consolidated results –	Analysts
preceding NAFO AM 2019	Review results of MSE for revised HCRs & recommendation to Commission –	WG-RBMS

**Annex 5. Changes in Greenland halibut Harvest Control Rule in Annex I.F of the NCEM
(from COM-SC Doc. 18-02)**

Revision of NCEM Annex I.F

Greenland halibut Management ~~Strategy~~ Procedure

Proposed changes to Annex I.F to reflect the original intention in the Greenland halibut management strategy adopted by the Commission in 2017.

Annex I.F

Greenland halibut Management ~~Strategy~~ Procedure

The harvest control rule (HCR) will adjust the total allowable catch (TAC) from year (y) to year ($y+1$), according to:

a combination of a “target based” and a “slope based” rule detailed below.

Target based (t)

The basic harvest control rule (HCR) is:

$$TAC_{y+1} = TAC_y (1 + \gamma(J_y - 1)) \quad (1)$$

where

TAC_y is the TAC recommended for year y ,

γ is the “response strength” tuning parameter,

J_y is a composite measure of the immediate past level in the mean ~~weight per tow from surveys (I_y^i) abundance indices~~ that are available to use for calculations for year y ; ~~for this base case CMP~~ five series ~~have been~~ are used, with $i = 1, 2, 3, 4$ and 5 corresponding respectively to Canada Fall 2J3K, EU 3M 0-1400m, Canada Spring 3LNO, EU 3NO and Canada Fall 3LNO:

$$J_y = \sum_{i=1}^5 \frac{1}{(\sigma^i)^2} \frac{J_{current \text{ ~~eff~~}, y}^i}{J_{target}^i} / \sum_{i=1}^5 \frac{1}{(\sigma^i)^2} \quad (2)$$

with

$(\sigma^i)^2$ being the estimated variance for index i (estimated in the SCAA model fitting procedure, see Table 1)

$$J_{current \text{ ~~eff~~}, y}^i = \frac{1}{q} \sum_{y'=y-q}^{y-1} I_{y'}^i \quad (3)$$

$$J_{target}^i = \alpha \frac{1}{5} \sum_{y'=2011}^{2015} I_{y'}^i \quad (\text{where } \alpha \text{ is a control/tuning parameter for the } \text{CMPMP}) \quad (4)$$

Note the assumption that when a TAC is set in year y for year $y+1$, indices will not at that time yet be available for the current year y .

Slope based (s)

The basic harvest control rule (HCR) is:

$$TAC_{y+1} = TAC_y [1 + \lambda_{up/down} (s_y - X)] \quad (5)$$

where

$\lambda_{up/down}$ and X are tuning parameters,

s_y is a measure of the immediate past trend in the survey-based abundance indices, computed by linearly regressing $\ln I_{y'}^i$ vs year y' for $y' = y - 5$ to $y' = y - 1$, for each of the five surveys considered, with

$$s_y = \sum_{i=1}^5 \frac{1}{(\sigma^i)^2} s_y^i / \sum_{i=1}^5 \frac{1}{(\sigma^i)^2} \quad (6)$$

with the standard error of the residuals of the observed compared to model-predicted logarithm of survey index i (σ^i) estimated in the SCAA base case operating model.

Combination Target and Slope based (s+t)

For the target and slope-based combination:

- 1) TAC_{y+1}^{target} is computed from equation (1),
- 2) TAC_{y+1}^{slope} is computed from equation (5), and
- 3) $TAC_{y+1} = (TAC_{y+1}^{target} + TAC_{y+1}^{slope})/2$

Finally, constraints on the maximum allowable annual change in TAC are applied, viz.:

$$\text{if } TAC_{y+1} > TAC_y(1 + \Delta_{up}) \text{ then } TAC_{y+1} = TAC_y(1 + \Delta_{up}) \quad (7)$$

and

$$\text{if } TAC_{y+1} < TAC_y(1 - \Delta_{down}) \text{ then } TAC_{y+1} = TAC_y(1 - \Delta_{down}) \quad (8)$$

The control parameters for the ~~recommended adopted MP~~ ~~MP: CMP16.5-s+t~~ are shown in Table 2 ~~with a starting TAC of 16 500 t in 2018. Missing survey values are treated as missing in the calculation of the rule as in the MSE.~~

Table 1. The weights given to each survey in obtaining composite indices of abundance are proportional to the inverse squared values of the survey error standard deviations σ^i listed below.

Survey	σ^i
Canada Fall 2J3K	0.22
EU 3M 0-1400m	0.21
Canada Spring 3LNO	0.49
EU 3NO	0.38
Canada Fall 3LNO	0.26

Table 2. Control parameter values for the MPs recommended. The parameters α and X were adjusted to achieve a median biomass equal to B_{msy} for the exploitable component of the resource biomass in 2037.

TAC_{2018}	16 500 tonnes
γ	0.15
q	3
α	0.972
λ_{up}	1.00
λ_{down}	2.00
X	-0.0056
Δ_{up}	0.10
Δ_{down}	0.10

Annex 18. Recommendations of the WG-EAFFM to forward to the NAFO Commission and Scientific Council, 2018

(COM-SC WP 18-07 **now** COM-SC Doc. 18-06)

The NAFO Joint Fisheries Commission-Scientific Council Working Group on Ecosystem Approach Framework to Fisheries Management (WG-EAFFM) met in August of 2018 (COM-SC Doc. 18-03) and agreed on the following recommendations from the WG-EAFFM to the NAFO Commission and Scientific Council:

The WG-EAFFM **recommends** that:

- In relation to the evaluation of impact of scientific trawl surveys on VMEs in closed areas, Contracting Parties consider possible options for non-destructive regular monitoring within closed areas, bearing in mind cost implications and the utility of data collected for provision of advice.

In relation to implementation of the Ecosystem Approach Roadmap, WG-EAFFM continue to make progress on the Ecosystem Approach Roadmap, acknowledging the general concepts of Ecosystem Production Potential (EPP) as a useful step towards implementation of EAFFM.

The Scientific Council continue to refine its work under the ecosystem approach road map, including testing the reliability of the ecosystem production potential model and other related models, and to report on these results to the WG-EAFFM to further develop how it may apply to management decisions.

- WG-EAFFM work to reconsider the terminology used in the Ecosystem Summary Sheets in order to avoid potential confusion with standard terminology in fisheries management, as well as considering their potential ability to inform management decisions.
- In relation to the area #14, the Scientific Council include it in its review of closed areas in 2020, irrespective of the decision on continuing or not this closure after 2018, which remains to be considered by the Commission.
- In relation to the assessment of significant adverse impacts (SAI), SC maintain efforts to assess all of the six FAO criteria, including the three FAO functional SAI criteria (Article 18 of the FAO international Guidelines for the management of deep-sea fisheries in the High Seas) which could not be evaluated in the current assessment.
- In relation to FAO three letter codes for VME indicator species, the existing taxa list in Annex I.E. Part VI of the NCEM be updated with the FAO ASFIS codes as listed in Annex 4 of this report.
- The Scientific Council review the proposed revisions to Annex I.E. Part VI as reflected in COM-SC EAFFM-WP 18-01, and to compare the consistency of the list of taxa in that Annex to the VME species guide with a view to recommend updates, as necessary.
- The Secretariat to work with the FAO to develop new ASFIS codes, as necessary, for those taxa listed in Annex I.E Part VI.

Annex 4. FAO ASFIS 3-alpha FAO codes of VME indicator species
(from COM-SC Doc 18-03)

The following table lists the current NAFO VME Indicator Species as found in Annex I.E Part VI. of the NAFO CEM with the available ASFIS 3-Alpha codes.

Benthic Invertebrate VME Indicator Species			
Common name of taxonomic group	Known Taxon	Family	Phylum
Large-sized sponges (SPO)	<i>Iophon piceum</i> (WJP)	Acarinidae	Porifera
	<i>Stelletta normani</i>	Ancorinidae	
	<i>Stelletta</i> sp. (WSX)	Ancorinidae	
	<i>Stryphnus ponderosus</i>	Ancorinidae	
	<i>Axinella</i> sp.	Axinellidae	
	<i>Phakellia</i> sp.	Axinellidae	
	<i>Esperiopsis villosa</i> (ZEW)	Esperiopsidae	
	<i>Geodia barretti</i>	Geodiidae	
	<i>Geodia macandrewii</i>	Geodiidae	
	<i>Geodia phlegraei</i>	Geodiidae	
	<i>Mycale</i> (<i>Mycale</i>) <i>lingua</i> (YHL)	Mycalidae	
	<i>Thenea muricata</i>		
	<i>Polymastia</i> spp. (ZPY)	Pachastrellidae	
	<i>Weberella bursa</i>	Polymastiidae	
	<i>Weberella</i> sp. (ZWB)	Polymastiidae	
	<i>Asconema foliatum</i> (ZBA)	Rossellidae	
	<i>Craniella cranium</i>	Tetillidae	
Stony corals (CSS) (known seamount species may not occur in abundance in the NRA)	<i>Lophelia pertusa</i> (LWS)	Caryophylliidae	Cnidaria
	<i>Solenosmilia variabilis</i> (RZT)	Caryophylliidae	
	<i>Enallopsammia rostrata</i> (FEY)	Dendrophylliidae	
	<i>Madrepora oculata</i> (MVI)	Oculinidae	
Small gorgonian corals (GGW)	<i>Anthothela grandiflora</i> (WAG)	Anthothelidae	Cnidaria
	<i>Chrysogorgia</i> sp. (FHX)	Chrysogorgiidae	
	<i>Radicipes gracilis</i> (CZN)	Chrysogorgiidae	
	<i>Metallogorgia melanotrichos</i>	Chrysogorgiidae	
	<i>Acanella arbuscula</i>	Isididae	
	<i>Acanella eburnea</i>	Isididae	
	<i>Swiftia</i> sp.	Plexauridae	
Large gorgonian corals (GGW)	<i>Narella laxa</i>	Primnoidae	Cnidaria
	<i>Acanthogorgia armata</i> (AZC)	Acanthogorgiidae	
	<i>Iridogorgia</i> sp.	Chrysogorgiidae	
	<i>Corallium bathyrrubrum</i>	Coralliidae	
	<i>Corallium bayeri</i>	Coralliidae	

	<i>Keratoisis ornata</i> (KRY)	Isididae	
	<i>Keratoisis</i> sp.	Isididae	
	<i>Lepidisis</i> spp. (QEX)	Isididae	
	<i>Paragorgia arborea</i> (BFU)	Paragorgiidae	
	<i>Paragorgia johnsoni</i> (BFV)	Paragorgiidae	
	<i>Paramuricea grandis</i>	Plexauridae	
	<i>Paramuricea placomus</i>	Plexauridae	
	<i>Paramuricea</i> spp. (PZL)	Plexauridae	
	<i>Placogorgia</i> sp.	Plexauridae	
	<i>Placogorgia terceira</i>	Plexauridae	
	<i>Calyptrophora</i> sp.	Primnoidae	
	<i>Parastenella atlantica</i>	Primnoidae	
	<i>Primnoa resedaeformis</i>		
	(QOE)	Primnoidae	
	<i>Thouarella grasshoffi</i>	Primnoidae	
Sea pens (NTW)	<i>Anthoptilum grandiflorum</i>	Anthoptilidae	Cnidaria
	<i>Funiculina quadrangularis</i>		
	(FOI)	Funiculinidae	
	<i>Halipteris</i> cf. <i>christii</i>	Halipteridae	
	<i>Halipteris finmarchica</i> (HFM)	Halipteridae	
	<i>Halipteris</i> spp. (ZHX)	Halipteridae	
	<i>Kophobelemnnon stelliferum</i>		
	(KVF)	Kophobelemnidae	
	<i>Pennatula aculeata</i> (QAC)	Pennatulidae	
	<i>Pennatula grandis</i>	Pennatulidae	
	<i>Pennatula</i> sp.	Pennatulidae	
	<i>Distichoptilum gracile</i> (WDG)	Protoptilidae	
	<i>Protoptilum</i> sp.	Protoptilidae	
	<i>Umbellula lindahli</i>	Umbellulidae	
	<i>Virgularia</i> cf. <i>mirabilis</i>	Virgulariidae	
Tube-dwelling anemones	<i>Pachycerianthus borealis</i>	Cerianthidae	Cnidaria
	(WQB)		
Erect bryozoans (BZN)	<i>Eucratea loricata</i> (WEL)	Eucrateidae	Bryozoa
Sea lilies (Crinoids) (CWD)	<i>Trichometra cubensis</i>	Antedonidae	Echinodermata
	<i>Conocrinus lofotensis</i> (WCF)	Bourgueticrinidae	
	<i>Gephyrocrinus grimaldii</i>	Hyocrinidae	
Sea squirts (SSX)	<i>Boltenia ovifera</i> (WBO)	Pyuridae	Chordata
	<i>Halocynthia aurantium</i>	Pyuridae	

**Annex 19. Recommendations of the CESAG to forward to the
NAFO Commission and Scientific Council, 2018**
(COM-SC WP 18-05 **now** COM-SC Doc. 18-04 Rev.)

The NAFO Joint Commission-Scientific Council Catch Estimation Strategy Advisory Group (CESAG) met via WebEx on 26 April 2018 (NAFO COM-SC Doc. 18-01) and agreed on the following recommendations to forward to the NAFO Commission and Scientific Council.

The CESAG **recommends** that:

- **The Secretariat, on behalf of CESAG, forward to Scientific Council, for consideration in its fish stock assessment work, the updated 2017 catch estimates as contained in CESAG WP 18-01 (Revised 2);**
- **Noting the specific duty of CESAG to consider and identify potential refinements of the Catch Estimate Strategy *including the incorporation of haul-by-haul data within the strategy* and noting the compliance issues with regards to the submission of the haul by haul reports, CESAG requests the Commission to consider some formal follow-up procedure to Contracting Parties with the aim of improving the compliance to the haul by haul submission requirement.**

Annex 20. The Commission's Request for Scientific Advice on Management in 2020 and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters

(COM WP 18-51 (Rev. 2) **now** COM Doc. 18-20)

Following a request from the Scientific Council, the Commission agreed that items 1, 2, 3, 4, and 12 should be the priority for the June 2019 Scientific Council meeting. Items 4 and 12 were identified as top priorities for Scientific Council subject to resources.

1. The Commission requests that the Scientific Council provide advice for the management of the fish stocks below according to the assessment frequency presented below. In keeping with the NAFO Precautionary Approach Framework (FC Doc. 04/18), the advice should be provided as a range of management options and a risk analysis for each option (rather than a single TAC recommendation) and the actual risk level should be decided upon by managers.

Yearly basis	Two-year basis	Three-year basis
Cod in Div. 3M Northern shrimp in Div. 3M	Redfish in Div. 3M Northern shrimp in Div. 3LNO Thorny skate in Div. 3LNO Witch flounder in Div. 3NO Redfish in Div. 3LN	American Plaice in Div. 3LNO American Plaice in Div. 3M Capelin in Div. 3NO Northern shortfin squid in SA 3+4 Redfish in Div. 3O Yellowtail flounder in Div. 3LNO Greenland halibut in Div. 2+3KLMNO Splendid alfonsino in SA 6

To implement this schedule of assessments, the Scientific Council is requested to conduct a full assessment of these stocks as follows:

In 2019, advice should be provided for 2020 for Cod in 3M (subject to the outcomes of the Management Strategy Evaluation process) and Northern shrimp in 3M. With respect to Northern shrimp in 3M, SC is requested to provide its advice to the Commission prior to the 2019 Annual Meeting.

In 2019, advice should be provided for 2020 and 2021 for: Redfish in 3M, White hake in 3NO, and Northern shrimp in 3LNO.

In 2019, advice should be provided for 2020, 2021 and 2022 for: Northern shortfin squid in SA 3+4, and Redfish in 3O.

Advice should be provided using the guidance provided in **Annexes A or B as appropriate**, or using the predetermined Harvest Control Rules in the cases where they exist (currently 3LN Redfish and Greenland halibut 2+3KLMNO).

The Commission also requests the Scientific Council to continue to monitor the status of all other stocks annually and, should a significant change be observed in stock status (e.g. from surveys) or in bycatch in other fisheries, provide updated advice as appropriate.

2. In 2019, the Commission requests Scientific Council to conduct a full assessment of Witch Flounder in Div. 3NO. The advice should be provided for 2020 and 2021.

3. The Commission requests the Scientific Council to monitor the status of Greenland halibut in Subarea 2+Div 3KLMNO annually to compute the TAC using the agreed HCR and determine whether exceptional circumstances are occurring. If exceptional circumstances are occurring, the exceptional circumstances protocol will provide guidance on what steps should be taken.
4. The Commission requests the Scientific Council to implement the steps as described in the revised calendar (COM/SC Doc 18-02, Annex 4 relevant to the SC for progression of the 3M Cod Management Strategy Evaluation for 2019).
5. The Commission requests that Scientific Council continue its evaluation of the impact of scientific trawl surveys on VME in closed areas, and the effect of excluding surveys from these areas on stock assessments.
6. The Commission requests the Scientific Council to implement the steps of the Action plan relevant to the SC and in particular the tasks identified under section 2.2 of the Action Plan, for progression in the management and minimization of Bycatch and discards (COM Doc 17-26).
7. The Commission requests Scientific Council to conduct a full assessment on 3M golden Redfish in 2019 and, acknowledging that there are three species of redfish that exist in 3M and are difficult to separate in the catch, provide advice on the implications for catch reporting and stock management.
8. The Commission requests the Scientific Council to continue to refine its work under the Ecosystem Approach Road Map, including testing the reliability of the ecosystem production potential model and other related models, and to report on these results to both the WG – EAFFM and WG- RBMS to further develop how it may apply to management decisions.
9. In relation to the assessment of NAFO bottom fisheries, the Commission endorsed the next re-assessment in 2021 and that the Scientific Council should:
 - Assess the overlap of NAFO fisheries with VME to evaluate fishery specific impacts in addition to the cumulative impacts;
 - Consider clearer objective ranking processes and options for objective weighting criteria for the overall assessment of significant adverse impacts and the risk of future adverse impacts;
 - Maintain efforts to assess all of the six FAO criteria (Article 18 of the FAO International Guidelines for the Management of Deep Sea Fisheries in the High Seas) including the three FAO functional SAI criteria which could not be evaluated in the current assessment (recovery potential, ecosystem function alteration, and impact relative to habitat use duration of VME indicator species).
 - Continue to work on non-sponge and coral VMEs (for example bryozoan and sea squirts) to prepare for the next assessment.
10. Review the proposed revisions to Annex I.E, Part VI as reflected in COM/SC WG –EAFFM WP 18-01, for consistency with the taxa list annexed to the VME guide and recommend updates as necessary.
11. The Commission requests Scientific Council to conduct a re-assessment of VME closures by 2020, including area #14.
12. The Commission requests the Scientific Council to continue progression on the review of the NAFO PA Framework.
13. According to the Scientific Advice for years 2019, 2020 and 2021, fishing should not be allowed to expand above current levels on Kükenthal Peak (Div. 6G, part of the Corner Rise seamount

chain). To allow this recommendation to be enforceable the Commission requests the Scientific Council to provide the map and coordinates of the Kükenthal Peak.

14. The Commission requests Scientific Council work with WG- BDS to identify areas and times where bycatch and discards of Greenland sharks have a higher rate of occurrence. This work will support WG-BDS in developing appropriate management recommendations, including safe handling practises for live release of Greenland sharks, for consideration by the Commission at its 2021 Annual Meeting.
15. The Commission requests Scientific Council to 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.
16. The Commission requests Scientific Council to take the first steps to develop a 3-5 year work plan, which reflects requests arising from the 2018 Annual Meeting, other multi-year stock assessments and other scientific inquiries already planned for the near future. The work plan should identify what resources are necessary to successfully address these issues, gaps in current resources to meet those needs and proposed prioritization by the Scientific Council of upcoming work based on those gaps.

ANNEX A: Guidance for providing advice on Stocks Assessed with an Analytical Model

The Commission request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above. These evaluations should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, in determining its management of these stocks:

- For stocks assessed with a production model, the advice should include updated time series of:
 - Catch and TAC of recent years
 - Catch to relative biomass
 - Relative Biomass
 - Relative Fishing mortality
 - Stock trajectory against reference points
 - And any information the Scientific Council deems appropriate.

Stochastic short-term projections (3 years) should be performed with the following constant fishing mortality levels as appropriate:

- For stocks opened to direct fishing: $2/3 F_{msy}$, $3/4 F_{msy}$, $85\% F_{msy}$, $75\% F_{2018}$, F_{2018} , $125\% F_{2018}$,
- For stocks under a moratorium to direct fishing: F_{2018} , $F = 0$.

The first year of the projection should assume a catch equal to the agreed TAC for that year.

Results from stochastic short-term projection should include:

- The 10%, 50% and 90% percentiles of the yield, total biomass, spawning stock biomass and exploitable biomass for each year of the projections
- The risks of stock population parameters increasing above or falling below available biomass and fishing mortality reference points. The table indicated below should guide the Scientific Council in presenting the short-term projections.

				Limit reference points													
				P(F>F _{lim})			P(B<B _{lim})			P(F>F _{msy})			P(B<B _{msy})			P(B ₂₀₂₁ > B ₂₀₁₇)	
F in 2018 and following years*	Yield 2019 (50%)	Yield 2020 (50%)	Yield 2021 (50%)	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021		
$2/3 F_{msy}$	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%
$3/4 F_{msy}$	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%
$85\% F_{msy}$	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%
F_{msy}	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%
$0.75 \times F_{2018}$	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%
F_{2018}	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%
$1.25 \times F_{2018}$	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%
$F=0$	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%

2. For stock assessed with an age-structured model, information should be provided on stock size, spawning stock sizes, recruitment prospects, historical fishing mortality. Graphs and/or tables should be provided for all of the following for the longest time-period possible:
- historical yield and fishing mortality;
 - spawning stock biomass and recruitment levels;
 - Stock trajectory against reference points

And any information the Scientific Council deems appropriate

Stochastic short-term projections (3 years) should be performed with the following constant fishing mortality levels as appropriate:

- For stocks opened to direct fishing: $F_{0.1}$, F_{max} , $2/3 F_{max}$, $3/4 F_{max}$, $85\% F_{max}$, $75\% F_{2018}$, F_{2018} , $125\% F_{2018}$,
 - For stocks under a moratorium to direct fishing: F_{2018} , $F = 0$.
- The first year of the projection should assume a catch equal to the agreed TAC for that year.

Results from stochastic short-term projection should include:

- The 10%, 50% and 90% percentiles of the yield, total biomass, spawning stock biomass and exploitable biomass for each year of the projections
- The risks of stock population parameters increasing above or falling below available biomass and fishing mortality reference points. The table indicated below should guide the Scientific Council in presenting the short-term projections.

				Limit reference points															P(B2021 > B2017)
				P(F.>F _{lim})			P(B<B _{lim})			P(F>F0.1)			P(F>F _{max})						
F in 2018 and following years*	Yield 2019	Yield 2020	Yield 2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021				
F0.1	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		
F _{max}	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		
66% F _{max}	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		
75% F _{max}	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		
85% F _{max}	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		
0.75 X F ₂₀₁₈	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		
F ₂₀₁₈	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		
1.25 X F ₂₀₁₈	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%		%		

ANNEX B. Guidance for providing advice on Stocks Assessed without a Population Model

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.

The following graphs should be presented, for one or several surveys, for the longest time-period possible:

- a) time trends of survey abundance estimates
- b) an age or size range chosen to represent the spawning population
- c) an age or size-range chosen to represent the exploited population
- d) recruitment proxy or index for an age or size-range chosen to represent the recruiting population.
- e) fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the exploited population.
- f) Stock trajectory against reference points

And any information the Scientific Council deems appropriate.

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Annex 21. 2019 Quota Table

CATCH LIMITATIONS – Article 5. Total allowable catches (TACs) and quotas (metric tons in live weight) for 2019 of particular stocks in Subareas 1-4 of the NAFO Convention Area.

Species	Cod				Redfish					American plaice		Yellowtail
Stock Specification	COD 3L	COD 3M		COD 3NO	RED 3LN		RED 3M	RED 3O	REB 1F_2_3K (i.e. Sub-Area 2 and Divs. 1F+3K)	PLA 3LNO	PLA 3M	YEL 3LNO
% of TAC			% of 3M Cod TAC			% of 3LN Redfish TAC						
Contracting Party												
Canada		140	0.80	0	7 710	42.60	500	6 000	0 ¹	0	0	16 575
Cuba		648	3.70	-	1 774	9.80	1 750		0 ¹	-	-	-
Denmark (Faroe Islands and Greenland)		3 911	22.35	-	-		69 ¹⁰		0	-	-	-
European Union		9 980 ⁵	57.03	0 ⁴	3 300 ⁴	18.23	7 813 ⁴	7 000	0 0 ⁷	0	0 ⁴	-
France (St. Pierre et Miquelon)		-		-	-		69 ¹⁰		0 ¹	-	-	340
Iceland		-		-	-		-		0	-	-	-
Japan		-		-	-		400	150	0 ¹	-	-	-
Korea		-		-	-		69 ¹⁰	100	0 ¹	-	-	-
Norway		1 619	9.25	-	-		-		0	-	-	-
Russian Federation		1 132	6.47	0	5 207	28.77	9 137	6 500	0	-	0	-
Ukraine								150	0 ¹			
United States of America		-		-	-		69 ¹⁰		0 ¹	-	-	-
Others		70	0.40	0	109	0.60	124	100	-	0	0	85
TOTAL ALLOWABLE CATCH	*	17 500	100.0 ¹⁴	* ¹¹	18 100	100.0 ¹⁵	10 500	20 000	0 ^{3,9}	* ¹¹	* ⁸	17 000 ¹²



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Species	Witch			White hake	Capelin	Skates	Greenland halibut	Squid (<i>Illex</i>)	Shrimp	
Stock Specification	WIT 3L	WIT 3NO		HKW 3NO	CAP 3NO	SKA 3LNO	GHL 3LMNO	SQI 3_4 (i.e. Sub-areas 3+4)	PRA 3L	PRA 3NO
% of TAC			% of 3NO Witch TAC							
Contracting Party										
Canada		705	60.00	294	0	1 167	1 836	N.S. ²	0	
Cuba		-			0		-	510	0	
Denmark (Faroe Islands and Greenland)		-			-		211	-	0	
European Union		156 ⁴	13.27	588	0 ⁵	4 408	7 177 ⁶	N.S. ² 611 ⁵	0 ⁶	
France (St. Pierre et Miquelon)		-			-		201	453	0	
Iceland		-			-		-	-	0	
Japan		-			0		1 255	510	0	
Korea		-			-		-	453	0	
Norway		-			0		-	-	0	
Russian Federation		302	25.73	59	0	1 167	1 562	749	0	
Ukraine							-		0	
United States of America		-			-		-	453	0	
Others		12	1.00	59	-	258		794	0	
TOTAL ALLOWABLE CATCH	*	1 175	100.00 ¹⁶	1 000	* ¹¹	7 000 ^{13,8}	12 242	34 000	0	*



- * Ban on fishing in force.
- ¹ Quota to be shared by vessels from Canada, Cuba, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.
- ² The allocations 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 (= 29.467 tonnes).
- ³ Should NEAFC modify its level of TAC, these figures shall be adjusted accordingly by NAFO through a mail vote.
- ⁴ Including allocations to Estonia, Latvia and Lithuania in accordance with the sharing arrangement of the former USSR quota adopted by the Fisheries Commission in 2003 (FC WP 03/7), as applied by NAFO since 2005 following their accession to the European Union.
- ⁵ Including allocations to Estonia, Latvia and Lithuania in accordance with the sharing arrangement of the former USSR quota adopted by the Fisheries Commission in 2003 (FC WP 03/7), and to Poland, as applied by NAFO since 2005 following their accession to the European Union.
- ⁶ Including allocations to Estonia, Latvia, Lithuania and Poland, as applied by NAFO since 2005 following their accession to the EU.
- ⁷ Allocation of 17.85% to Lithuania and 2.15% to Latvia following their accession to the European Union.
- ⁸ Applicable to 2019 and 2020.
- ⁹ If an increase in the overall TAC as defined in footnote 3 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 1.
- ¹⁰ Notwithstanding the provision of Article 5.3 (b) and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties.
- ¹¹ Applicable to 2019, 2020 and 2021.
- ¹² Following the NAFO Annual Meeting and prior to 1 January of the succeeding year, at the request of the USA, Canada will transfer 1,000 tonnes of its 3LNO yellowtail quota to the USA.
- ¹³ Should catches exceed 5 000 tonnes, additional measures would be adopted to further restrain catches in 2019.

Historical statements

- ¹⁴ The allocation key of this stock is based on the 1998 Quota Table. In 1999, a moratorium on cod in Division 3M was declared.
- ¹⁵ The allocation key of this stock is based on the 1997 Quota Table. In 1998, a moratorium on redfish in Division 3LN was declared.
- ¹⁶ The allocation key of this stock is based on the 1994 Quota Table. In 1995, a moratorium on witch flounder in Division 3NO was declared.

**Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2019-2020**

Contracting Party	Number of Fishing Days¹	Number of Vessels¹
Canada	0	0
Cuba	0	0
Denmark		
– Faroe Islands	0	0
– Greenland		0
European Union	0	0
France (in respect of St. Pierre et Miquelon)	0	0
Iceland	N/A	N/A
Japan	0	0
Korea	0	0
Norway	0	0
Russia	0	N/A
Ukraine	0	0
USA	0	0

¹ When the scientific advice estimates that the stock shows signs of recovery, the fishery shall be re-opened in accordance with the effort allocation key in place for this fishery at the time of the closure.

Annex 22. Amendments to NAFO CEM - Measure to Conserve Greenland Sharks
(COM WP 18-38 (Rev. 4) **now** COM Doc. 18-17)

Explanatory memorandum

Under the revised NAFO convention, NAFO members have re-committed themselves to applying an ecosystem-based approach to fisheries management, including conserving the marine biodiversity within NAFO waters. NAFO has acted upon this responsibility by applying science-based management and implementing the NAFO Precautionary Approach, helping to ensure sustainable fisheries and safeguard the marine environment.

Reflecting this foundational commitment of NAFO, we propose a measure to help to conserve the Greenland shark (*Somniosus microcephalus*). The Scientific Council reported, as a result of an inquiry from NAFO's 2016 Annual Meeting, that Greenland sharks warrant precautionary consideration due to their unknown stock status in the NRA and their long lifespan, extremely delayed maturity and low fecundity which make them more susceptible to overfishing. The Scientific Council noted that Greenland Sharks are assessed as "Near Threatened" by the IUCN Red List Shark Specialist Group based primarily on their biological vulnerability. In NAFO regulatory waters, there are no directed fisheries on Greenland sharks but they are caught incidentally.

The Scientific Council contends that "a prohibition on retention and directed fishing for Greenland sharks is advised, along with the implementation of bycatch reduction measures." This proposal sets out actions that NAFO Contracting Parties can take immediately to help to conserve Greenland sharks, while also setting in motion additional scientific review to support the development of additional management measures, as appropriate. Additionally, to support this effective conservation of Greenland Sharks, the Scientific Council encouraged Contracting Parties to undertake and report to the Scientific Council research on gear restrictions and modifications to reduce or eliminate the incidental catch of Greenland sharks.

Proposal

Reaffirming NAFO's commitment to ecosystem and science-based management;

Recognizing the Scientific Council's advice on Greenland Sharks, including that "management actions should keep fishing mortality as close to zero as possible to ensure that there will be a very low probability that biomass will decline within the foreseeable future;"

Recalling Article 12 "Conservation and Management of Sharks" which requires all Contracting Parties to report all catches of sharks;

Additionally recalling that paragraph of that same Article calls upon Contracting Parties to encourage vessels to release sharks alive, especially juveniles, that are not intended for use as food or subsistence;

Further Recalling paragraph five of Article 12 which calls upon Contracting Parties to undertake research on sharks, including research on gear selectivity for the protection of sharks;

Therefore recommends that CEM Article 12 paragraph 1, be amended by inserting as a new sub-paragraphs (d) and (e):

- (d) prohibit fishing vessels flying its flag from conducting a directed fishery for Greenland shark (*Somniosus microcephalus*) in the Regulatory Area.**
- (e) require every vessel entitled to fly its flag to undertake all reasonable efforts to minimize incidental catch and mortality, and where alive, release Greenland sharks in a manner that causes the least possible harm.**

Consistent with its Action Plan, we recommend that the Ad Hoc Working Group on Bycatch, Discards and Selectivity (WG-BDS), working with the Scientific Council, identify areas and times where bycatch and discards of Greenland sharks have a higher rate of occurrence. Contracting Parties shall report to WG-BDS on their efforts to minimize incidental catches and mortalities of Greenland Sharks in the NAFO Convention Area, including amounts of Greenland Sharks released and retained 2019-2021. Further, we recommend that the WG-BDS advise the Commission, at its 2021 Annual Meeting, on appropriate management recommendations, including for safe handling practices including for live release, to address the bycatch of Greenland sharks to allow the Commission to consider additional measures for their conservation.

Annex 23. Follow-up Procedure Regarding Haul-by-Haul Submissions
(COM WP 18-37 **now** COM Doc. 18-27)

Mindful that reliable catch information is necessary to support the best available scientific advice, the sustainable management of NAFO fish stocks, and the credibility of the Organization as a whole;

Recognizing that significant efforts have been made by NAFO to develop reliable catch estimates;

Further recognizing the ongoing efforts to enhance the catch estimation process, which relies in part on the timely provision of haul-by-haul (logbook) information to the NAFO Secretariat;

Mindful that Contracting Parties are to ensure that logbook information is submitted to the NAFO Secretariat within 60 days following the completion of each fishing trip in accordance with Article 28.8 (b) of the NAFO Conservation and Enforcement Measures;

Noting that a number of Contracting Parties have not submitted the required data within the 60 day period outlined by Article 28.8 (b);

Noting that both the Joint Commission-Scientific Council Catch Estimation Strategy Advisory Group (CESAG) and the Commission Ad hoc Working Group to Reflect on the Rules Governing Bycatches, Discards and Selectivity (WG-BDS) have recommended that the Commission consider a means of formal follow-up procedure with Contracting Parties to enhance compliance to the haul-by-haul submission requirement;

Noting that the 2018 NAFO Performance Review, in relation to data collection and sharing, recommended that NAFO agree on a means to respond to instances of non-compliance by a Contracting Party with its reporting requirements, including logbook data;

It is recommended:

That a formal follow-up procedure with Contracting Parties be established to respond to late submissions or non-submissions of haul-by-haul data to the Secretariat, in order to enhance the effectiveness of the haul-by-haul submission requirement.

Procedure:

The NAFO Secretariat will send a letter to Contracting Parties that have not complied with the haul-by-haul reporting requirements. The letter will identify the nature of the issue and request a response by the Contracting Party on actions taken to resolve the issue.

On an annual basis, the NAFO Secretariat will compile an administrative haul-by-haul report that identifies late submissions and/or non-submissions of haul-by-haul records by Contracting Parties. The report will also include any follow-up efforts by the NAFO Secretariat consistent with current practice in response to late submissions and/or non-submissions and any responses/explanations received from the Contracting Parties.

The annual haul-by-haul report will be presented to the Commission by the NAFO Secretariat at the NAFO Annual Meeting and included in the Annual Meeting Report. Contracting Parties at that time will be provided an opportunity to provide additional information regarding any outstanding records.

Annex 24. Recommendations of the WG-BDS addressed to the NAFO Commission, May 2018
(COM WP 18-23 **now** COM Doc. 18-22)

The NAFO Commission Ad hoc Working Group to Reflect on the Rules Governing Bycatches, Discards and Selectivity (WG-BDS) in the NAFO Regulatory Area met in May of 2018 (COM Doc. 18-04) and agreed on the following recommendations to forward to the NAFO Commission:

The WG-BDS **recommends** that:

1. The Commission and Scientific Council, and their subsidiary bodies, as well as the Secretariat, move forward with full implementation of the Action Plan in the Management and Minimization of Bycatch and Discards (COM Doc. 17-26).
2. The Commission consider a means of formal follow-up with Contracting Parties to address non-compliance with the requirement to submit haul by haul data, including previous years (2016 and 2017).
3. Contracting Parties be encouraged to explore with their respective industry representatives the reasons for discards and bycatch and report back to the Working Group at its next meeting.
To the extent possible, this information should seek to identify specific times, areas, fisheries and/or other factors.
4. The Commission include in its request for advice to Scientific Council at the 2018 meeting the task identified under Section 2.2 of the Action Plan in the Management and Minimization of Bycatch and Discards (COM Doc. 17-26).
5. STACTIC review existing NAFO observer and haul-by-haul reporting requirements to consider enhancements that would provide specific information related to the rationale for discards.
6. The Secretariat, in conjunction with STACTIC and WG-EAFFM, develop tools to cross-reference the relevant FAO 3-alpha code with the VME indicator species, set out in Annex I.E of the NCEM to facilitate their inclusion in observer and haul by haul catch reports.

Annex 25. Amendments to NAFO CEM Article 29 and Annex II.E – Vessel Monitoring System (VMS)

(STACTIC WP 18-18 **now** COM Doc. 18-06)

This working paper is based on JAGDM Document 2018-01-09_rev1.

The NAFO Conservation and Enforcement Measures prescribe electronic data transmission of VMS position data in Article 25. Details regarding data elements and required information in the messages/reports are indicated in the table in Annex II.E. It has become apparent that the usage of footnotes to describe the specialties of each message/report can lead to misunderstandings and have contributed to inconsistencies in electronic reporting by Contracting Parties.

At the March 2017 JAGDM meeting, Norway volunteered to write a proposal to rewrite Annex II.E of the NAFO CEM to provide further clarification through the removal of footnotes. As the June 2017 JAGDM meeting was postponed until October 2017, which was after the NAFO Annual Meeting, the proposal was rescheduled for review at the first JAGDM meeting of 2018. At the March 2018 meeting, the proposal by Norway was reviewed by JAGDM participants and some revisions were made.

Below is a reference to the existing table in Annex II.E and the edits recommended by JAGDM. The proposed edits separate the format specifications into two separate tables to alleviate the usage of footnotes to clarify the data elements required for the different message types. JAGDM also recommends revising the remarks associated with the data element “Type of Message” to reflect how they are defined in Article 29 in order to provide clearer definitions.

The current Annex II.E in the NAFO CEM with the footnotes**Annex II.E
VMS Data Format**

Format specifications when sending reports from FMC to NAFO (XNW) see also Annex II.D.A, II.D.B, II.D.C and II.D.D.1

Data Element	Field 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; Name of transmitting Party (ISO-3)
Record Number	RN	M	Message detail; Unique serial number starting at 1 each year for records sent from the FMC to (XNW) (See also Annex II.D.C)
Record Date	RD	M	Message detail; Year, month and day in UTC of the record transmission from the FMC
Record Time	RT	M	Message detail; Hours and minutes in UTC of the record transmission from the FMC
Type of Message	TM ⁴	M	Message detail; message type, "POS" as Position report/message to be communicated by VMS or other means by vessels with a defective satellite tracking device
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Sequence Number	SQ	M ¹	Message detail; Unique serial number starting at 1 each year for messages sent from a vessel to final destination (XNW) (See also Annex II.D.C)
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
Latitude	LA	M ²	Activity detail; Latitude at the fixing of the position transmitted from the vessel
Longitude	LO	M ²	Activity detail; Longitude at the fixing of the position transmitted from the vessel
Latitude (decimal)	LT	M ³	Activity detail; Latitude at the fixing of the position transmitted from the vessel
Longitude (decimal)	LG	M ³	Activity detail; Longitude at the fixing of the position transmitted from the vessel
Speed	SP	M	Activity detail; Speed at the fixing of the position transmitted from the vessel
Course	CO	M	Activity detail; Course at the fixing of the position transmitted from the vessel
Date	DA	M	Message detail; UTC date of the fixing of the position transmitted from the vessel
Time	TI	M	Message detail; UTC time of the fixing of the position transmitted from the vessel
End of record	ER	M	System detail; indicates end of the record

¹ Optional in case of a VMS message.² Mandatory for manual messages³ Mandatory for VMS messages.

⁴ Type of message shall be "ENT" for the first VMS message from the Regulatory Area as detected by the FMC of the Contracting Party. Type of message shall be "EXI" for the first VMS message from outside the Regulatory Area as detected by the FMC of the Contracting Party, and the values for latitude and longitude are, in this type of message, optional.

Type of message shall be "MAN" for reports communicated by vessels with a defective satellite tracking device in accordance with Article 29.8.

The Proposal

Annex II.E VMS Data Format

1) "Entry", "Position" and "Exit" messages

Format specifications when sending reports from FMC to NAFO (XNW) see also Annex II.D.A, II.D.B, II.D.C and II.D.D.1

Data Element	Field 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; Name of transmitting Party (ISO-3)
Record Number	RN	M	Message detail; Unique serial number starting at 1 each year for records sent from the FMC to (XNW) (See also Annex II.D.C)
Record Date	RD	M	Message detail; Year, month and day in UTC of the record transmission from the FMC
Record Time	RT	M	Message detail; Hours and minutes in UTC of the record transmission from the FMC
Type of Message	TM ⁴	M	Message detail; message types, <u>ENT, POS or EXI</u> , <u>"POS" as Position report/message to be communicated by VMS or other means by vessels with a defective satellite tracking device</u> <u>(i) "ENT", for first VMS position transmitted by each vessel upon entering the Regulatory Area as detected by the FMC of the Contracting Party;</u> <u>(ii) "POS", for every subsequent VMS position transmitted by each vessel from within the Regulatory Area;</u> <u>(iii) "EXI", for first VMS position transmitted by each vessel upon exiting the Regulatory Area as detected by the FMC of the Contracting Party;</u>
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Sequence Number	SQ	M ¹ Q	Message detail; Unique serial number starting at 1 each year for messages sent from a vessel to final destination (XNW) (See also Annex II.D.C)
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
Latitude	LA	M ¹	Activity detail; Latitude at the fixing of the position transmitted from the vessel
Longitude	LO	M ¹	Activity detail; Longitude at the fixing of the position transmitted from the vessel
Latitude (decimal)	LT	M ¹ 3	Activity detail; Latitude at the fixing of the position transmitted from the vessel
Longitude (decimal)	LG	M ¹ 3	Activity detail; Longitude at the fixing of the position transmitted from the vessel
Speed	SP	M	Activity detail; Speed at the fixing of the position transmitted from the vessel
Course	CO	M	Activity detail; Course at the fixing of the position transmitted from the vessel
Date	DA	M	Message detail; UTC date of the fixing of the position transmitted from the vessel
Time	TI	M	Message detail; UTC time of the fixing of the position transmitted from the vessel
End of record	ER	M	System detail; indicates end of the record

¹ ¹ Optional for "EXI" messages

¹ ¹ Optional in case of a VMS message.

² ² Mandatory for manual messages

³ ³ Mandatory for VMS messages.

⁴ ⁴ Type of message shall be "ENT" for the first VMS message from the Regulatory Area as detected by the FMC of the Contracting Party.

Type of message shall be "EXI" for the first VMS message from outside the Regulatory Area as detected by the FMC of the Contracting Party, and the values for latitude and longitude are, in this type of message, optional.

Type of message shall be "MAN" for reports communicated by vessels with a defective satellite tracking device in accordance with Article 29.8.

2) "Manual" Position Report

Format specifications when sending reports from FMC to NAFO (XNW) see also Annex II.D.A, II.D.B, II.D.C and II.D.D.1

Data Element	Field 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; Name of transmitting Party (ISO-3)
Record Number	RN	M	Message detail; Unique serial number starting at 1 each year for records sent from the FMC to (XNW) (See also Annex II.D.C)
Record Date	RD	M	Message detail; Year, month and day in UTC of the record transmission from the FMC
Record Time	RT	M	Message detail; Hours and minutes in UTC of the record transmission from the FMC
Type of Message	TM	M	Message detail; message type; "MAN" for reports communicated by vessels with a defective satellite tracking device in accordance with Article 29.8.
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Sequence Number	SQ	M ¹	Message detail; Unique serial number starting at 1 each year for messages sent from a vessel to final destination (XNW) (See also Annex II.D.C)
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
Latitude	LA	M ¹	Activity detail; Latitude at the fixing of the position transmitted from the vessel
Longitude	LO	M ¹	Activity detail; Longitude at the fixing of the position transmitted from the vessel
Latitude (decimal)	LT	M ²	Activity detail; Latitude at the fixing of the position transmitted from the vessel
Longitude (decimal)	LG	M ²	Activity detail; Longitude at the fixing of the position transmitted from the vessel
Speed	SP	M	Activity detail; Speed at the fixing of the position transmitted from the vessel
Course	CO	M	Activity detail; Course at the fixing of the position transmitted from the vessel
Date	DA	M	Message detail; UTC date of the fixing of the position transmitted from the vessel
Time	TI	M	Message detail; UTC time of the fixing of the position transmitted from the vessel
End of record	ER	M	System detail; indicates end of the record

¹ Optional in case of a VMS message.

² Mandatory for manual messages

³ Mandatory for VMS messages.

⁴ Type of message shall be "ENT" for the first VMS message from the Regulatory Area as detected by the FMC of the Contracting Party.

Type of message shall be "EXI" for the first VMS message from outside the Regulatory Area as detected by the FMC of the Contracting Party, and the values for latitude and longitude are, in this type of message, optional.

Type of message shall be "MAN" for reports communicated by vessels with a defective satellite tracking device in accordance with Article 29.8.

Annex 26. Amendments to NAFO CEM Article 10 – Stowage Plan Requirement at Checkpoint
(STACTIC WP 18-21 (Rev.) **now** COM Doc. 18-07)

Preamble

The 'checkpoint provisions' provide for prior notification of vessels entering the NAFO RA to fish for GHL with catches > 50t LWT on board.

It has been identified that the stowage plan as presented by vessel masters is not usually detailed enough for catches caught in beyond the NAFO RA to be readily identified at the species level. In that sense, these stowage plans currently do not facilitate an effective inspection of the quantities on board on entry to NAFO.

Considering the likelihood of substantial catches of GHL being taken from the adjoining NEAFC Regulatory Area, the risk exists that the fishing strategy of beginning a trip in NEAFC and then moving to NAFO (or indeed *vice versa*) can be used to conceal a mis-declaration of catches from NAFO.

It is suggested to add in CEM Article 10 a requirement for stowage plans of vessels entering NAFO to comply with NAFO CEM standards (in accordance with Article 28.5) for the catch already on board when entering the NAFO RA.

This is also a strong case for enhanced collaboration between NAFO and NEAFC in this regard, in particular to promote the sharing of information between RFMOs.

Proposed Amendment

In CEM Article 10 paragraph 5, the sub-paragraph (c) is modified as follows:

- c. A fishing vessel notified in accordance with paragraph (b) shall
 - i. proceed to the designated inspection point, **and**
 - ii. **ensure the stowage plan for catch on board on entry to the NAFO RA meets the requirements of Article 28 paragraph 5 and is made available to inspectors upon request.**

Annex 27. Amendments to NAFO CEM Article 35 – Collection of DNA samples by inspectors during sea Pilot project on DNA Analysis

(STACTIC WP 18-22 (Rev .2) now COM Doc. 18-08)

Preamble

The identification of species in boxes of processed products is essential to ensure the accuracy of catch declarations. To facilitate that, inspectors at sea and in port may require taking samples for subsequent DNA analysis. To support the sampling, the related provisions should be added to the CEM Article 35 (Obligation of Masters during sea inspection) and CEM Article 43 paragraph 13.

Proposed Amendment

1. In CEM Article 35:

- Add the following text as new sub-paragraph (h), and modify the numbering of the subsequent sub-paragraphs accordingly:

(h) facilitating the taking of samples of processed fish by inspectors, for the purpose of species identification through DNA analysis

2. In CEM Article 43 paragraph 13, add the following text as sub-paragraph (f)

(f) where relevant, verify species for compliance with accuracy of catch declaration

Annex 28. Amendments to NAFO CEM Article 28.5 – Stowage of Catch(STACTIC WP 18-27 (Rev. 3) **now** COM Doc. 18-09)

The NAFO Conservation and Enforcement Measures require that vessels maintain a stowage plan that clearly shows the location and quantity, expressed as product weight in kg, of each species within each fish hold, that the plan is updated daily, and is retained onboard until the vessel has been fully offloaded. However, unlike the requirements currently in place for the fishing logbook, production logbook and catch reporting (CAT) to be maintained daily, the retention of daily stowage plans for previous days is not required.

The lack of a requirement to retain daily stowage plans that reflect each day's product stowage prevents inspectors from confirming the historical progression of the stowage of catch. Limiting inspectors to only one stowage record at the time of the inspection impedes their ability to verify the stowed product against daily production, fishing log, and catch reporting (CAT) records.

During the 2018 NAFO Intersessional in Halifax, Canada proposed to amend Article 28.5 of the NCEMs to ensure that the stowage plan will accurately display the location and weight of each species, allowing inspectors to see the progression of daily product stowage throughout the course of the fishing trip. The implementation of this amendment will allow for improved comparison of the stowage plan with all other daily reports, thereby improving the verification of catch. Contracting Parties requested further clarification and visual references, resulting in the addition of Annexes I and II to this working paper, which contain examples of a stowage plan.

Proposed Amendments Stowage of Catch

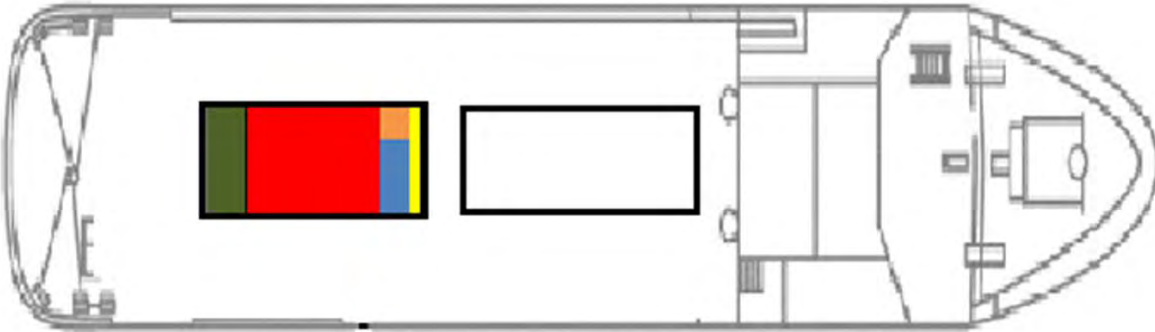
4. Each vessel shall, with due regard for safety and navigational responsibilities of the master, stow all catch taken in the NAFO Regulatory Area separately from all catch taken outside the NAFO Regulatory Area, and ensure that such separation is clearly demarcated using plastic, plywood or netting;
5. Each fishing vessel shall maintain a stowage plan that:
 - (a)** clearly **shows**:
 - i)** the location and quantity, expressed as product weight in kg, of each species within each fish hold;
 - ii)** the location in each hold of shrimp taken in Division 3L and in Division 3M that includes the quantity of shrimp in kg, by Division;

iii) the top view of product within each fish hold:

(b) is updated daily for the preceding day from 00:01 to 24:00 UTC; and

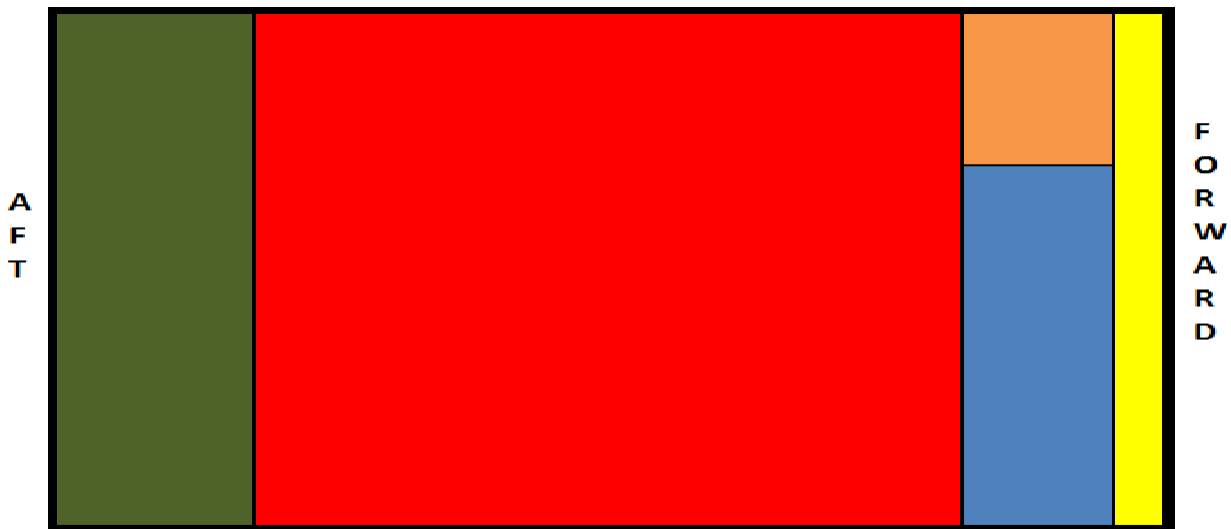
(c) is retained on board **for each day fished** until the vessel has been unloaded completely.

Annex I - Illustrations for Clarification and Visual Reference

Ship's Top View Fish Hold Perspective

F/V RED FISHER

Topside View – Lower Aft Hold (Full) June 21, 2018



GHL	53.675
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SKA	21.761
------------	---------------

RED	102.54
------------	---------------

COD	10.651
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YEL	4.654
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Annex II – Excel File for Clarification and Visual Reference

Annex II – Excel File for Clarification and Visual Reference is available, by request from the Secretariat, for clarification and visual reference of how the stowage plan can for each individual be kept electronically day fished.

Annex 29. Amendments to NAFO CEM Chapter VII –Port State Control
(STACTIC WP 18-31 (Rev.) **now** COM Doc. 18-10)

Background

NEAFC adopted amendments to its port State control measures at the Annual Meeting in 2017. These amendments entail that Article 23 of the NEAFC Scheme of Control and Enforcement, as well as the PSC 1 and 2 forms, now include a requirement for flag State confirmation and port State authorization if foreign vessels with catch on board request port entry for other port services than landing or transshipment.

In order to align the NAFO port State control with the NEAFC requirements, Norway is proposing to include similar provisions in Chapter VII and annex II.L of the NAFO Control and Enforcement Measures (CEM).

Proposed amendments

CEM Article 42, first paragraph:

Subject to the right of the port State Contracting Party to impose requirements of its own under domestic laws and regulations for entry or denial to its ports, the provisions in this Chapter apply to landings, transshipments, or use of ports of Contracting Parties by fishing vessels entitled to fly the flag of another Contracting Party, conducting fishing activities in the Regulatory Area. The provisions apply to **vessels carrying** fish caught in the Regulatory Area, or fish products originating from such fish, that have not been previously landed or transhipped at a port.

CEM Article 43, paragraphs 6 and 8:

6. Fishing vessels may not enter port without prior authorization by the competent authorities of the port State Contracting Party. Authorization to land, ~~or~~ tranship **or make use of other port services** shall only be given if the confirmation from the flag State Contracting Party as referred to in Article 44.2 has been received.

...

8. The port State Contracting Party shall without delay notify the master of the fishing vessel of its decision on whether to authorize or deny the port entry, or if the vessel is in port, the landing, transshipment and other use of port. If the vessel entry is authorized the port State returns to the master a copy of the form PSC 1 or 2 with Part C duly completed. This copy shall also be posted to the NAFO MCS Website, in PDF format, without delay. In case of a denial the port State shall also notify the flag State Contracting Party.

CEM Article 44, second paragraph:

2. The flag State Contracting Party of a fishing vessel intending to land, ~~or~~ tranship **or make use of other port services**, 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, PSC 1 or 2, transmitted in accordance with Article 43.5 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

CEM Article 45, paragraph 3:

3. The master of a fishing vessel shall not commence landing ~~or~~ ~~or~~ transshipment operations, *or make use of other port services, before authorization has been given by the port State Contracting Party or* prior to the Estimated Time of Arrival (ETA) as reported in PSC 1 or PSC 2 has expired. However, landing, ~~or~~ transshipment operations *and make use of other port services* may commence prior to ETA with permission from the competent authorities of the port State *Contracting Party*.

Annex II.L Port State Control Prior Request Forms

A-PSC-1

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:				
Vessel master's name:	Vessel master's nationality:	Vessel owner:		Certificate of Registry ID:					
Vessel dimensions	Length (m):	Beam (m):		Draft (m):					
Port State:		Port of Landing or Transshipment:							
<u>Reason for Port Entry</u>	<u>Landing: (y/n)</u>	<u>Transshipment: (y/n)</u>		<u>Other: (y/n)</u>					
Last port of call:	Date:								
Estimated Date of Arrival:		Estimated Time (UTC) of Arrival:							
Frozen products only		Fresh products only		Fresh and frozen products					
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 authorization 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 <u>Note: NAFO Port State Authorization to use port for landing, transshipment or other</u>							
Name of Port State:							
Authorization:		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 I.C ⁴ Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex II.K							

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:			
Vessel master's name:		Vessel master's nationality:		Vessel owner:		Certificate of Registry ID:			
Vessel dimensions:		Length (m):		Beam (m):		Draft (m):			
Port State:				Port of Landing or Transshipment:					
<u>Reason for Port Entry</u>		<u>Landing: y/n</u>		<u>Transshipment: y/n</u>		<u>Other: y/n</u>			
Last port of call:				Date:					
Date and location of transshipment:				Transshipment authorization if relevant:					
Estimated Date of Arrival:				Estimated Time (UTC) of Arrival:					
Frozen products only				Fresh products only					
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 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 authorization 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 Note: NAFO Port State Authorization to use port for landing, transshipment or other								
Name of Port State:								
Authorization:			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 II.K								

Annex 30. Amendments to NAFO CEM Article 37.4 – Distribution of Notification of Infringements

(STACTIC WP 18-35 (Rev. 2) **now** COM Doc. 18-11)

Background

At the 2018 NAFO Intersessional meeting in Halifax, Canada was tasked with developing a proposal to amend Article 37.4 to allow the Executive Secretary to more broadly distribute notification of infringements to Contracting Parties.

The purpose of this amendment is to ensure that any port State Contracting Party receiving a vessel for landing that has been issued an infringement is notified and has an opportunity to receive the written notification related to an infringement in advance of the vessel's arrival in port.

Proposed Amendments

Amend Article 37 as follows:

Duties of the Executive Secretary

4. The Executive Secretary transmits without delay to the other Contracting Parties participating in the Scheme the written notification ~~related to an~~ of the infringement including a copy of the report of inspection consistent with Annex IV.B.
5. The Executive Secretary transmits without delay to all Contracting Parties electronic notification that an infringement has been issued to a particular vessel.
6. Upon a request from a Contracting Party receiving a vessel for landing to which an infringement has been issued, the Executive Secretary will transmit to that Contracting Party without delay a copy of the report of inspection consistent with Annex IV.B.

Annex 31. Reinstatement of Footnote 14 into Article 6.3 for American Plaice bycatch provisions in the 3NO directed Yellowtail fishery
(STACTIC WP 18-41 **now** COM Doc. 18-12)

Background

At the 2015 Annual Meeting, the Commission adopted revisions to the footnotes in Annex I of the NAFO CEM (FC Doc. 15-08). One of the amendments was incorporating footnote 21 to the Quota Table into the text of the NAFO CEM under Article 6. At the 2016 Annual Meeting, the U.S. raised a concern that the newly implemented provision under Article 6 did not accurately reflect the language or intent of the former footnote 21. Therefore, at the 2017 Annual Meeting, the U.S. proposed in STACTIC WP 17-41 (Revised) that Article 6.3(f) be removed from the NCEM and that the former footnote 21 be reinstated into the Quota Table as footnote 14 without prejudice. This proposal was adopted at the 2017 Annual Meeting and the 2018 NAFO CEMs were updated to reflect this change. It was also agreed that Canada and the U.S. would have further discussions on the issue.

Canada and the United States have met in advance of the 2018 Annual Meeting and discussed the issue and have agreed on a way forward. Canada proposes that the by-catch provision established in 2016 for American Plaice in the 3NO directed Yellowtail fishery be reinstated under Article 6 of the NCEM and Footnote 14 be deleted. References to Footnote 14 located within the quota table under Total Allowable Catch listed for both 3LNO Yellowtail and 3LNO American plaice will also be deleted.

Proposed Amendments

Limits for Species Listed in Annex I.A Retained on Board as Bycatch

3. Each Contracting Party shall ensure that its vessels, including vessels chartered in accordance with Article 26, shall limit the retention of on-board species classified as bycatch to the maxima specified below:
 - (a) for cod in Division 3M, redfish in 3LN and witch flounder in 3NO: 1 250 kg or 5%, whichever is the greater;
 - (b) for cod in Division 3NO: 1 000 kg or 4%, whichever is the greater;
 - (c) for all other stocks listed in Annex I.A where no specific quota has been allocated to the flag State Contracting Party: 2 500 kg or 10%, whichever is the greater;
 - (d) where a ban on fishing applies (moratoria), or when the "Others" quota opened to for that stock has been fully utilized: 1 250 kg or 5%, whichever is the greater; and
 - (e) once the directed fishery for redfish in Division 3M is closed in accordance with Article 5.5 (d): 1 250 kg or 5%, whichever is the greater; and
 - (f) while conducting a directed fishery for yellowtail in Divisions 3LNO: 15 % of American plaice; otherwise bycatch provisions in Article 6.3 (d) apply.

ANNEX I – FISHERIES MANAGEMENT **Annex I.A – Annual Quota Table**

CATCH LIMITATIONS – Article 5. Total allowable catches (TACs) and quotas (metric tons in live weight) for 2018 of particular stocks in Subareas 1-4 of the NAFO Convention Area.

Species	Cod				Redfish					American plaice		Yellowtail
Stock Specification	COD 3L	COD 3M		COD 3NO	RED 3LN		RED 3M	RED 3O	REB 1F_2_3K (i.e. Sub-Area 2 and Divs. 1F+3K)	PLA 3LNO	PLA 3M	YEL 3LNO
% of TAC			% of 3M Cod TAC			% of 3LN Redfish TAC						
Contracting Party												
Canada		89	0.80	0	6 049	42.60	500	6 000	0 ¹	0	0	16 575
Cuba		412	3.70	-	1 392	9.80	1 750		0 ¹	-	-	-
Denmark (Faroe Islands and Greenland)		2 491	22.35	-	-		69 ¹⁰		0	-	-	-
European Union		6 356 ⁵	57.03	0 ⁴	2 589 ⁴	18.23	7 813 ⁴	7 000	0 0 ⁷	0	0 ⁴	-
France (St. Pierre et Miquelon)		-		-	-		69 ¹⁰		0 ¹	-	-	340
Iceland		-		-	-		-		0	-	-	-
Japan		-		-	-		400	150	0 ¹	-	-	-
Korea		-		-	-		69 ¹⁰	100	0 ¹	-	-	-
Norway		1031	9.25	-	-		-		0	-	-	-
Russian Federation		721	6.47	0	4 085	28.77	9 137	6 500	0	-	0	-
Ukraine								150	0 ¹			
United States of America		-		-	-		69 ¹⁰		0 ¹	-	-	-
Others		45	0.40	0	85	0.60	124	100	-	0	0	85
TOTAL ALLOWABLE CATCH	*	11 145 ^{15,16}	100.0	*	14 200 ¹⁷	100.0	10 500 ⁸	20 000 ⁸	0 ¹⁹	*10	*11	17 000 ^{12,14}

14. In lieu of Article 6.3 of the CEM, the following by-catch provisions for American plaice only in the 3LNO yellowtail fishery shall apply: Contracting Parties projection indicates that this rate is likely to undermine stock recovery or cause an unreasonable delay in reaching B_{lim} , this rate may be subject to a reassessment by the Fisheries Commission. fishing for yellowtail flounder allocated under the NAFO allocation table will be restricted to an overall Am. plaice by-catch harvest limit equal to 15% of their total yellowtail fishery as calculated in accordance with Article 6.4. If a Scientific Council

Annex 32. Amendments to NAFO CEM Article 12 – Catch reporting of individual sharks
(STACTIC WP 18-43 (Rev. 3) **now** COM Doc. 18-13)

Preamble

The Scientific Council (NAFO SCS Doc. 18-19) has identified the need to complete the reporting obligation for sharks referred to in CEM Article 12 paragraph 1.

To meet this request, it is proposed to insert these specific requests in CEM Articles 12 and Article 28.

Proposed amendment:

1. In CEM Article 12 paragraph 1:

(a) report all catches of sharks, including available historical data, in accordance with the data reporting procedures set out in Article 28.

(b) For all observed hauls that contain Greenland shark, observers shall 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.

Renumber other paragraphs accordingly.

2. In CEM Article 28 paragraph 6, add the following amendments to subparagraph (g):

Catch of species listed in Annex I.C for which the total live weight on board is less than 100kg, may be reported using the 3-alpha code MZZ (marine species not specified), except in the case of sharks. All sharks shall be reported at the species level under their corresponding 3 alpha code presented in Annex I.C ~~or if not contained in Annex I.C or the FAO ASFIS List of Species for Fishery Statistics to the extent possible.~~ When species specific reporting is not possible, shark species shall be recorded as either large sharks (SHX) or dogfishes (DGX), as appropriate and in accordance the with the 3-alpha codes. The ~~estimated weight of each-sharks~~ caught per haul or set shall also be recorded.

Annex 33. Amendments to NAFO CEM Article 30 – Revision of the NAFO Observer Program
(STACTIC WP 18-45 (Rev.) **now** COM Doc. 18-14)

Article 1 – Definitions

"Observer" means a person who is authorized and certified by a Contracting Party to observe, monitor and collect information aboard fishing vessels. 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.

Article 30 – Observer Program

General provisions

1. The purpose of this Observer Program is to collect reliable information and data on activities in the NAFO Regulatory Area. The information and data collected through the Observer Program shall be made available to any NAFO body requesting it.
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.
3. This Program shall apply to all Contracting Parties fishing vessels operating in the Regulatory Area.

Duty to carry observers

4. 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. The failure to carry an observer if required is considered a serious infringement.

Partial withdrawal of observers

5. By way of derogation from paragraph 4, and providing that the Commission has not requested a higher observer coverage level, a flag State Contracting Party may allow its vessels to carry an observer for less than 100 %, but not less than 25% of the fishing trips conducted by its fleet, or of the days the vessels are present, in the Regulatory Area during the year, on the condition that the flag State Contracting Party for the vessels not carrying an observer:
 - (a) ensures that the vessels concerned target species in areas where negligible by-catch of other species is expected to occur;
 - (b) ensures that the vessel complies with all real-time reporting requirements;
 - (c) physically inspects or otherwise evaluates 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 uploaded to the NAFO MCS Website, in computer readable format, as soon as possible after the infringement has been confirmed.

- (d) as soon as possible in advance of the fishing trip, posts to the NAFO MCS Website, in PDF format:
 - 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;
 - (e) submits 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 withdrawn.
6. 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.

Duties of the flag State Contracting Party

7. Each Contracting Party shall:
- (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;
 - (b) require its vessels to carry an observer from the list it has posted to the NAFO MCS website, in accordance with this Program;
 - (c) to the extent practicable, ensure that individual observers are not deployed on consecutive trips on the same vessel;
 - (d) ensure that vessel Masters, operators, or owners cannot refuse to accept an observer deployment;
 - (e) ensure that observers are equipped with an independent two-way communication device at sea;
 - (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.

- (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;
8. Upon the receipt of an OBR from an observer reporting discrepancies with the NAFO 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:
 - (a) treat the report with upmost sensitivity and discretion, in accordance with applicable confidentiality requirements;
 - (b) assess discrepancies identified in the OBR and conduct any follow-up action deemed appropriate;
 - (c) create a report on follow-up actions and post it in a computer readable format to the NAFO MCS website.
 9. Each Contracting Party shall provide to the Executive Secretary:
 - (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;
 - (b) electronically and without delay following its receipt, the daily OBR report referred to in paragraph 13 (e);
 - (c) within 30 days following the arrival of the vessel in port, the observer trip report referred to in paragraph 13;
 - (d) by 1 March each year for the previous calendar year, a report on its compliance with the obligations outlined in this Article.
 10. If a vessel is carrying an observer from another Contracting Party, that observer will report to the vessel's flag State Contracting Party.
 11. 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.
 12. If, during deployment, it is determined that a serious risk to the observer exists, take steps to ensure that the observer is removed from the vessel unless and until the risk is addressed;

Duties of the Observer

13. Each Contracting Party shall ensure that observers assigned to their vessels shall, at a minimum, perform the duties listed below:
 - (a) record for each haul/set, in the format indicated in Annex II.M, hereafter referred to as the observer trip report:

- i. the quantity of all catch, by species, including for discards and VMEs indicators as referred to in Annex I.E.VI:
 - 1. as recorded in the vessel fishing and production logbooks,
 - 2. as estimated independently by the observer. For hauls where independent observer estimations are not possible, the relevant data cells should be left blank and noted in the comments section
- ii. record in the observer trip report any discrepancy identified between the different sources of catch data;
- iii. gear type, mesh size, attachments
- iv. effort data
- v. longitude and latitude, fishing depth
- vi. in the case of trawl fisheries, the time from the end of setting to the start of gear retrieval. In any other case, the start of setting and the end of retrieval;
- (b) monitor the vessel's stowage plan referred to in Article 28, and record in the observer report any discrepancies identified;
- (c) record any observed interruption or interference with the Vessel Monitoring System (VMS);
- (d) only set vessel's instruments with the Master's agreement;
- (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;
- (f) perform such work, including for scientific purposes, as the Commission may request;
- (g) submit the observer report, in a computer readable form, where possible with the associated images taken by the observer as attachment
 - i. 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,
 - ii. immediately upon arrival in port, to the local port inspection authority if an inspection in port occurs
- (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.
- (i) referring to any incidents of discrepancies with the NAFO CEM:
 - i. report without delay to the competent authority of the flag State Contracting Party of the vessel, any discrepancy with the NAFO 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 NAFO 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;

Obligations of the Master

14. Each flag Contracting Party shall ensure that Masters of vessels entitled to fly their flag:
- (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;
 - (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;
 - (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;
 - (d) do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties;
 - (e) include the observer in all emergency drills conducted on-board; and
 - (f) notify the observer when an inspection party has signaled their intent to board the vessel.

Costs

15. Subject to any arrangement with another Contracting Party, each Contracting Party shall bear the costs of remunerating every observer it has deployed.
16. 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.

Duties of the Executive Secretary

17. The Executive Secretary:
- (a) shall make available to all Contracting Parties, via the NAFO MCS website for enforcement purposes only, without delay:
 - i. a copy of the observer trip report in the format of Annex II.M,

- ii. the annual lists of observers and observed vessels,
 - iii. the name of fishing vessel together with the name and ID (if applicable) of the observer concerned as communicated by the flag State Contracting Party,
 - iv. any observer report of a discrepancy with the CEM, including, but not limited to any instances of obstruction, intimidation, interference with or otherwise prevention of the observers from performing their duties, and the report of the investigation conducted, and
 - v. the daily OBR report.
- (b) makes available upon request the observer data, including the daily OBR report, to the other NAFO bodies;
- (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;
- (d) submits to STACTIC, at its Intersessional meeting, a synthesis of the Contracting Parties performance reports referred to in paragraph 9.d.

Implementation

18. This Observer Program will be reviewed by STACTIC in 2022.
19. Any Contracting Party may elect to delay the application of Article 30 until 01 January 2020, but shall follow the provisions of Article 30 outlined in the 2018 NAFO CEM (COM Doc. 18-01). Those Contracting Parties electing to delay shall notify the Executive Secretary no later than 31 December 2018, and the Executive Secretary shall post this information to the MCS Website.

Annex 34. Action Plan to minimize or eliminate discards in NAFO(STACTIC WP 18-28 (Rev. 4) **now** COM Doc. 18-18)

At the 2017 Annual Meeting, the Commission agreed to an examination of the feasibility of introducing policies to minimize or eliminate discards in NAFO (COM Doc. 17-23). As part of this examination, STACTIC along with the Ad hoc Working Group to Reflect on the Rules Governing Bycatches, Discards and Selectivity (WG-BDS) were tasked with:

STACTIC and WG-BDS shall coordinate their plans, including realistic timetables, and present them to the Commission during the annual meeting in 2018.

Action Item: STACTIC will review the action plan developed by the WG-BDS and the Chairs of the two Working Groups will coordinate their respective plans and report to the Commission at the 2018 Annual Meeting.

STACTIC was also asked to consider four main tasks as part of this process and STACTIC's plan for moving forward with each one is detailed below:

ACTION ITEM	ACTION	STATUS
1. Identification of the current discard obligations in the NAFO Conservation and Enforcement Measures.		
Action Item 1	<p>The Secretariat agreed to inform STACTIC, WG-BDS and other interested CPs on current NAFO discard measures. The Secretariat will collate all CEM measures relevant to discards (e.g. Articles 5, 6, 14) as well an overview of how discards are currently being reported by CPs, and how that information is being used by the Secretariat.</p> <p><i>STACTIC has addressed this action item in STACTIC WP 18-23.</i></p>	Completed
2. Compilation of existing relevant domestic legislation of the Contracting Parties and review the various policies implemented.		
Action Item 2	<p>To help facilitate this the NAFO Secretariat circulated an email on 08 March 2018 requesting information on the following bullet points from COM Doc. 17-23:</p> <p><i>STACTIC shall consider the following:</i></p> <ul style="list-style-type: none"> Compilation of existing relevant domestic legislation of the Contracting Parties and review the various policies implemented, Review the approaches to the control of the landing obligations implemented domestically by Contracting Parties and identify best practices and challenges. 	Completed
Action Item 3	<p>By mid-August, CPs will review and revise their submissions, with a view to summarize domestic and, as appropriate other RFMOs', discard and landing obligation best practices and challenges to address the discard requirements in the CEM. This analysis should focus on fisheries similar to NAFO fisheries (e.g. groundfish) and include information on how these policies overcome challenges to minimize discards, such as incentives for industry.</p>	Completed
Action Item 4	<p>The NAFO Secretariat will collate submissions of these best practices for distribution at the 2018 Annual Meeting to STACTIC, BDS and SC.</p>	Completed

ACTION ITEM	ACTION	STATUS
Action Item 5	At the Annual Meeting, STACTIC will identify any additional information that would be necessary to inform a discussion of possible measures to minimize or eliminate discards.	Completed
3. Examination of possible measures to minimize or eliminate discards in the various NAFO fisheries, including measures such as selectivity requirements, incentives for fishermen not to discard, and/or bans on discarding.		
Action Item 6	A questionnaire has been developed and Contracting Parties will provide responses by 31 December 2018.	Pending
Action Item 7	<p>STACTIC members expressed concern that a true picture of the bycatch and discards in NAFO waters could be compromised by potentially unreliable available data. They also noted that STACTIC, WG-BDS and SC have different, but complementary, mandates, and to that end, the Chairs of these bodies should meet jointly in advance of 2019 Annual Meeting.</p> <p>At the joint meeting, the Secretariat should present an initial analysis on bycatch/discard data completeness and gaps, as well as trends, patterns and anomalies, per the bycatch action plan. Contracting Parties should be prepared to present their discard and landing obligation best practices, as well as their responses to the questionnaire.</p> <p>The reports from the secretariat, answers to the questionnaire and other relevant information would form basis for the discussions at the joint meeting.</p> <p>The joint meeting will report on its progress at the 2019 Annual Meeting, with a goal of developing recommendations at a following meeting of the three bodies in 2020.</p>	Pending
4. Review the approaches to the control of the landing obligations implemented domestically by Contracting Parties and identify best practices and challenges.		
	<i>Reflected under item 2.</i>	

Annex 1. Proposed Questionnaire

How are technical measures relevant to NAFO used to reduce/eliminate discards?

Gear (describe how the selectivity of the gear in main fisheries is regulated i.e. with mesh size, sorting grids, or other devices that enhance the selectivity).

Area closures (describe eventual use of closing areas and the purpose, are closures permanent, seasonal, or short-term Real Time Closures)

Other (describe other measures that are used, i.e. move on rules, utilization of illegal catch etc.)

Gear	
Mesh size	
Sorting grids	
Other devices	
Area closures	
Permanent	
Seasonal	
Short term (Real time closure)	
Gear limitations in an area.	
Other measures	
Move-on rules	
Minimum catch size	

Annex 35. Annual Compliance Review 2018 (Compliance Report Fishing Year 2017) (STACTIC WP 18-29 (Rev. 2) **now** COM Doc. 18-19)

1.0 Introduction

The scope of this compliance review covers the fishing activities of NAFO-registered vessels which operated in the NAFO Regulatory Area in 2017⁴ (see Figure 1.0).

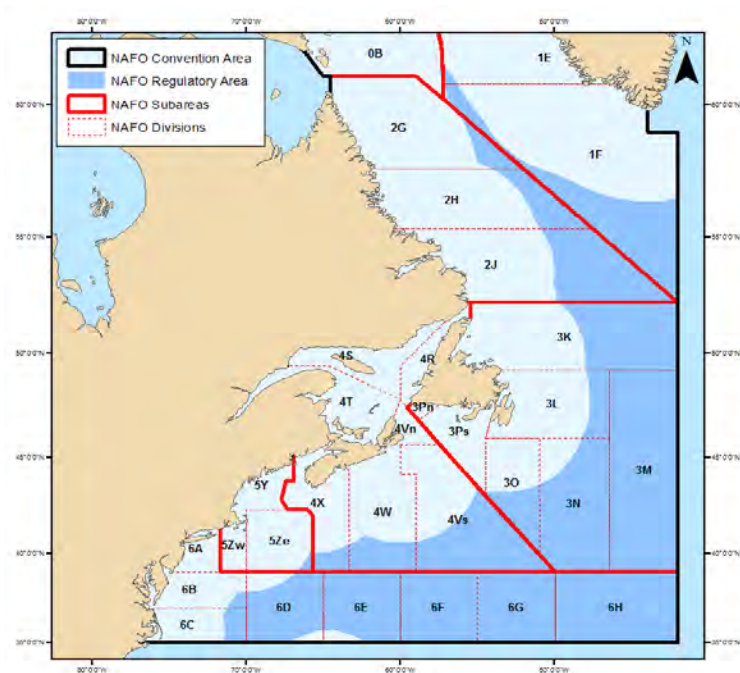


Figure 1.0. Divisions of the NAFO Convention Area and the Regulatory Area.

This review is being undertaken in accordance with NAFO Rules of Procedure 5.1 and 5.2. As part of the process of the review, the Secretariat compiled 2017 information from the following sources: vessel monitoring system (VMS) and hail messages delivered by the vessels (Vessel Transmitted Information – VTI), Port Inspection Reports, At-sea Inspection Reports and Reports on Dispositions of Apparent Infringements provided by the Contracting Parties, and Observer Reports sent to the Secretariat.

The report follows the outline that the Standing Committee on International Control (STACTIC) developed during the 2017 NAFO Annual Meeting (STACTIC WP 17-42 Rev. 2).

⁴ For the purpose of this compliance analysis, only fishing trips which ended in 2017 were considered. Fishing trip for a fishing vessel includes “the time from its entry into until its departure from the Regulatory Area and continues until all catch on board from the Regulatory Area is unloaded or transhipped” (NAFO Conservation and Enforcement Measures Article 1.7).

2.0 Fisheries in the NAFO Regulatory Area

2.1 Fishing effort by gear type

NAFO traditionally identifies three main fisheries in its Regulatory Area: the groundfish (GRO - primarily in Div. 3LMNO), shrimp (PRA - primarily in Div. 3LM) and pelagic redfish fisheries (REB - primarily in Div. 1F and 2J). The PRA and the REB fisheries have been under moratoria. In 2017, fisheries in the NAFO Regulatory Area (NRA) was limited to groundfish. There were 112 trips by 45 fishing vessels spending a total of 3872 days in the NRA (Table 1). Additionally, a single vessel (class size 5) spent 14 days, as part of its fishing trip, in Division 6G catching alfonsoinos. According to the observer report, the fishing gear used was a mid-water trawl.

Smaller vessels (<500 GT) tend to fish in Divisions 3NO using mainly longlines. The vast majority of the effort comes from larger vessels (> 500 GT) which account for 96% of fishing effort in terms of days. The larger vessels use bottom trawl and fish in Divisions 3LMNO. The major species caught by the bottom trawlers are cod, Greenland halibut, redfish, and thorny skate (see Table 1).

Table 2.1.1. *Fishing Effort in the NAFO Regulatory Area for trips that ended in 2017.*

Vessel Class	# of fishing vessels	# of fishing trips	Main Gear	f = Days present in the NRA	Fishing Trip Range (days)	Main Species	Fishing Area
Class 3-4 vessels (less than 500 mt)	7	17	Longline	205	1-18 days	Cod, Yellowtail flounder	Flemish Cap (for cod); Tail of the Grand Banks (for yellowtail flounder)
Class 5 vessels (500-1000 MT)	10	31	Bottom Trawl	1051	9-71 days	Cod, Greenland halibut, redfish, skates	Flemish Cap; Tail and Nose of the Grand Banks
Class 6 vessels (1000-2000 MT)	26	60	Bottom Trawl	2435	2-100 days	Cod, Greenland halibut, redfish, skates	Flemish Cap; Tail and Nose of the Grand Banks
Class 7 vessels (> 2000 MT)	2	4	Bottom Trawl	181	28-57 days	Cod, Greenland halibut, redfish, skates	Flemish Cap; Tail and Nose of the Grand Banks
Total	45	112		3872			

2.2 Effort Distribution by depth of groundfish vessel

The requirement of providing the speed and course information in the position reports of Vessel Monitoring System (VMS) is satisfied. Hourly positions are required to be transmitted. Speeds between 0.5 and 5 knots were assumed to be fishing speeds in this analysis. In Figure 2.2.1, the

distribution of fishing effort in hours of groundfish vessels is presented. It shows that about half of all groundfish effort is at depths 400 meters and below (skates, redfish and cod). Figure 2.2.1 also shows a concentration of fishing effort around 1000 meters and this can be attributed to the Greenland halibut fishery.

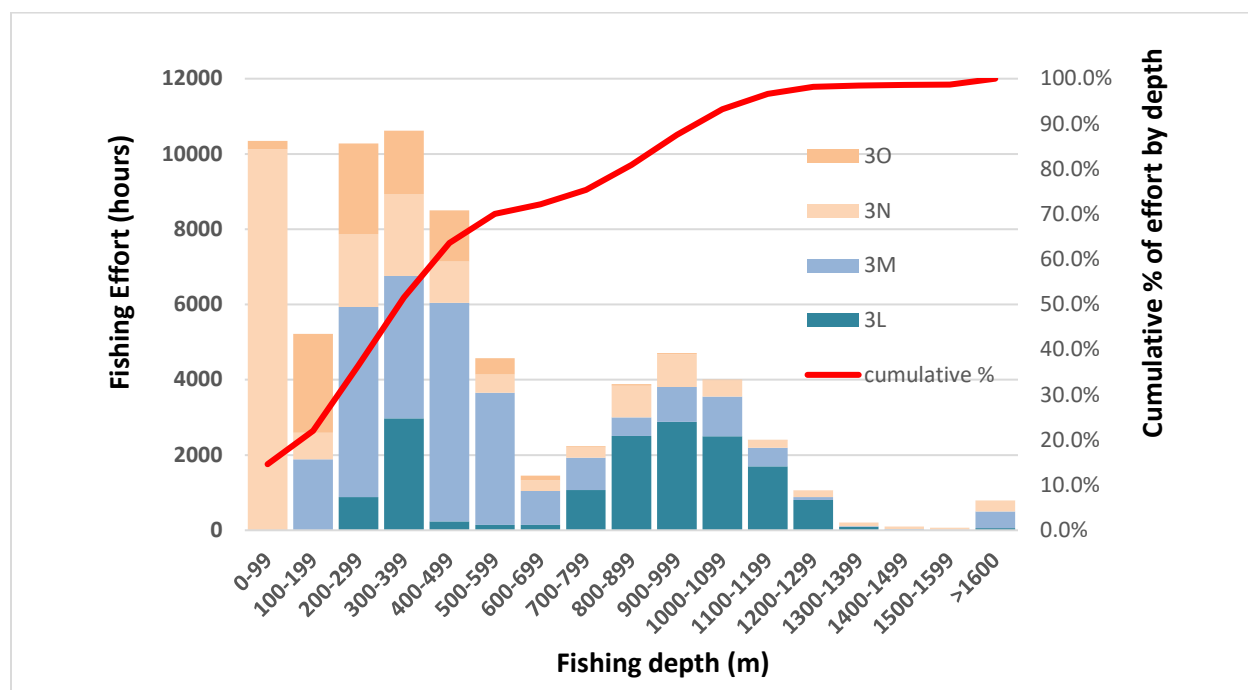


Figure 2.2.1. *Distribution of fishing effort (in hours) by depth (m) in the NRA in 2017. Vessels are assumed to be fishing at speed in the range of 0.5-5.0 kt.*

2.3 Catch totals

In 2017, a grand total of 59 533 t of fish (58 141 t retained + 1 392 t rejected) were caught by NAFO-registered vessels (as reported in the daily CATs) authorized to fish in the Regulatory Area (Table 2.3.1). In terms of quantities caught, the stocks 3M Cod, 3LMNO Greenland halibut, 3M Redfish, 3LN Redfish, 3O Redfish, 3LNO Yellowtail flounder and 3NO Skates constitute the major groundfish fishery in the NRA.

Table 2.3.1 *Total reported retained catches (in tonnes) of species (in FAO 3-alpha code) by Division for trips that ended in 2017 (Source: CA field of CAT Reports)*

Division	3L	3M	3N	3O	6G	TOTAL
<i>Species subject to catch limitations (as listed in the Quota Table)</i>						
COD	98.6	14196.5	350.8	227.9		14873.9
GHL	6594.3	1562.0	1094.4	8.6		9259.3
HKW	0.0	1.9	56.2	113.8		171.9
PLA	82.9	158.7	622.4	254.0		1118.1
RED	3729.3	7079.3	4595.0	7484.9		22888.5
SKA	77.4	43.3	3695.8	425.5		4242.0
SQI	0.0	2.8	0.0	11.5		14.4
WIT	38.1	181.7	94.2	219.0		533.0
YEL			3821.3	44.7		3866.0
<i>Selected species not listed in the Quota Table</i>						
ALF					54.5	54.5
ANG			2.7	19.7		22.3
CAT	2.6	5.9	3.3			11.8
HAD		4.2	6.0	23.3		33.4
HAL	103.3	132.9	219.0	176.8		632.0
RHG	71.0	24.8	24.5			120.4
RNG	12.7	5.8	0.1			18.6
<i>Sharks</i>						
DGX			0.1			0.1
GSK		2.6	1.5			4.1
<i>Other Species</i>	3.4	11.5	8.9	250.9	1.7	276.4
TOTAL	10813.7	23413.8	14596.2	9260.7	56.2	58140.7

Table 2.3.2 *Total reported rejected catches (in tonnes) of species (in FAO 3-alpha code) by Division for trips that ended in 2017 (Source: RJ field of CAT Reports)*

Division	3L	3M	3N	3O	Total
<i>Species subject to catch limitations (as listed in the Quota Table)</i>					
CAP	0.0		9.2	2.1	11.3
COD	4.9	7.1	30.0		41.9
GHL	0.0	0.0	1.1		1.2
HKW		0.0	14.9	0.6	15.5
PLA	5.5	1.3	58.6	3.7	69.1
RED	1.0	10.8	1.2	2.9	15.8
RJR	0.4	1.5	56.4		58.3
SKA	2.1	2.2	61.7	0.9	66.8
SQI		0.1	0.0	2.1	2.2
WIT	8.1	1.3	6.6	9.0	25.0
YEL	0.0		24.5	0.0	24.5
<i>Selected species not listed in the Quota Table</i>					
ANG			0.0		0.0
CAT	13.2	5.1	7.5	6.3	32.0
HAD		0.0	0.1	0.5	0.6
HAL	0.1	0.9	16.0	0.0	17.0
RHG	202.1	38.2	24.1	0.8	265.2
RNG	36.6	44.3	9.3	0.1	90.3
<i>Sharks</i>					
DGX	3.0	0.4	0.7		4.2
GSK	183.0	36.3	130.2	19.7	369.2
POR			1.4	1.6	2.9
SHX		0.1		1.2	1.3
SMA	0.2		1.5	0.7	2.4
<i>Other Species</i>	24.6	29.7	194.1	27.5	275.9
Total	484.9	179.3	648.9	79.7	1392.8

3.0 Inspection and Surveillance

Chapter VI of the NCEM outlines the general provisions and protocol of the at-sea inspection and surveillance in the NRA. Inspectors are appointed by Contracting Parties with inspection presence in the NRA and assigned to fishery patrol vessels tasked to carry out NAFO inspection duties at sea. Currently, Canada and the European Union are the Contracting Parties with inspection presence. They deploy the patrol vessels in the NRA.

Chapter VII of the NCEM – Port State Control Measure – outlines the procedure and protocol for landings and port inspection.

3.1 Patrol Activity

Arial Surveillance

In 2017, Canada deployed surveillance planes, collectively flying 342 hours with 993 sightings of vessels in the NRA. No vessel suspected of conducting IUU fishing activities was spotted.

Vessel surveillance

Six patrol vessels were deployed by the CPs with inspection presence. In all 365 days were spent in the NRA. The total length of time each patrol vessel exercised its patrol duties in 2017 varied between 11 days and 166 days. However, there were 88 days when no patrol vessel was present, and 83 days when there was more than one patrol vessel. Figure 3.1 shows the time of the year they were present in the NRA.

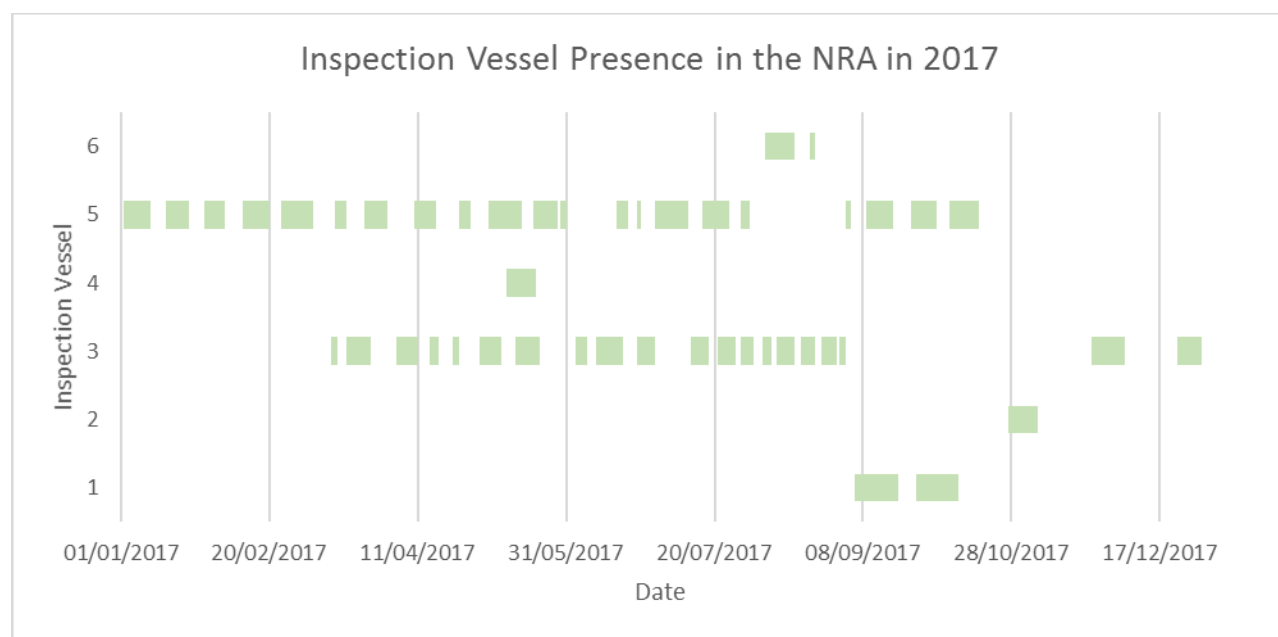


Figure 3.1 *Inspection Vessel Presence in the NRA in 2017.*

3.2 At-sea inspections

In all, 115 at-sea inspections were conducted, out of which seven (7) inspections detected Apparent Infringements (AI). Some AI's were considered serious (as per Article 38 definition), some could not be confirmed by the flag State upon further investigation or port inspection. Details of the AIs and their disposition can be found in Sections 4.6-4.8.

3.3 Port Inspections

According to Article 43.10, the port State Contracting Party shall carry out inspections of at least 15% of all such landings or transshipments during each reporting year, unless otherwise required in a recovery plan in which case 100% coverage is required. Greenland halibut is the only species which presence in the landing would require a port inspection (See Article 10). Port inspection reports are accomplished by port States using a PSC3 form (Annex IV.C).

In evaluating the compliance of port State authorities with Article 10, only trips with Greenland halibut onboard were considered. Table 3.3.1 shows the coverage levels (based on the number of trips, and days effort) of port inspections for vessels that had Greenland halibut onboard.

Table 3.3.1 *The number of fishing trips, fishing days, and catch amounts in tonnes of vessels that had Greenland halibut onboard (based on the COX for the trip) and the number and percent coverage of port inspections for that trip.*

	GHL onboard (COX)	Port Inspection Coverage	Percent Coverage
Number of Trips	65 (where GHL>0 at COX)	54 (trips with PSC3)	83.1
Fishing Days	2812	2554	90.8
Amount (tonnes)	9297	8397	90.3

In evaluating compliance with Port State Control measures outlined in Chapter VII of the NCEM, a review of the submission of Port State Control Prior Request (PSC1) and Port Inspection reports (PSC3) is presented in Table 3.3.2.

Table 3.3.2 *The number of PSC1s and corresponding PSC3s received by the NAFO Secretariat by port State Contracting Party.*

Port State Contracting Party	PSC1	PSC2	PSC3	% Coverage
Canada	19	0	11	57.9
Cuba	0	0	0	N/A
DFG (Faroe Islands)	2	0	1	50.0
DFG (Greenland)	0	0	0	N/A
EU (Spain, Netherlands)	5	0	4	80.0
France (St Pierre et Miquelon)	5	0	1	20.0
Iceland	0	0	0	N/A
Japan	0	0	0	N/A
Norway	0	0	0	N/A
Republic of Korea	0	0	0	N/A
Russian Federation	0	0	0	N/A
Ukraine	0	0	0	N/A
United States of America	0	0	0	N/A

4.0 Compliance

In this section, reporting obligations and apparent infringements (AIs) are examined. AIs are detected by at-sea inspectors and by port inspection authorities (see Section 3).

4.1 Reporting Obligation

The NCEM requires fishing vessels, flag State Contracting Parties, and fishing observers to provide reports on their fisheries activity within a determined time frame. In evaluating completeness in the cases of Vessel Transmitted Information (VTI) and of fishing observers under Article 30.A, reports were examined to determine which fishing trips were covered by the reports, and the following tables show the results of these analyses. The percentage coverage is computed as a ratio of fishing days accounted for by the reports and total fishing days effort in the NRA.

4.2 Vessel Reporting

4.2.1 Vessel Transmitted Information (VTI) – Catch-on-Entry (COE), Daily Catch Reports (CAT), and Catch-on-Exit (COX)

The Fisheries Monitoring Centres (FMCs) of flag States are responsible for transmitting the VTI reports to the Secretariat. The COE and COX are transmitted signifying the start and end of a fishing trip. COE-COX information is used to estimate the fishing-days effort in a fishing trip. The CATs are daily catch quantities reported by species and by Division while on a fishing trip and the NAFO Secretariat uses the CATs in the monitoring of the quota uptake by the fleet of the Contracting Parties.

In Table 4.2.1, the number of COE, COX, and CAT, as well as of fishing trips and fishing effort-days in the NRA, is presented. Ideally, the number of COE and COX should correspond to the number of fishing trips. The higher than expected numbers suggest that vessels left the NRA and returned while still operating under the same trip, or that duplicate and erroneous reports were occasionally sent. The VMS-VTI system features a cancel report (CAN) which allows vessels and FMCs to withdraw or correct previously sent VTI report. Nonetheless, all identified fishing trips had corresponding COE and COX, representing 100% coverage.

In total 4013 CATs were received within the calendar year 2017. This number is expectedly higher than the number of fishing days because some vessels were fishing in more than one Division in a single day.

Table 4.2.1 *Fishing effort and VTI statistics in the NRA, 2017.*

Number of fishing trips identified	112
Days Present in the Regulatory Area	3872
Number of Daily Catch Reports (CATs)	4013
Number of Catch on Entry Reports (COEs)	137
Number of Catch on Exit Reports (COXs)	136

4.2.2. Catch reporting on sharks

Article 28.6.g requires that all shark catches be reported at the species level, to the extent possible. When species specific reporting is not possible shark species shall be recorded as either large sharks (SHX) or dogfishes (DGX).

The 2017 CAT reports were examined and not all shark catches were reported to the species level. It is not known how many species of shark were lumped into SHX or DGX.

Table 4.2.2. *Amount of shark catches (t) as reported in CATs in 2017.*

3-Alpha Code	Common Name	Retained (t)	Rejected (t)	Total (t)	Percentage
DGX	Dogfishes	0.1	4.2	4.3	1.1%
GSK	Greenland Shark	4.1	369.2	373.3	97.2%
POR	Porbeagle		2.9	2.9	0.8%
SHX	Large sharks		1.3	1.3	0.3%
SMA	Shortfin mako sharks		2.4	2.4	0.6%
Total		4.2	380.1	384.2	100.0%

4.2.3 Haul by haul Reports

The submission of logbook data on a haul by haul basis became mandatory in 2015 (Article 28.8.b). The haul by haul data must be submitted to the Secretariat in the format prescribed in Annex II.N. for all hauls of the fishing trip. The Secretariat has received logbook data for 94 of 112 trips that were completed in 2017. This accounts for 3304 out 3872 fishing days, i.e. 83.3% coverage.

4.2.4 Position reporting – Vessel Monitoring System (VMS)

According to Article 29, every fishing vessel operating in the NRA shall be equipped with a satellite monitoring device capable of continuous automatic transmission of position to its land-based FMC, which in turn is transmitted to the Secretariat in real time. The transmission of position reports (POS) shall be no less frequently than once an hour.

The Secretariat can confirm that the requirement is fully complied with. In 2017, a total of 99 293 POS reports were received. Occasionally, technical problems were encountered by the fishing vessels or FMC. During these occasions, the POSs were transmitted manually. Technical issues were usually resolved within a few days through the coordination between the Secretariat and the FMC.

4.3 Closed Areas and Exploratory Fisheries

As of 2017, in total 21 areas in NAFO have been closed to bottom fishing including 14 areas with significant concentration of coral, sponges and sea pens, one coral protection zone, and six seamounts. The measures concerning the protection of Vulnerable Marine Ecosystems (VMEs) from bottom fishing are stipulated in Chapter II of the NCEM.

Fishing tracks were plotted from the haul by haul data by connecting the start and end points of each haul, implying that each track is a straight line. On closer examination of the fishing tracks, it was noted that some lie within the closed areas and even within the Canadian EEZ. However, upon cross-verification with the VMS data, the outliers were proven to be inaccurate.

The Secretariat did not receive a notification from a Contracting Party concerning its intention to conduct exploratory fisheries (as defined in Article 18) in 2017.

4.4 Vessel activity after 3M redfish 50%- and 100% TAC uptake notifications

The Secretariat monitors the TAC uptake through the daily catch reports it receives from the vessels and FMCs. When the TAC is projected to be reached, CPs are notified and are required to instruct their vessels to cease directed fishery on the stock starting on the date projected by the Secretariat.

Figure 4.4 shows the total daily catches and the percentage of cumulative catch derived from CAT reports. According to Article 5.5.d) of the NCEM, not more than 50% of the TAC may be fished before 01 July. A total of 18 vessels were targeting 3M redfish in early 2017. On 20 February 2017, the five-day prior notification of 50%-TAC uptake was circulated, stating that the 50% of the quota was projected to be taken by 25 February 2017, until which time the fishery would be suspended until 30 June. On 5 July 2017, the 96-hour projection notification was circulated, advising that 100% of the TAC was projected to be reached by 9 July. By the projected closure date, 101% of the 7000 t-TAC was fished. There was a total of 18 vessels targeting 3M redfish in July 2017. No directed 3M fishery was conducted after the closure.

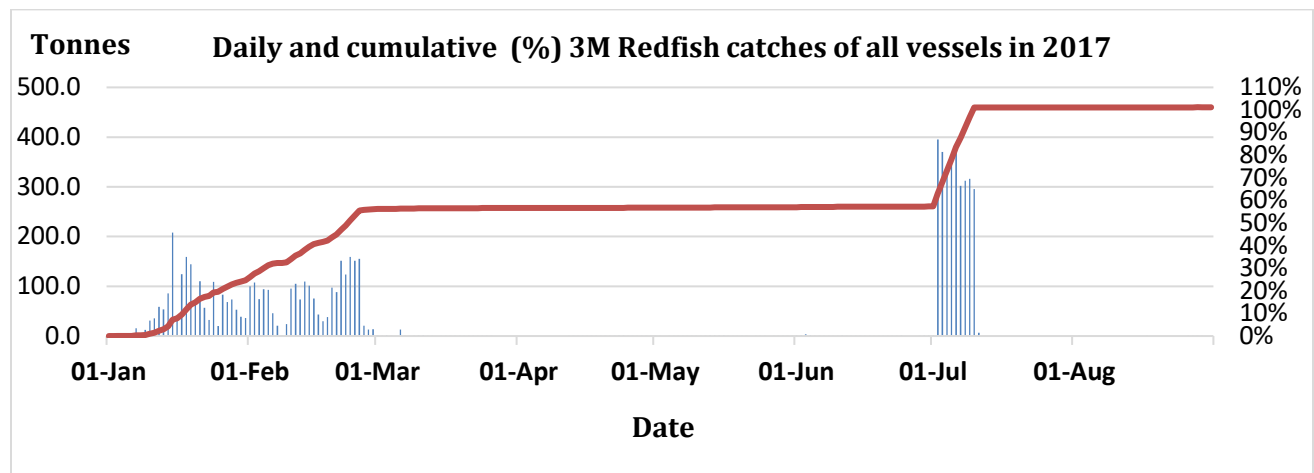


Figure 4.4 Daily catches of 3M redfish of all vessels in 2017. Source: 2017 CATs.

4.5 Observer Reports

Under Article 30.A – Observer Scheme, vessels are required to have an independent observer on board at all times (i.e. 100% coverage) during every fishing trip. In 2017, two Contracting Parties, Denmark (in Respect of the Faroe Islands and Greenland) and Norway, operated under Article 30.B. Faroe Islands vessels completed 13 trips in 2017, and two of those trips had an observer onboard and reports were submitted, and Norway had two vessels, conducting three trips in 2017 and two of those trips had an observer on board and reports were submitted.

In evaluating compliance of observer reports submission, only reports from vessels operating under Article 30.A were considered. In 2017, of the 100 fishing trips (3718 days present in the NRA) under Article 30.A, the Secretariat received observer reports from 89 trips (3236 days present in the NRA), an 87% report coverage.

4.6 Apparent Infringements detected at-sea and at-port

In 2017, a total of eight (8) vessels were cited with AI by inspectors at sea and port inspection services. At-sea inspectors issued AIs on six (6) vessels; port inspection services issued AIs on two (2) vessels. In all, there were nine AIs. Vessel 24 was cited twice by the port inspection services on separate incidents. Details on the nature of the AIs are provided in Table 4.6.

Flag State Contracting Parties are required to report on the judicial actions it has undertaken on the vessels issued with AIs (Article 40.1.d). Details of the follow-up actions are also provided in Table 4.6. The status of each AI case was determined by STACTIC during its intersessional meeting in May 2018.

Port AIs were determined by the completion of section E.1B (c) – *Additional Infringements found during the Port inspection* – of the PSC3 by the port inspection services. There is no indication in section E.1B (c) whether the AI is considered “serious” or “non-serious”.

Table 4.6 *Details of Apparent Infringements (AI) detected by inspectors at-sea and by port inspection services and their disposition. AIs presented in bold are AIs at-sea which were considered “serious” by the inspectors.*

Vessel Code	flag State CP	Date of inspection	Division (at-sea) or Port	Apparent Infringement (AI)	Confirmation of AI	Update as of Mar. 2018 (as reported by the flag State) (Art. 40.1.d.)	Remarks from Secretariat	STATUS as of May 2018 (Art. 40.2)
24	EU	05-Jan-17	St. John's	Master inaccurately recorded tow/set catch amount in 3N on 22 Dec 2016 and in 30 on 28 Dec 2016.	Section E.1.B (a) of PSC 3: Not confirmed during port inspection.		At the port inspection in Aveiro on March 2017, the AI could not be confirmed.	CLOSED
3	RUS	07-Apr-17	3M	Issued at sea: Failed to maintain Stowage plan (art 28.5.a); failed to maintain accurate production logbook (Art 28.3.a.); failure to maintain an accurate fishing logbook (Art 28.2.b). Considered serious in accordance with 38.1.i and 38.8.b as they relate to mis-recording of catches.	Section E.1.B (a) of PSC 3: Art 28.2(b) and 3 (a). Master give us a document signed by officers and NAFO Observer in April 10th 2017, according as they threw to sea 71900 kg of damaged Redfish in hold #1 between April 4th and 6th. Art. 28.5 (a) - Coincident stowage plane hold #1 (partially empty). Empty space 136,23 m³ = 72.64 tons."	Fined 120000 Rubles		CLOSED
24	EU	07-Jun-17	Vigo	PSC 3 - Section E.1.B(c) : Article 28.5a (Stowage Plan)		Proposal of resolution fine 8000 €. Case Pending	AI's issued by port inspection services are not indicated whether 'serious' or non-serious:	PENDING
39	USA	09-May-17	3N	Contrary to Art 6.6.a -- conducting directed fishery of COD, a species classified as bycatch in accordance with art 6.2.b as it is a moratorium species. Considered serious under art 38.1.		Submitted for prosecution. Case Pending.		PENDING

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Vessel Code	flag State CP	Date of inspection	Division (at-sea) or Port	Apparent Infringement (AI)	Confirmation of AI	Update as of Mar. 2018 (as reported by the flag State) (Art. 40.1.d.)	Remarks from Secretariat	STATUS as of May 2018 (Art. 40.2)
41	EU	24-Jul-17	3M	Fishing gear requirements. Use of a multiple flap-type topside chafer, with mesh size lesser than the cod-end.; and flaps more than ten meshes long. Contrary to Art. 13.6.	Use of multiple flap-type topside chafer, with meshes less than that of cod-end, and with flaps more than ten meshes long. Contrary to Art. 13.6 as described in Annex III.B.2.	Proposal of resolution 7000 €. Case Pending.		PENDING
11	EU	01-Aug-17	3L	Mis-recorded on 29 July catch in 3L contrary to Art 28.6.c.			Canadian inspectors issued the AI. EU inspectors could not confirm the AI.	CLOSED
38	EU	04-Jul-17	3M	Package labels at time of stowage could not be read by inspectors. Contrary to Art. 27.2.			During port inspection at Cangas in September 2017, fisheries inspectors did not confirm the apparent infringement in port.	CLOSED
42	USA	19-Sep-17	Loiusbourg	While directing for YEL in 3N, the master exceeded specified PLA bycatch limit of 15% in tow#5 of the trip, the master failed to immediately move 10 nautical miles from any position of tow #5 during tow#6, as required under Art 6.6.(b)(i).		CLOSED. Footnote 21 (now Footnote 14) applies to seasonal PLA bycatch limit.		CLOSED



Vessel Code	flag State CP	Date of inspection	Division (at-sea) or Port	Apparent Infringement (AI)	Confirmation of AI	Update as of Mar. 2018 (as reported by the flag State) (Art. 40.1.d.)	Remarks from Secretariat	STATUS as of May 2018 (Art. 40.2)
31	EU	15-Sep-17	3L	Failed to maintain Stowage plan (art 28.5.a); failed to maintain accurate production logbook (Art 28.3.a.); failure to maintain an accurate fishing logbook (Art 28.2.b). Considered serious in accordance with 38.1.i and 38.8.b as they relate to mis-recording of catches contrary to Art. 28. EU confirmed the AI.	Article 28.6 c	Case led by Spain. Waiting to be initiated. Case Pending		PENDING

4.7 Follow-up to apparent infringements

NCEM Article 39 spells out obligations of a flag State Contracting Party that has been notified on an infringement. It includes taking immediate judicial or administrative action in conformity with the national legislation of the flag State Contracting Party and ensuring that sanctions applicable in respect of infringements are adequate in severity.

Article 40 requires Contracting Parties to report on the disposition of the AIs. The legal resolution of AIs may take more than a year. Contracting Parties shall continue to list such infringements on each subsequent report until it reports the final disposition of the infringement. In Table 4.8, a summary of status of AI cases in the last five years (2013-2017) and their resolution are presented.

Table 4.8 *Resolution of citations (by at-sea inspectors and port inspection services) against vessels fishing in the NAFO Regulatory Area by year in which the citations were issued (as of May 2018). A citation is an inspection report that lists one or more apparent infringement. Inspections carried out for confirming a previous citation are not included.*

Year	Number of Inspection Reports with AI citation/s	Number of Resolved cases	Number of Pending Cases	% Resolved
2013	13	13	0	100%
2014	6	5	1	83%
2015	3	0	3*	0%
2016	10	3	7	30%
2017	9	5	4	55%

* all 3 cases are under appeal

5.0 Trends and Analysis

Five-year trends (2013-2017) are presented in this section.

5.1 General Trends

Trends in fishing effort and catches are presented in Figures 5.1.1 and 5.1.2.

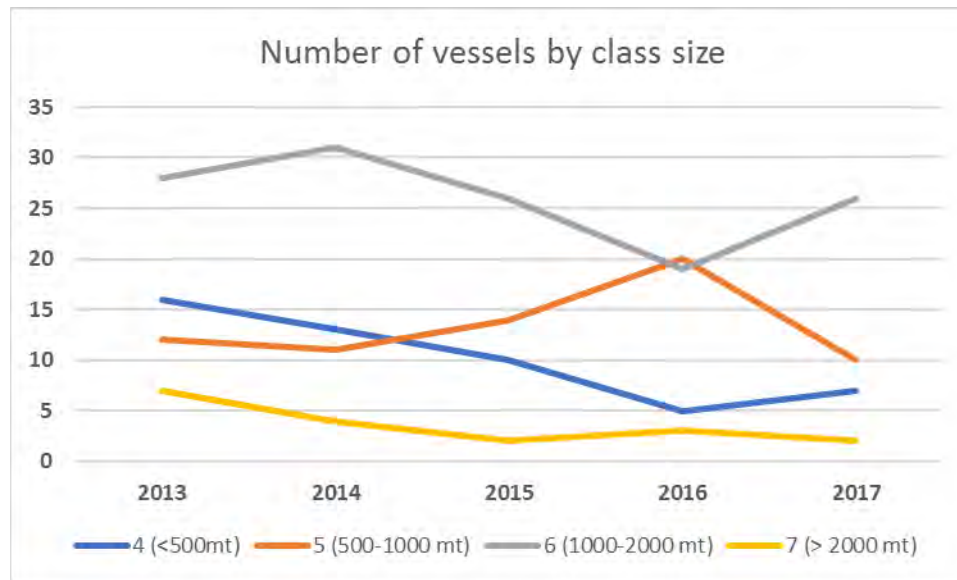


Figure 5.1.1 Number of fishing vessels in Divisions 3LMNO by class size, 2013-2017.

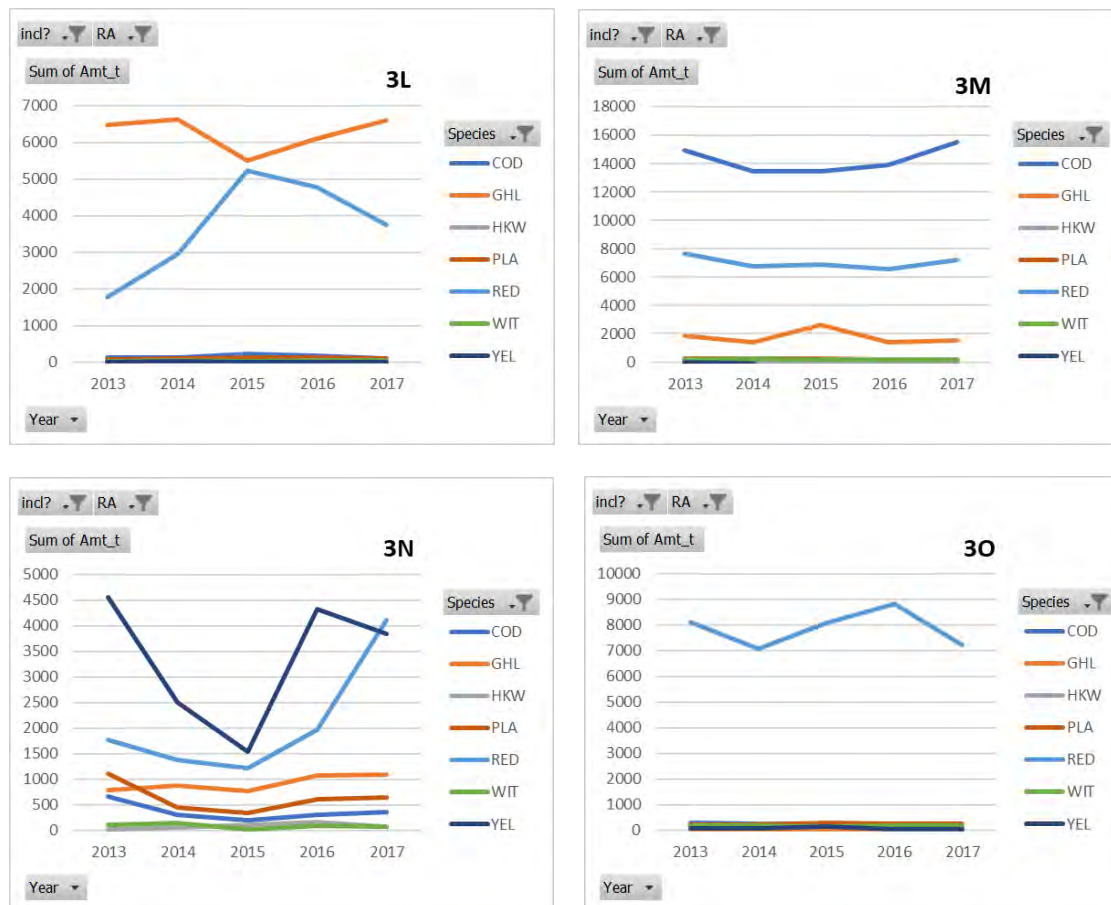


Figure 5.1.2 Catches (in tonnes) by Division of selected species managed by TAC, 2013-2017 (Source: CATs)

5.2 Reporting Obligations by Contracting Parties and Observers

Compliance with reporting obligations is quantified as a percentage coverage – the ratio of the fishing effort accounted for by the reports and of the total effort (days). A 100% coverage would mean that all expected reports were delivered to the Secretariat, less than 100% means some fishing trips did not have a corresponding report. Figure 5.2 presents the percentage coverage of port inspections reports on vessels with Greenland halibut landings, observer reports from vessels operating under Article 30A, and haul by haul reports in accordance with Article 28.8.b.

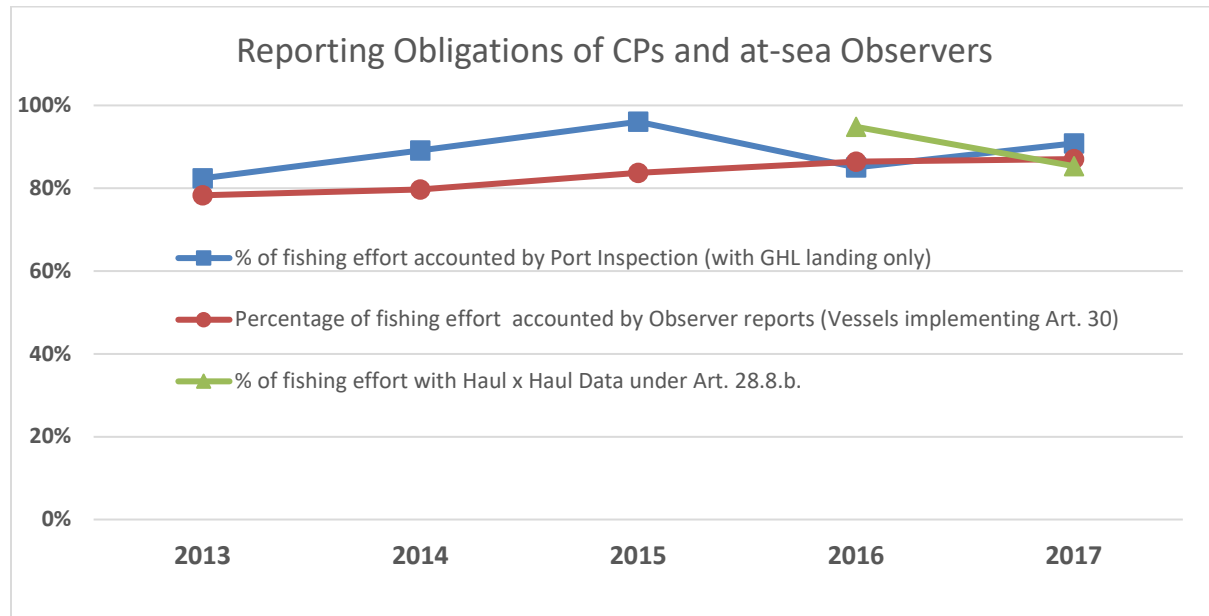


Figure 5.2 *Percentage coverage of Port Inspections reports with Greenland halibut landings reports (Art. 42.10), Observer Reports on fishing vessels operating under Article 30A, and Haul by Haul reports (Article 28.8.b and Annex II.N), 2013-2017.*

5.3 Compliance by Fishing vessels

Vessel compliance on this requirement (Articles 28 and 29) has been 100% coverage since 2013. The beginning and end of each fishing trips were indicated by the Catch-on-Entry (COE) and Catch-on-Exit (COX). Vessels also submitted Daily catch reports by Division (CATs) while in the NRA.

Hourly position reports (POS) were also transmitted to the Secretariat while the vessels were in the NRA.

5.4 Inspections and Apparent Infringements

At-sea inspection rates in the period 2013-2017 are presented in Figure 5.4.1. Frequency of AI cases in the period 2013-2017 are presented in Figure 5.4.2.

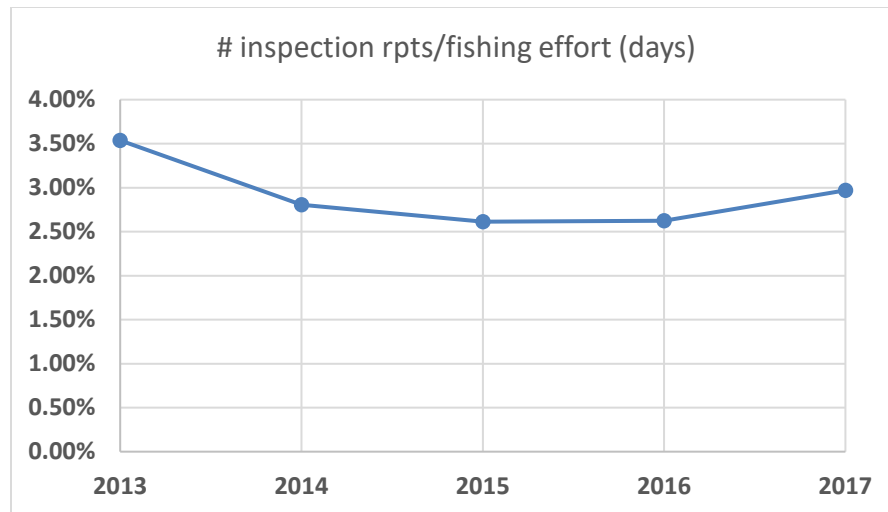


Figure 5.4.1 Inspection rates (number of at-sea inspections/vessel days) in the NAFO Regulatory Area, 2013-2017.

	2013	2014	2015	2016	2017
Bycatch - move-away	•	•			
Bycatch - retaining 3m Redfish	••••••• •••••				
By-catch requirements	•	••	•	••••	••
Catch communication violations (COX)				•	
Directed fishing of moratorium stock				•	•
Evidence tampering	•	•		•	
Falsification of documents	•				
Fishing after date of closure				•	
Gear requirements - mesh size, illegal attachments		•			•
Inspection protocol	•		•	•	
Mis-recording of catches - inaccurate recording	•••	••••••• •	••	••••••• •	••••
Mis-recording of catches -stowage		••	•	•	•••
Observer requirements		•			
Product labelling	•••••	•••			•
Quota requirements				••	
Vessel requirements - capacity plans	••••	•		•	
VMS requirements		•			

Figure 5.4.2 Number of AI cases detected by at-sea inspectors and port inspection services in 2013-2017. Black dots represent AIs issued at sea and blue dots represent AIs issued at port.

6.0 Conclusions

Overall compliance with reporting obligations is high and has continued to improve in recent years. While Contracting Parties are to be commended for their engagement in the compliance review process and their continued promotion of compliance with all aspects of the NAFO Conservation and Enforcement Measures (CEM), there is still work to be done.

Port State Inspections when Greenland halibut are landed are below the mandatory 100% inspection rate as required in Article 10. The submission of haul by haul logbook data in accordance with NAFO CEM Article 28.8 has reached 83.3% compliance. The submission of observer reports in accordance with the Article 30.A of the NAFO CEM is 87%. To address the above-noted reporting deficiencies, STACTIC is undertaking review of the reasons for these deficiencies and researching short-term and long-term solutions.

The port inspection provisions outlined in Chapter VII of the NAFO CEM require that Contracting Parties inspect 15% of the landings of vessels entitled to fly the flag of another Contracting Party. Contracting Parties have exceeded the 15% requirement in 2017.

New compliance review format implemented by STACTIC this year appears to be working well and continues to reassess the compliance review process and looks for opportunities to add relevant information to guide the decision-making process. In 2017, STACTIC detected fewer infringements. STACTIC remains committed to developing measures to address apparent infringements, particularly misreporting of catch and division areas and repeat non-compliance.

7.0 Recommendations

STACTIC recommends that the Secretariat outline port State reporting requirements by port State Contracting Party in the 2019 Compliance Review to determine which Contracting Parties are below the reporting requirements.

STACTIC recommends that all Contracting Parties review the timeliness of their reporting to ensure compliance with the requirements set out in the NAFO CEM.

STACTIC recommends that the NAFO Secretariat clarify in the 2019 Compliance Review the difference between actual fishing days and days spent in the NAFO Regulatory Area and present both figures, as well as an analysis of fishing time by species and area.

STACTIC recommends that Contracting Parties ensure the correct reporting of species by division, including species where no catch limitations apply.

STACTIC shall continue to review the changes in fishing patterns in the NAFO Regulatory Area, with a particular focus upon incidental catches of other species, including sharks.

STACTIC will continue to discuss environmental considerations, including garbage at-sea.

STACTIC recommends that the Contracting Parties with an Inspection Presence maintain and continue efforts to protect stocks that are subject to moratorium.

STACTIC recommends that Contracting Parties with an inspection presence continue to collaborate.



Annex 36. NAFO Press Release

NAFO AGREES TO SECOND PERFORMANCE REVIEW AND CONTINUES ITS COMMITMENT TO CONSERVING MARINE BIODIVERSITY

FOR IMMEDIATE RELEASE

Tallinn, Estonia, 21 September 2018- The 40th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) took place from 17-21 September in Tallinn, Estonia. Delegates from the 12 NAFO Contracting Parties were welcomed to Estonia by the NAFO President, Stéphane Artano, and the Honourable Siim Kiisler, Minister of the Environment of Estonia. Contracting Parties were also welcomed by the Director-General for Maritime Affairs and Fisheries from the European Commission, Mr. João Aguiar Machado, later in the week.

At the meeting, NAFO accepted the Performance Review Panel Report and its 36 recommendations to further improve its functioning. This second comprehensive Review addressed conservation and management; compliance and enforcement; governance; science; international cooperation; and financial and administrative issues. NAFO also established a working group to develop an action plan to address all the recommendations. A copy of NAFO's Performance Review Report and its recommendations can be found on the NAFO website (<https://www.nafo.int>).

In addition, to the traditional total allowable catch (TAC)* and quota decisions, significant decisions were made regarding the following:

- NAFO adopted an exceptional circumstances protocol for NAFO's Greenland halibut management strategy evaluation.
- NAFO continued its commitment to the conservation of marine biodiversity in NAFO waters by implementing measures to prohibit the directed fishing of Greenland shark and for Contracting Parties to report on efforts to minimize incidental catches and mortalities.
- NAFO adopted a comprehensive revision to the NAFO Observer Program to enhance the quality of data being collected by NAFO observers.
- NAFO agreed to a schedule for the management strategy evaluation (MSE) plan for cod in the Flemish Cap (Division 3M), including setting a Harvest Control Rule (HCR) for the stock, for the next Annual Meeting.
- NAFO continued its efforts towards further developing its ecosystem approach to fisheries management by requesting that the NAFO Scientific Council develop a 3 to 5-year workplan to ensure its prioritization and support. In this context, NAFO looks to further progress in the implementation of its Ecosystem Approach Roadmap.

*All of the TACs and quotas can be found [here](#).

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PART II.

Report of the Standing Committee on International Control (STACTIC)

40th Annual Meeting of NAFO, 17-21 September 2018
Tallinn, Estonia

1. Opening by the Chair, Judy Dwyer (Canada)

The opening of the STACTIC meeting was delayed as Contracting Parties could not achieve consensus on how STACTIC should proceed if industry representatives who are members of some Contracting Party delegations were present at the meeting. This question was presented to the Commission who convened two emergency Heads of Delegation meetings. Heads of Delegation acknowledged that each Contracting Party can make its own decision on whether or not to allow industry representatives of Contracting Party delegations to attend STACTIC. The Heads of Delegation advised that, for this meeting only, if any Contracting Party felt they were unable to address agenda items, they were asked to signal their intent not to participate or object to discussing the item with industry representatives in attendance at the start of each Agenda Item. It was clarified during the discussion of the advice that no participation on an agenda item was in no sense to be taken as agreement to adopt such item.

The Chair opened the meeting at 11:00 hours on Tuesday, 18 September 2018 at the Radisson Blu Hotel Olumpia in Tallinn, Estonia. The Chair welcomed representatives from the following Contracting Parties (CPs) – Canada, Denmark (in respect of Faroe Islands and Greenland), the European Union, France (in Respect of St. Pierre et Miquelon), Iceland, Japan, Norway, the Russian Federation, Ukraine, and the United States of America (Annex 1).

2. Appointment of Rapporteur

Jana Aker (NAFO Secretariat) was appointed as rapporteur.

3. Adoption of Agenda

The following additions were made to the agenda under agenda Item 17 – Other Business:

- a. Designated Ports - FAO
- b. Global Record – list of vessels
- c. Development of executive session of STACTIC
- d. Nordic Fisheries Inspection Network
- e. Performance Review Recommendations
- f. Reporting of sharks

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

4. Compliance Review 2018 Including Review of Reports of Apparent Infringements

The NAFO Secretariat presented the draft Annual Compliance Review in STACTIC WP 18-29 and highlighted that the version follows the template adopted by STACTIC at the 2017 Annual Meeting found in STACTIC WP 17-42 (Rev. 2). Contracting Parties made several suggestions for improvement and clarification within the working paper and they have been reflected in STACTIC WP 18-29 (Revised). Representatives from the United States, Canada, and the European Union volunteered to draft the conclusions and recommendations sections which are also presented in STACTIC WP 18-29 (Revised). The United States requested that going forward, the NAFO Secretariat complete the initial draft of the Conclusions and Recommendations sections of the Compliance Review prior to the Annual Meeting to save time during the meeting. Contracting Parties made

further editorial comments on the document and it was agreed to forward STACTIC WP 18-29 (Rev. 2) to the Commission for adoption.

The Chair highlighted COM WP 18-07 which is the overview of Chartering Arrangements and explained that the Commission normally reviews this working paper annually but felt that STACTIC should review this information. STACTIC reviewed the working paper and noted that the information should be included in the Compliance Review, and Contracting Parties agreed that it should be included in the Compliance Review going forward. Contracting Parties also identified a need for the inclusion of transshipment operations in the Compliance Review.

It was **agreed** that:

- **The Annual Compliance Review outlined in STACTIC WP 18-29 (Rev. 2) be forwarded to the Commission for adoption.**
- **The NAFO Secretariat would, going forward, complete an initial draft of the conclusions and recommendations section of the Compliance Review prior to the start of the Annual Meeting.**
- **STACTIC will recommend to the Commission that going forward, the Overview of Chartering Arrangements and transshipment operations will be incorporated into the Compliance Review starting in 2019.**

5. Measures concerning repeat non-compliance of serious infringements in the NAFO Regulatory Area

The European Union objected to discussing this Agenda Item as per the process described under Agenda Item 1. Iceland agreed with the European Union and noted that they are interested in seeking potential mechanisms for addressing repeat non-compliance, but that the discussions would have to be deferred.

Canada provided an update on the status of the proposal that they have been working on, noting that they have received information from most, but not all Contracting Parties. They further noted that in the preliminary review of the information, not all Contracting Parties have a common mechanism within their domestic legislation to address repeat non-compliance of serious infringements. Canada noted that future discussions were required under this agenda item.

It was **agreed** that:

- **The discussions relating to measures concerning repeat non-compliance of serious infringements were deferred as per the process described under Agenda Item 1.**

6. New and Pending Proposals on Enforcement Measures: possible revisions of the NAFO CEM

Canada presented STACTIC WP 18-27 (Rev. 2) noting that this was a proposal on amendments to the stowage plan provisions that had been updated following discussions after the Intersessional Meeting as well as bilateral discussions with Iceland during this meeting. The European Union expressed concern with the Annexes in the working paper, and Canada clarified that the Annexes were only provided to facilitate a visual for the discussions during this meeting and that they were not for inclusion in the NAFO CEM. Contracting Parties thanked Canada for the clarification and suggested minor revisions to the text of the proposal and it was agreed to forward the proposal outlined in STACTIC WP 18-27 (Rev. 3) to the Commission for adoption.

Norway presented STACTIC WP 18-31 which contained a proposal for amendments to Chapter VII of the NAFO CEM in response to the recommendation from the Intersessional Meeting. Norway explained that NEAFC had adopted amendments to the NEAFC Scheme of Control and Enforcement and the PSC 1 and 2 to require flag

State confirmation and port State authorisation when a foreign vessel requests permission to enter port for use of port services other than for offloading and transshipment. Contracting Parties thanked Norway for preparing this proposal. Iceland proposed an addition to the PSC1 and PSC2 forms under Part C to differentiate between the authorization of NAFO catch and NEAFC catch because there may be differences in time limits for PSC authorization of catch to be landed but also that the current PSC can be interpreted as NAFO giving authorization on behalf of NEAFC. Contracting Parties agreed, and the final revision is presented in STACTIC WP 18-31 (Revised) and it was agreed to forward this to the Commission for adoption.

Denmark (in Respect of the Faroe Islands and Greenland) presented STACTIC WP 18-33 which outlined a provision for amendments to the gear requirements in Article 13 of the NAFO CEM. Contracting Parties noted that they felt the addition of square mesh panels would be allowed under the current NAFO CEM provisions. The European Union added that the addition of square mesh panels is complicated and that with these types of panels the size and position are of crucial importance, and the research shows different results for different fish species. Denmark (in Respect of the Faroe Islands and Greenland) thanked Contracting Parties for their input and withdrew the proposal until the 2019 Intersessional Meeting.

The Chair invited Canada to present STACTIC WP 18-34 outlining proposed changes to the definitions of bycatch in Article 6 of the NAFO CEM. Iceland objected to discussing this agenda item as per the process described under Agenda Item 1 and the working paper was deferred.

Canada presented STACTIC WP 18-35 outlining a proposal to modify the distribution of the notification of infringements to allow port State inspection authorities to be aware of infringements issued at sea. Canada drafted this paper in a response to a recommendation made at the 2018 Intersessional Meeting. Contracting Parties were supportive of the concept of the proposal but offered edits for clarification. Contracting Parties agreed to forward the proposal outlined in STACTIC WP 18-35 (Rev. 2) to the Commission for adoption.

The United States presented STACTIC WP 18-39 outlining proposed amendments to the move along provisions but noted that further information was required before the proposal could be finalized. Contracting Parties provided comments to the United States on the proposal, and the United States thanked Contracting Parties for their input and requested that the action on the proposal be deferred to the 2019 Intersessional Meeting.

Canada presented STACTIC WP 18-41 which was a proposal to reinstate the text of footnote 14 of Annex I.A of the NAFO CEM into Article 6. The United States noted that this issue has been under discussion during the last few meetings of STACTIC and noted that the original issue stemmed from a procedural question as to whether the Editorial Drafting Group was authorized to recommend the change to the NAFO CEM in 2015. The United States explained that, in its view, the change should have been initiated and approved by the Commission. Since this change, this year, was initiated by the Commission and forwarded to STACTIC for further development, there is no longer a procedural concern and the United States agreed with the proposal presented by Canada.

It was noted that at the 2018 Intersessional Meeting, it was agreed that the proposals outlined in STACTIC WP 18-18, STACTIC WP 18-21 (Revised), and STACTIC WP 18-22 (Rev. 2) were to be forwarded to the Commission for adoption.

It was **agreed** that:

- **The proposed changes to the NAFO CEM outlined in STACTIC WP 18-27 (Rev. 3) be forwarded to the Commission for adoption.**
- **The proposed changes to the NAFO CEM outlined in STACTIC WP 18-31 (Revised) be forwarded to the Commission for adoption.**
- **Denmark (in Respect of the Faroe Islands and Greenland) would withdraw their proposal presented in STACTIC WP 18-33 until the 2019 Intersessional Meeting.**

- **The proposed changes to the NAFO CEM outlined in STACTIC WP 18-35 (Rev. 2) be forwarded to the Commission for adoption.**
- **The discussion of STACTIC WP 18-34 be deferred as per the process described under Agenda Item 1.**
- **The United States would defer their proposal presented in STACTIC WP 18-39 until the 2019 Intersessional Meeting.**
- **The proposed changes to the NAFO CEM outlined in STACTIC WP 18-41 be forwarded to the Commission for adoption.**

7. NAFO Monitoring, Control and Surveillance (MCS) Website

The NAFO Secretariat noted that the Quota Monitoring Application has been added to the MCS Website following the recommendation at the Intersessional Meeting. The European Union highlighted the importance of the MCS website as a tool for inspection and enforcement in NAFO but noted that there are some enhancements that could be made to improve the functionality of the website, such as correcting filtering issues, including VMS positional information, photos of the vessels, quota transfers, and elements that could be included in the risk analysis. The European Union also highlighted that it would be useful for the NAFO Secretariat to develop a guidance document on using the MCS website that could be used during the training of inspectors. The European Union noted that they still intend to propose that all inspection personnel (at-sea and in port) have access to all of the information on the MCS Website for inspection purposes but called a meeting of the Editorial Drafting Group in advance of the 2019 Intersessional Meeting to begin drafting the necessary changes in the NAFO CEM to facilitate this. Iceland noted that they were pleased with this proposed way forward and offered to assist.

It was **agreed** that:

- **The EDG would meet in advance of the 2019 Intersessional Meeting to review the access rights outlined in the NAFO CEM to the MCS Website to at-sea and in port inspectors to ensure that all inspectors have access to all information necessary to facilitate their inspections.**
- **The NAFO Secretariat would investigate, in advance of the 2019 Intersessional Meeting, potential enhancements to the MCS Website, including the development of a guidance document.**

8. Editorial Drafting Group (EDG) of the NAFO CEM

The Chair noted that there were a number of items raised for discussion by the Editorial Draft Group during this meeting, and that a face to face meeting would be scheduled within the first designated two-week period for 2019 meetings (25 February to 08 March 2019).

It was **agreed** that:

- **The Editorial Drafting Group would schedule a face to face meeting during the period of 25 February to 08 March 2019.**

9. Report and Recommendations of the STACTIC Observer Program Review Working Group (WG-OPR)

The Chair presented STACTIC WP 18-45 which outlined proposed changes to the NAFO Observer Program in Article 30 of the NAFO CEM. The Chair noted that these revisions were the result of work from all Contracting Parties involved in the working group and expressed thanks to everyone for their input and collaboration.

It was highlighted that the criteria for derogation outlined in the proposed Article 30.5 may need to be reviewed at a later date, by STACTIC. It was also noted that during the drafting process, templates were developed for the reporting requirements outlined in Article 30.5.e and Article 30.9.d, and Contracting Parties could elect to provide the reports in these templates, but that they are not a requirement, however, would be available on the MCS Website. It was also noted that the term “undue influence or benefit” in Article 30.2 of the proposed revisions was intended to deter the direct transfer of funds / benefits between the industry and observers, whilst not precluding industry funded observer programs. Canada asked whether Contracting Parties had a common understanding of what “negligible” meant in Article 30.5.a of the proposed provisions, and it was agreed that the term “negligible” was understood to mean “so small or unimportant as to be not worth considering; insignificant” in the context of this Article. Editorial changes were suggested in the working paper for clarification and it was agreed to forward STACTIC WP 18-45 (Revised) to the Commission for adoption. Any Contracting Party may elect to delay the application of Article 30 until 01 January 2020 but shall follow the provisions of Article 30 outlined in the 2018 NAFO CEM (COM Doc. 18-01). Those Contracting Parties electing to delay shall notify the Executive Secretary no later than 31 December 2018, and the Executive Secretary shall post this information to the MCS Website.

It was **agreed** that:

- **The revised version of Article 30 of the NAFO CEM outlined in STACTIC WP 18-45 (Revised) be forwarded to the Commission for adoption.**
- **Any Contracting Party may elect to delay the application of Article 30 until 01 January 2020 but shall follow the provisions of Article 30 outlined in the 2018 NAFO CEM (COM Doc. 18-01). Those Contracting Parties electing to delay shall notify the Executive Secretary no later than 31 December 2018, and the Executive Secretary shall post this information to the MCS Website.**

10. Review and Evaluation of Practices and Procedures

The Chair highlighted that two Contracting Parties had agreed at the 2018 Intersessional Meeting to provide presentations under this agenda item, but those Contracting Parties deferred these discussion as per the process described under Agenda Item 1.

It was **agreed** that:

- **The presentations from Iceland and Denmark (in Respect of the Faroe Islands and Greenland) would be deferred as per the process described under Agenda Item 1.**

11. Review of Current IUU list Pursuant to NAFO CEM, Article 53

Following discussions at the 2018 Intersessional Meeting relating to the vessel “Maine” on the NAFO IUU list, the NAFO Secretariat highlighted that NEAFC has updated the name from “Maine” to “Labiko”. It was agreed that the NAFO Secretariat should also make this change based on available information.

It was **agreed** that:

- **The NAFO Secretariat update the name of the vessel “Maine” to “Labiko” on the IUU list.**

12. Review of Data Reporting Requirements in the NAFO CEM

a. Review of the Reporting of Haul by Haul data (Article 28.8.b)

The Chair opened this agenda item and highlighted the recommendation from the 2018 Intersessional meeting that stated:

It was agreed that:

A review of the reporting of haul by haul data be added to the agenda for the next Annual Meeting with a view to examine and address potential causes of untimely reporting or non-reporting of this data, an appropriate timeframe for reporting this data, the feasibility of including catch information by haul in the daily CAT, the availability of this data to NAFO inspectors, recommendation 5 from the WG-BDS meeting report, and any other issues related to haul by haul reporting.

Contracting Parties noted that there were a lot of items to be discussed and uncertainty on how to move forward to address each of the items. Following discussions, Canada offered to develop a paper to identify some potential approaches. Canada presented this paper in STACTIC WP 18-46 and offered to draft a proposal addressing the points outlined in item 5.a of the paper at the 2019 Intersessional Meeting.

It was **agreed** that:

- **Canada would develop a proposal in response to the items outlined in item 5.a of STACTIC WP 18-46 for discussion at the 2019 Intersessional Meeting.**

b. Review of the Reporting of Provisional Monthly Catch (Article 28.8.a)

The Chair opened this item reflecting on discussion from the intersessional meeting relating to this reporting provision. The Chair noted that following discussion with the Chair of the Scientific Council, it was determined that the data being provided in this provision were in fact being used by the Scientific Council, although these are combined from two different types of data, daily catch evaluations (CAT messages) and landing figures. The European Union felt that with daily CAT reporting, there was no longer a need for this monthly aggregation of CAT messages and presented a proposal for Contracting Parties to opt out of this provision in STACTIC WP 18-44. Canada expressed reservations on moving forward with this proposal until confirmation could be provided about any other uses for the data. It was agreed that the discussion of the Reporting of Provisional Monthly Catch (Article 28.8.a) be deferred to the 2019 Intersessional Meeting.

It was **agreed** that:

- **The discussion on the Reporting of Provisional Monthly Catch (Article 28.8.a) outlined in STACTIC WP 18-44 be deferred until the 2019 Intersessional Meeting.**

13. Bycatches and Discards

The Chair highlighted STACTIC WP 18-28 (Revised) that was developed at the 2018 Intersessional Meeting in response to the request from the Commission in COM Doc. 17-23 requesting a joint action plan to minimize or eliminate discards in the NAFO Regulatory Area. Norway offered that a questionnaire to Contracting Parties may facilitate discussion to provide more concise information to work with, rather than filtering through each Contracting Party's domestic legislation. Contracting Parties agreed with Norway's proposed way forward and

Norway offered to draft the questionnaire. The final version of the coordinated plan to examine the feasibility of introducing policies to minimize or eliminate discards in NAFO of STACTIC and the WG-BDS, with the questionnaire provided by Norway is presented in STACTIC WP 18-28 (Rev. 4), and it was agreed to forward this to the Commission for adoption. Contracting Parties agreed to respond to the questionnaire outlined in STACTIC WP 18-28 (Rev. 4) prior to 31 December 2018. It was also agreed that the Chairs of STACTIC, WG-BDS, and the Scientific Council would meet during the first designated two-week period in 2019 to review the responses to the questionnaire, and the analyses to be completed by the NAFO Secretariat. The report of this meeting will be presented at the 2019 Intersessional Meeting.

Contracting Parties expressed differing views regarding the proposed approach to the issue of bycatch and discards in the NAFO Regulatory Area.

Denmark (in Respect of the Faroe Islands and Greenland) presented COM WP 18-26, which was forwarded to STACTIC by the Commission. They noted that this was intended as a discussion paper on potential options for minimizing bycatch and discards in NAFO. The United States noted that the changes being proposed in the paper were substantive policy changes that had not been approved by the Commission and therefore not appropriate for discussion within STACTIC until further guidance from the Commission is received. The Russian Federation expressed a reservation to discussing the potential options presented in the working paper. It was decided that guidance from the Commission was required on whether it is appropriate to continue discussions in STACTIC on STACTIC WP 18-26.

It was **agreed** that:

- **The coordinated plan between STACTIC and the WG-BDS to examine the feasibility of introducing policies to minimize or eliminate discards in NAFO outlined in STACTIC WP 18-28 (Rev. 4) be forwarded to the Commission for adoption.**
- **Contracting Parties would respond to the questionnaire outlined in STACTIC WP 18-28 (Rev. 4) prior to 31 December 2018.**
- **the Chairs of STACTIC, WG-BDS, and the Scientific Council would meet during the first designated two-week period in 2019 to review the responses to the questionnaire, and the analyses to be completed by the NAFO Secretariat. The report of this meeting will be presented at the 2019 Intersessional Meeting.**
- **guidance from the Commission was required to identify how STACTIC should proceed in this matter. on whether it is appropriate to continue discussions in STACTIC on STACTIC WP 18-26.**

14. Data classification and Access Rights

Some Contracting Parties noted that they were not willing to discuss STACTIC WP 18-40, the US proposal on transparency of working papers, and the NAFO Secretariat working paper, STACTIC WP 18-37, referring to data classification as per the process described under Agenda Item 1.

It was **agreed** that:

- **Discussions under this agenda item be deferred as per the process described under Agenda Item 1.**

15. Report and Advice of the Joint Advisory Group on Data Management (JAGDM)

The European Union highlighted the Electronic Reporting System (ERS) developments currently taking place in NEAFC and requested that JAGDM review this in the context of potential future use in NAFO. Norway also

noted that currently in the NEAFC port authorization systems, the PSC1 and PSC2 processes are electronic, and in NAFO they are not. Norway proposed that JAGDM could consider the possibility of an electronic PSC system in NAFO.

It was **agreed** that:

- **STACTIC would request JAGDM to review the work on the ERS system in NEAFC in the context of NAFO.**
- **STACTIC would request JAGDM to discuss the possibility of transposing the NEAFC electronic system into NAFO for PSC1 and PSC2 forms.**

16. Discussion on Garbage Disposal and Labour Conditions Onboard Vessels

The NAFO Secretariat presented STACTIC WP 18-30 highlighting the results of a survey of other RFMO Secretariats (CCAMLR and SIOFA) on their application of MARPOL. Japan noted that WCPFC has also adopted measures related to garbage disposal at sea. Canada presented STACTIC WP 18-36 highlighting Canada's legislative mechanisms to address garbage disposal at sea, and Denmark (in Respect of the Faroe Islands and Greenland) presented STACTIC WP 18-38 highlighting information pertaining to their domestic practices on the issue of garbage disposal at sea for discussion. Norway also provided a summary of their domestic practices in relation to this issue. The European Union explained that it is enforcing provisions to enhance port reception facilities to collect garbage from ships, including fishing vessels, with the view to fully implement MARPOL Annex V and promote further re-use and recycling. Pending guidance from the Commission, it was agreed to continue these discussions at the 2019 Intersessional Meeting and the European Union also offered to table a proposal on garbage at the 2019 Intersessional Meeting.

Norway flagged under this agenda item a discussion on lost and abandoned fishing gear in NAFO, noting the provisions of Article 13.10-13.13 in the NAFO CEM. Norway proposed that the NAFO Secretariat investigate the development of an application to fulfill the notification requirements for lost gear to facilitate reporting, and also requested the Secretariat investigate the possibility of creating a map showing where the gear had been lost to get an indication of patterns. Norway agreed to provide a proposal for the application and the map creation at the 2019 Intersessional Meeting. Norway also highlighted that NAFO could investigate the possibility of conducting retrieval operations for gear that has been lost.

Contracting Parties discussed labour conditions onboard vessels and noted that this is addressed in other international organizations such as the ILO and the IMO and is not under the mandate of NAFO; however, highlighted the importance of open communication mechanisms with these organizations to facilitate the reporting of incidents to the relevant authorities. Contracting Parties noted the importance of this for Contracting Parties with an inspection presence and port inspectors, as they could be presented with situations of questionable labour conditions onboard vessels. Iceland proposed posting, on the MCS Website, a single point of contact (SPOC) for each Contracting Party which would direct notification on such incidents to the correct authorities, as there is a difference between each Contracting Party on how labour laws are enforced. Contracting Parties agreed that this would be useful, and suggested the inclusion of links to the ILO, IMO, and MARPOL websites.

The United States noted that any proposals to recommend measures to address garbage disposal and labour conditions onboard vessels should be initiated by the Commission.

It was **agreed** that:

- **STACTIC would request guidance from the Commission on moving forward with the development of proposed measures to address garbage disposal at sea.**

- **Pending guidance from the Commission:**
 - This agenda item remain on the agenda for the 2019 Intersessional Meeting.
 - the European Union would table a proposal on garbage at the 2019 Intersessional Meeting.
 - Norway would draft a proposal for the development of an application and map for lost and abandoned fishing gear in NAFO.
 - Contracting Parties would submit their single point of contact (SPOC), as described above, to the NAFO Secretariat.
 - The NAFO Secretariat would add a page for a single point of contact for each Contracting Party on the MCS Website along with links to ILO, IMO, and MARPOL documentation.

17. Other Business

a. Designated Ports - FAO

Norway presented STACTIC WP 18-32 highlighting a proposal for NAFO to request the FAO to add a link to the relevant NAFO pages on designated ports, rather than having each port State upload this information on the FAO Website in order to avoid double reporting, which could lead to a mismatch between RFMO lists and the FAO list. Contracting Parties expressed concerns that the information being uploaded to the FAO database contains more detail than that being sent to NAFO, and some information would be lost if only the link was provided. It was agreed that the NAFO Secretariat would reach out to the FAO to clarify if posting a link would facilitate the requirement and report back to STACTIC at the 2019 Intersessional Meeting.

It was **agreed** that:

- **The NAFO Secretariat would contact the FAO and discuss the proposal outlined in STACTIC WP 18-32 and report back to STACTIC at the 2019 Intersessional Meeting.**

b. Global Record – list of vessels

Norway highlighted that the FAO Global Record is an initiative to make data available from State authorities about vessels and vessel-related activities. Norway proposed that rather than having each Contracting Party submit their vessel information to the Global Record, the NAFO vessel registry could be linked, lessening the administrative burden on the Contracting Parties. Contracting Parties noted concerns with this proposal as the NAFO vessel registry is very fluid and subject to change from year to year. Norway withdrew this suggestion.

c. Development of executive session of STACTIC

The United States requested this agenda item following the initial discussions around fishing industry presence in the STACTIC meeting. The Chair clarified that the Commission would be providing STACTIC with advice on a way forward with this issue during the presentation from STACTIC at the Commission meeting.

d. Nordic Fisheries Inspection Network

Denmark (in Respect of the Faroe Islands and Greenland) presented STACTIC WP 18-42 highlighting the Nordic Fisheries Inspection Network project that took place in August 2018. The seminar was an opportunity for fisheries control professionals in the West Nordic Region to collaborate and share experiences and expertise. Iceland noted that they had representatives attend this seminar and it was very useful and thanked Denmark

for hosting. Canada and the European Union also reflected on their current Inspectors Workshop and noted that this forum has also been extremely beneficial for information exchange between Contracting Parties with Inspection Presence, and that the next meeting would be taking place in December 2018.

e. Performance Review Recommendations

The NAFO Secretariat highlighted COM-SC WP 18-04 which outlined the recommendations from the NAFO Performance Review. The Chair noted that the current tasking asked of STACTIC by the Commission was to ensure that the relevant NAFO Bodies that were identified to address the recommendations are correct. STACTIC sought clarification on Recommendation 24 relating to the follow-up to infringements and questioned if this recommendation should be referred to STACTIC. Iceland noted that infringements detected in port are missing from the review.

The European Union expressed a strong concern about recommendation number 20 on flag State performance and noted that the FAO guidelines are a reference to States that voluntarily want to evaluate their level of performance and are not entitled to be applied by RFMOs that have in force an internal Contracting Party review process, such as NAFO. The European Union also stated that, should this recommendation number 20 go through, the performance evaluation exercise should be strictly limited to NAFO waters and to legal aspects such as how the NAFO rules are made binding by the Contracting Parties.

f. Reporting on sharks

The European Union presented STACTIC WP 18-43 outlining a proposal to enhance the reporting of individual sharks in response to a request from the Scientific Council. Contracting Parties expressed concerns with the technical changes that would have to take place in order to facilitate the updates proposed to the CAT message. The United States and the European Union worked together to revise and co-sponsor the proposal, and it was agreed to forward STACTIC WP 18-43 (Rev. 3) to the Commission for adoption.

During the discussions, Japan highlighted that it would be extremely useful to have guidance documents for the collection of biological data on shark species. Canada noted that they have this information available and agreed to post it to the Practices and Procedures webpage. Contracting Parties questioned the difference between Annex I.C and the ASFIS list, and it was noted the ASFIS list is more robust. Contracting Parties request the EDG to review the NAFO CEM for references to these lists. Contracting Parties noted that the FAO ASFIS list can be found at the following link: <http://www.fao.org/fishery/collection/asfis/en>

Iceland highlighted the NAFO CEM provision permitting vessels to report the species code MZZ in CAT reporting when catch is below 100kg. It was agreed that this provision would be discussed at the 2019 Intersessional Meeting.

It was **agreed** that:

- **That the proposed changes to the NAFO CEM outlined in STACTIC WP 18-43 (Rev. 3) be forwarded to the Commission for adoption.**
- **Canada would post information on how to collect biological data on shark species to the Practices and Procedures webpage.**
- **The EDG would review references to FAO 3-alpha codes in the NAFO CEM.**
- **The provisions relating to reporting the species code MZZ in CAT reporting when the catch is less than 100kg be discussed at the 2019 Intersessional Meeting.**

18. Time and Place of next meeting

The next STACTIC Intersessional meeting will be hosted by the European Union in Portugal from 07-09 May 2019.

19. Adoption of Report

The report was adopted on 20 September 2018, prior to the adjournment of the meeting.

20. Adjournment

The meeting was adjourned at 20:15 hours on 20 September 2018. The Chair thanked Estonia for hosting the meeting and the NAFO Secretariat for their support during the meeting. She also thanked the meeting participants for their cooperation and input. The participants likewise expressed their thanks and appreciation to the Chair for her leadership.

Annex 1. List of Participants

Judy Dwyer (Chair) Natasha Barbour Amy Kavanagh-Penney Mike Hurley Lloyd Slaney	Canada
Meinhard Gaardlykke Claus Christian Jørgensen Mads T. Nedergaard	Denmark (in respect of the Faroe Islands and Greenland)
Carlos Chamizo Carlos Ferreira Marta Moya Diaz Epp Meremaa Aare Pai Glenn Quelch Aronne Spezzani	European Union
Arnaud Granger	France (in Respect of St. Pierre et Miquelon)
Björgólfur H. Ingason Hrannar M. Asgeirsson	Iceland
Takeshi Miwa Kunitaka Shimotashiro	Japan
Hilde Ognedal	Norway
Ilya Skryabin	Russian Federation
Vitalii Popov	Ukraine
Mike Henry Peter Hughes Shannah Jaburek Kevin King Gene Martin Katie Pohl Eric Reid Richard Usher	United States of America
Jana Aker Matt Kendall DJ Laycock	NAFO Secretariat

Annex 2. Agenda

1. Opening by the Chair, Judy Dwyer (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compliance Review 2018 Including Review of Reports of Apparent Infringements
5. Measures concerning repeat non-compliance of serious infringements in the NAFO Regulatory Area
6. New and Pending Proposals on Enforcement Measures: possible revisions of the NAFO CEM
7. NAFO Monitoring, Control and Surveillance (MCS) Website
8. Editorial Drafting Group (EDG) of the NAFO CEM
9. Report and Recommendations of the STACTIC Observer Program Review Working Group (WG-OPR)
10. Review and Evaluation of Practices and Procedures
11. Review of Current IUU list Pursuant to NAFO CEM, Article 53
12. Review of Data Reporting Requirements in the NAFO CEM
 - a. Review of the Reporting of Haul by Haul data (Article 28.8.b)
 - b. Review of the Reporting of Provisional Monthly Catch (Article 28.8.a)
13. Bycatches and Discards
14. Data classification and Access Rights
15. Report and Advice of the Joint Advisory Group on Data Management (JAGDM)
16. Discussion on Garbage Disposal and Labour Conditions Onboard Vessels
17. Other Business
 - a. Designated Ports - FAO
 - b. Global Record – list of vessels
 - c. Development of executive session of STACTIC
 - d. Nordic Fisheries Inspection Network
 - e. Performance Review Recommendations
 - f. Reporting on sharks
18. Time and Place of next meeting
19. Adoption of Report
20. Adjournment

Part III.

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

40th Annual Meeting of NAFO, 17-21 September 2018
Tallinn, Estonia

1. Opening by the Chair, Deirdre Warner-Kramer (USA)

The first session of STACFAD was opened by the Chair, Deirdre Warner-Kramer (USA) on Monday, 17 September 2018. The Chair welcomed delegates and members of the NAFO Secretariat to the meeting.

The Chair noted the excellent representation of Contracting Parties as delegates were present from Canada, Denmark (in respect of the Faroe Islands and Greenland), European Union, France (in respect of St. Pierre et Miquelon), Japan, Norway, and the United States of America. Representatives of the 2018 NAFO Performance Review Panel and the North Pacific Anadromous Fish Commission (NPAFC) were also in attendance (Annex 1).

2. Appointment of Rapporteur

The NAFO Secretariat was appointed as Rapporteur.

3. Adoption of Agenda

The following agenda items were added under “*Other Matters*”:

- Performance Review Panel Report Recommendations
- Draft Headquarters Agreement
- Revision to the Rules of Procedure
- Distribution of Meeting Documentation

The agenda, as revised, was adopted (Annex 2).

4. Audited Financial Statements for 2017

At the 2017 Annual Meeting, the Committee was informed that during the completion of the 2016 audit, NAFO’s Auditor’s (Grant Thornton) noted several deviations from the Organization’s adopted accounting framework, International Financial Reporting Standards (IFRS). These deviations would not allow them to issue a qualified opinion, as was received in the past from previous auditors. It was agreed to change to Not-for-Profit accounting standards from the current IFRS accounting framework and that the Secretariat would work intersessionally to modify the NAFO Financial Regulations, including any specific departures from the generally accepted accounting practices.

The modifications to the NAFO Financial Regulations were approved by the Commission intersessionally and the 2016 audit was completed on the basis of the modified Financial Regulations.

Grant Thornton performed the audit for the 2017 fiscal year, in accordance with the NAFO Financial Regulations. The draft financial statements were circulated to the Heads of Delegations of the Commission and STACFAD delegates in advance of the meeting.

The Secretariat presented the draft Audited Financial Statements of the Northwest Atlantic Fisheries Organization for the year ended December 31, 2017. It was noted that the financial statements will be shown as draft until after they are reviewed by STACFAD and approved by the Organization. The Committee reviewed the statements in detail.



The total expenditures incurred for the fiscal period ending 2017 amounted to \$1,957,301, which was \$168,699 under the approved budget of \$2,126,000. One noteworthy reason for expenditures being under budget was the deferral of the second Performance Review until 2018.

The excess of revenues over expenditures for 2017 was \$89,058.

During the 2017 audit, the NAFO auditors noted the annual accrual and offsetting expense of \$12,000 for future recruitment and relocation expenses goes against current financial reporting standards. To achieve the decision taken in 2013 to avoid sharp increases to membership contributions resulting from these intermittent costs, the auditors are recommending that a relocation fund be established. Therefore, monies would be added each year to the relocation fund until there is a changeover of internationally recruited staff. At this time, funds required to offset recruitment and relocation costs incurred to the NAFO budget would be transferred from the relocation fund.

STACFAD recommends that:

- **Rule 4.5 of the NAFO Financial Regulations be amended to allow for the establishment of a recruitment and relocation fund within the accumulated surplus account, as follows:**

The Standing Committee on Finance and Administration and the Commission shall review the amount available in the accumulated surplus account during each annual meeting. Insofar as possible, the Commission shall anticipate unforeseen expenditures during the succeeding three years and shall attempt to maintain the accumulated surplus account at a level sufficient to finance operations during the first three months of the year plus an amount up to a maximum of 10% of the annual budget for the current financial year for use in an emergency in accordance with Rule 4.4. In addition, the Organization shall also maintain a recruitment and relocation fund to pay recruitment and relocation costs for incoming and outgoing internationally recruited staff. The recruitment and relocation fund balance shall be kept at a maximum of \$100,000.

- **The 2017 Financial Statements be adopted.**

5. Administrative and Activity Report by NAFO Secretariat

The Executive Secretary highlighted NAFO administrative matters and activities for the period September 2017 to August 2018 (COM Doc. 18-05 Revised).

6. Financial Statements for 2018

The Secretariat presented the 2018 financial statements to the Committee. The operating budget for 2018 was approved at \$2,297,000 while expenditures for the year are projected to be at \$2,259,000, or \$38,000 under the approved budget. Savings for the year can be attributed to the following:

- SC Sessional meeting costs being lower than budgeted;
- Fewer SC Intersessional meetings than budgeted; and
- The establishment of a recruitment and relocation fund.

All remaining 2018 operating expenses are anticipated to be on or near budget for the year. The above noted cost savings of \$38,000 will be returned to the accumulated surplus and will be available to reduce Contracting Parties contributions in 2019.

Assessed Contributions

At the beginning of 2018, the accumulated surplus had \$399,694, which was deemed to be in excess of the needs of the Organization and was allocated towards the 2018 operating budget. Therefore, in order to meet

the 2018 operations budget of \$2,297,000, Contracting Parties were assessed contributions in the amount of \$1,897,306.

Balance Sheet

The Organization's cash position at December 31, 2018 is estimated to be \$607,620. The cash balance should be sufficient to finance appropriations in early 2019 pending the receipt of annual payments by Contracting Parties in the spring of 2019. The Committee was informed that a payment was received from Ukraine just prior to the Annual Meeting. Only two partial contributions are currently outstanding for 2018 - Cuba and Ukraine.

An update on the activities of the Scientific Research and other Trust Funds, including contributions received and disbursed, for the period 2014–2018 was presented in STACFAD WP 18-09. Updates on the Scientific Research and other Trust funds will be provided annually.

7. Review of Accumulated Surplus Account and Contingency Fund

According to the Financial Regulations, STACFAD and the Commission shall review the amount available in the accumulated surplus account during each Annual Meeting. The accumulated surplus account shall be set at a level sufficient to temporarily finance operations during the first three months of the year, plus an amount up to a maximum of 10% of the annual budget for the current financial year to be used for unforeseen and extraordinary expenses. In addition, the Organization shall also maintain a recruitment and relocation fund to pay costs for incoming and outgoing internationally recruited staff, as agreed under agenda item 4.

The Secretariat noted the accumulated surplus account at December 31, 2018 is estimated to be \$633,000.

STACFAD recommends that:

- **The amount maintained in the accumulated surplus account be set at \$285,000 of which \$200,000 would be sufficient to finance operations during the first three months of 2018, and of which \$85,000 would be a contingency fund available to be used for unforeseen and extraordinary expenses.**
- **The recruitment and relocation fund be set at \$48,000 to pay for future recruitment and relocation costs for incoming and outgoing internationally recruited staff.**

8. NAFO Website

a. NAFO Members' pages

The NAFO Secretariat presented the newly re-designed Members' pages which were launched in July 2018 (STACFAD WP 18-10).

The key highlights of the re-designed webpages include:

- The text was reviewed resulting in a clean and concise presentation of NAFO information.
- The information is divided by documentation type rather than NAFO body, as done previously. This division allows the user to quickly and easily locate required documentation.
- The pages are now mobile device friendly.

Throughout the process, the Secretariat worked in close consultation with the *ad hoc Virtual NAFO Website Re-design Working Group: Phase II – Data Classification* to identify any information that could be migrated to the public pages and to eliminate redundant information.

The Committee appreciated the work on the website re-design project and welcomed the new format.

b. Ad hoc virtual NAFO Website Re-design Working Group: Phase II – Data Classification

An update was provided on the work of the *ad hoc Virtual NAFO Website Re-design Working Group: Phase II – Data Classification* (STACFAD WP 18-11).

At the 2017 Annual Meeting of NAFO, the Working Group was tasked with identifying information that is clearly of a non-sensitive nature that can be migrated from the NAFO Members' pages (<https://members.nafo.int/>) to the public website (<https://www.nafo.int/>). In reviewing the Members' pages, the Working Group identified three items as requiring input and/or review from STACFAD.

Exclusive STACFAD Username and Password

At the 2013 Annual Meeting, it was agreed that an exclusive username and password would be created to access STACFAD documentation. The Committee does not believe this additional password is required.

Classification of STACFAD Working Papers

In the Working Group, a lengthy discussion was had regarding Working Papers. As Working Papers are traditionally "draft" or "working" documents for discussion and consideration at a meeting, the process has been that Working Papers are not publicly available. However, once a Working Paper is adopted by the relevant NAFO body, it is converted into a NAFO document and becomes publicly accessible. For increased transparency, the Committee endorsed that STACFAD Working Papers be re-classified and be made available on the NAFO public site. However, it was recognized by STACFAD that certain matters should remain confidential (e.g. personnel matters) and therefore would not be made publicly available.

Classification of General Council (GC) Documents

In the Working Group, further discussion was had regarding General Council Documents. General Council Documents are currently contained on the restricted area of the NAFO website (i.e. NAFO Members' pages) as they may contain information regarding the policies and procedures of the Organization. For increased transparency, the Committee endorsed that General Council (GC) Documents be re-classified and be made available on the NAFO public site. However, it was recognized by STACFAD that certain matters should remain confidential (e.g. personnel matters) and therefore would not be made publicly available.

To increase transparency of its documentation, STACFAD recommends that:

- **An exclusive STACFAD Username and Password will no longer be required to access STACFAD documentation on the NAFO Members' pages.**
- **STACFAD documentation will be available in the NAFO Meetings SharePoint (<https://meetings.nafo.int/>) with the exception of Working Papers deemed restricted (e.g. personnel matters).**
- **Following a meeting, STACFAD Working Papers will be made publicly available on the NAFO website (<https://www.nafo.int/>) with the exception of Working Papers deemed restricted (e.g. personnel matters).**
- **General Council (GC) and Commission Documents will be made publicly available on the NAFO website (<https://www.nafo.int/>) with the exception of documents deemed restricted (e.g. personnel matters).**

9. Personnel Matters

There were no personnel matters raised under this agenda item.

10. Internship Program

The Secretariat presented a report (STACFAD WP 18-01) on the activities and tasks of the two interns, Sebastian Glindtvd and Antoine Balazuc, hosted at the Secretariat in 2018.

The Committee recognized the considerable benefits of the internship program to the Organization and the intern themselves, and once again endorsed its continuation.

STACFAD recommends that:

- The internship period be maintained for six (6) months during 2019.

11. Report on the Annual Meeting of the International Fisheries Commissions Pension Society (IFCPS)

The annual meeting of the International Fisheries Commissions Pension Society (IFCPS) was hosted by the Great Lakes Fishery Commission during 17-19 April 2018 in Ann Arbor, Michigan, USA. The meeting was attended by the Executive Directors and Finance Officers of the seven International Fisheries Commissions with headquarters located in Canada and the United States of America. NAFO was represented by Fred Kingston, Executive Secretary, and Stan Goodick, Deputy Executive Secretary/Senior Finance and Staff Administrator. Also attending the meeting were the IFCPS Directors appointed by the Governments of Canada and the United States of America. Background information on the pension plan, investment performance, financial status, as well as future administrative support was presented with the information paper (STACFAD WP 18-02).

The next annual meeting of the IFCPS will be hosted by NAFO during 15-17 April 2019 in Halifax, Nova Scotia, Canada.

12. Update on implementation of the NAFO Performance Review Panel (PRP) recommendations tasked to STACFAD

One PRP recommendation tasked to STACFAD remains outstanding from the 2011 Performance Review. PRP Recommendation 7.2.3 suggests amending certain provisions of the NAFO Staff Rules pertaining to the rights and obligations of NAFO Secretariat Staff, particularly dismissal or termination of appointment. A review of this agenda item has been deferred in prior years until the conclusion of the wrongful dismissal legal case against NAFO.

Now that the legal case has been concluded, and in line with the above PRP Recommendation, the Secretariat requested a review by its lawyers, Stewart McKelvey, of NAFO Staff Rules 9.1 and 9.2. The received comments were presented in STACFAD WP 18-03.

The Committee endorsed the recommendations in the Working Paper and agreed that no change is required to the NAFO Staff Rules 9.1 and 9.2.

13. Budget Estimate for 2019

The Committee reviewed the 2019 budget estimate as detailed in COM WP 18-06.

Approved Budget 2018	Preliminary Budget Forecast 2019	Budget Estimate 2019
\$2,297,000	\$2,225,000	\$2,274,000

The 2019 budget estimate of \$2,274,000 represents a decrease of \$23,000 or 1.0% under the prior years approved budget.

It is expected that the NAFO Headquarters will be relocating in 2019 and therefore \$10,000 has been added to both the equipment and supplies budget to cover any unexpected costs. The main physical server for the Organization is hosted by the Secretariat and contains all the Organization's servers, except the VMS server. This main server is due to be replaced in 2019 and the costs for the server replacement will be spread over a three-year period with the first installment included in the 2019 budget. Canada inquired if a recent cost benefit analysis had been performed on hosting the NAFO servers in-house vs. outsourcing. As such a review has not been completed in recent years, the Secretariat was asked to report back to the Committee on this issue next year.

The 2018 budget included \$93,000 to cover the expenses of the Performance Review Panel. As NAFO's second Performance Review was completed in 2018, this extraordinary budget amount is not required for 2019.

STACFAD recommends that:

- **The budget for 2019 of \$2,274,000 (Annex 3) be adopted.**

14. Budget Forecast for 2020 and 2021

STACFAD reviewed the preliminary budget forecast for 2020 (\$2,315,000) and 2021 (\$2,369,000) (Annex 4) and approved the forecast in principle. It was noted that the budget for 2020 will be reviewed in detail at the next Annual Meeting.

15. Adoption of 2018/2019 Staff Committee Appointees

The Secretariat members nominated the following people to serve as members of the Staff Committee for September 2018–September 2019: Justine Jury (EU), Joanne Morgan (Canada) and Deirdre Warner-Kramer (USA).

STACFAD recommends that:

- **The Commission appoint the three Staff Committee nominees for September 2018–September 2019: Justine Jury (EU); Joanne Morgan (Canada) and Deirdre Warner-Kramer (USA).**

16. Office Relocation Update

As reported at last year's Annual Meeting, the NAFO Secretariat has been informed by the Government of Canada that it will be terminating all its leases at 2 Morris Drive and consequently the Secretariat will have to relocate. While the process to find appropriate space to meet the needs and interests of the Organization continues, the current lease of the NAFO Secretariat headquarters has been renewed for another year and is now scheduled to expire on April 30, 2019.

The NAFO Secretariat met regularly with representatives from Fisheries and Oceans Canada and Public Services and Procurement Canada (PSPC) to review available leased space currently held by PSPC in the Halifax area. Although a number of properties were considered, it was determined that PSPC did not have suitable space in its current inventory and therefore a public lease tender process was initiated.

An Expression of Interest for prospective parties wishing to submit a tender proposal identified 16 potential locations in the downtown Halifax area. As there are several steps remaining in the tender process, the final award of the lease is not anticipated until late 2018 or early 2019. After the lease has been awarded, the Secretariat will continue to work with Canada on a suitable office design.

STACFAD reiterated the importance of ensuring the new office location provides the Secretariat with the appropriate space to meet the needs and interests of the Organization, in particular the ability to host intersessional meetings on-site in order to minimize expenses.

17. Other Business

The following other business was raised under this agenda item:

a. Performance Review Panel Report Recommendations

As requested by the Commission, the Committee reviewed the recommendations of the Performance Review Panel that have been proposed for STACFAD's future consideration, as contained in COM-SC WP 18-04, to ensure that the assignment is pertinent to STACFAD.

STACFAD concluded that the two recommendations assigned below are appropriate for STACFAD's future consideration:

- *Recommendation # 35, Chapter VII.1 "Recommends NAFO develops an annual operational plan for the NAFO Secretariat outlining key objectives and specifying resources required to meet these objectives." [pg. 48]*
- *Recommendation # 36, Chapter VII.2 "Recommends NAFO initiates a process to design a new visual identity for NAFO that reflects the role and responsibilities of the Organization." [pg. 48]*

b. Draft Headquarters Agreement

Canada provided an update on the status of the draft Headquarters Agreement.

At the 2009 Annual Meeting, NAFO adopted the Headquarters Agreement to be signed with the Government of Canada. The signing of the Agreement however was met with considerable delays. Since the Agreement's adoption nearly a decade ago, Canada has established a new domestic approach to treaties that includes certain safeguards. As such, Canada is proposing revisions to the 2009 Agreement that reflect both current domestic practices and are consistent with the Convention on the *Privileges and Immunities of the United Nations*. Implementation of a Headquarters Agreement is consistent with modern practice and will align NAFO with similar organizations headquartered in Canada (e.g. the NPAFC in Vancouver and the International Civil Aviation Organization in Montreal). Further, its implementation will satisfy the requirements of the *Convention on Cooperation in the Northwest Atlantic Fisheries* (specifically Article V.3), which came into effect May 18, 2017.

The Executive Secretary reported that the Secretariat sought advice from its lawyers concerning the proposed agreement. The advice received was forwarded to Canada, the NAFO President and the Chair of STACFAD prior to this Annual Meeting. The Executive Secretary provided to STACFAD a brief summary of the advice and added that the advice itself is available on request.

STACFAD reviewed the revised Agreement, as presented in COM WP 18-32, and endorsed its adoption by the Commission (Annex 6).

It was further noted that a memorandum of understanding, as presented in STACFAD WP 15-09, was adopted at the 2016 Annual Meeting (Annex 7). This document addresses issues related to the provision of the premises and security by the host country. This document will be signed by NAFO and Fisheries and Oceans Canada following the ratification of the Headquarters Agreement.

STACFAD recommends that:

- **The Commission adopt the revised Headquarters Agreement and request that the Government of Canada proceed with the next step of its domestic process to sign and ratify the revised Headquarters Agreement**

- **NAFO sign the memorandum of understanding with Fisheries and Ocean Canada, following the ratification of the revised Headquarters Agreement.**

c. Revision to the Rules of Procedure

Norway presented a proposal for amendments to the Rules of Procedure (STACFAD WP 18-07), as agreed at the 2017 Annual Meeting, specifically Rule 2 regarding voting procedure and Rule 3.5 regarding the role of the Chairperson.

Some Contracting Parties welcomed the spirit of change to better align these rules with other RFMOs while others believed such revisions were unnecessary as no issues have been raised regarding the current Rules of Procedures. In particular, one Contracting Party felt the proposed amendment to Rule 2.4 was unnecessary as Rule 3.2.c achieves the same result by providing the opportunity for Contracting Parties *“to request that any ruling of the Chairperson shall be submitted to the Commission for decision by vote”*.

For that reason, no consensus was reached on the proposed amendment to Rule 2.4. However, Contracting Parties were invited to discuss this issue further at the next Annual Meeting. For the remaining proposed amendments, the Committee collaboratively developed alternative text that would better achieve the desired clarity.

During the discussion regarding the voting procedure, the Secretariat noted its recent practice of utilizing electronic “read receipt” as acknowledgement of receipt of request for a mail vote under Rule 2.8. STACFAD agreed that, while formal acknowledgement by each Contracting Party is preferred, in its absence the use of an electronic “read receipt” would suffice as confirmation that the request has been received for the purposes of establishing quorum.

STACFAD recommends that:

- **Rule 2.7 of the NAFO Rules of Procedure be amended, as follows:**

~~The result of a vote taken by e-mail or other electronic means shall be ascertained by the Executive Secretary at the end of a period of at least thirty (30) days after the date of the initial request for the vote and such period shall be made clear in the text of that request.~~

When requesting a vote referred to in Rule 2.6, the Executive Secretary shall advise the Contracting Parties of the closing date to submit a vote. This date shall be at the end of a period of at least 30 days after the initial request for the vote.

- **Rule 2.8 of the NAFO Rules of Procedure be amended, as follows:**

ba) Contracting Parties shall promptly acknowledge receipt of any request for vote by e-mail or other electronic means. If no acknowledgement is received from any particular Contracting Party within one week of the date of transmittal the Executive Secretary ~~will~~ **shall** retransmit the request, and ~~will~~ **shall** use all additional necessary means available to ensure that the request has been received. Confirmation by the Executive Secretary that the request has been received shall be deemed conclusive regarding the inclusion of the Contracting Party in the quorum for the purpose of the relevant vote by e-mail or other electronic means.

ab) If no reply from a Contracting Party, in the case of a vote taken by e-mail or other electronic means, reaches the Secretariat within the period established under 2.7, that Contracting Party would be recorded as having abstained and it shall be considered part of the relevant quorum for voting purposes.

- **Insert a new Rule 2.9 in the NAFO Rules of Procedure, as follows:**

The Executive Secretary shall communicate the result of a vote taken by e-mail or other electronic means to all Contracting Parties, without delay following the end of the period referred to in Rule 2.7."

- Rule 3.5 of the NAFO Rules of Procedure be amended, as follows:

The Chairperson, or Vice-Chairperson when acting as Chairperson, shall not act as a Representative, Alternate Representative, Expert or Adviser of a Contracting Party. ~~shall not vote and another representative of his or her delegation shall exercise this function.~~"

d. Distribution of Annual Meeting Documentation

In recent years, NAFO Meetings SharePoint has become a valuable resource allowing access to the meeting documentation before, during and after meeting hours. This increased use of electronic documentation has significantly reduced paper usage. The Committee further encouraged the reduction of paper usage by proposing to provide a set number per Contracting Party of printed meeting documents produced at NAFO meetings, eliminating the provision of printed meeting documents for each participant. If desired, Contracting Parties may request additional sets and/or copies of meeting documentation. Printing on demand is also available at the Internet Café.

STACFAD recommends that:

- **A practice be implemented that, unless otherwise requested by a delegation, each Contracting Party will receive three (3) sets of printed meeting documentation produced at NAFO meetings and meeting documentation will also be available electronically.**

18. Election of Chair

According to the NAFO Rules of Procedure *"The Committee shall elect from among its members, to serve for two years, a Chair and a vice-Chair who shall be allowed to vote."*

The present Chair, Deirdre Warner-Kramer (USA), was nominated and re-elected for a two-year term.

19. Time and Place of 2019-2021 Annual Meetings

As previously agreed, the 2019 and 2020 Annual Meetings will be held 23–27 September and 21–25 September, respectively. The meetings will be held in Halifax, Nova Scotia, Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization.

STACFAD recommends that:

The 2021 Annual Meeting (to be held in Halifax, Nova Scotia, Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) be held 20–24 September 2021.

20. Adjournment

The final session of the STACFAD meeting adjourned on 19 September 2018.

Gratitude was expressed to the Committee members for their effective cooperation this week, and to the NAFO Secretariat for its excellent support.

Annex 1. List of Participants

Simon Cridland Steve Hwang Élise Lavigne	Canada
Brita i Dali	Denmark (in respect of the Faroe Islands and Greenland)
Bernard Blazkiewicz	European Union
Benoît Tourtois	France (in respect of St. Pierre et Miquelon)
Kenro Iino	Japan
Ingrid Vikanes	Norway
Moiria Kelly Elizabethann Mencher Deirdre Warner-Kramer	United States of America
Jane Willing	2018 NAFO Performance Review Panel Coordinator
Vladimir Radchenko	North Pacific Anadromous Fish Commission (NPAFC)
Fred Kingston Stan Goodick Lisa LeFort	NAFO Secretariat

Annex 2. Agenda

1. Opening by the Chair, Deirdre Warner-Kramer (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Audited Financial Statements for 2017
5. Administrative and Activity Report by NAFO Secretariat
6. Financial Statements for 2018
7. Review of Accumulated Surplus and Contingency Fund
8. NAFO website
 - a. NAFO Members' pages
 - b. Ad hoc virtual NAFO Website Re-design Working Group: Phase II – Data Classification
9. Personnel Matters
10. Internship Program
11. Report of the Annual Meeting of the International Fisheries Commissions Pension Society (IFCPS)
12. Update on implementation of the NAFO Performance Review Panel (PRP) recommendations tasked to STACFAD
13. Budget Estimate for 2019
14. Budget Forecast for 2020 and 2021
15. Adoption of 2018/2019 Staff Committee Appointees
16. Office Relocation Update
17. Other Business
 - a. Performance Review Panel Report Recommendations
 - b. Revised Headquarters Agreement
 - c. Revision of the Rules of Procedure
 - d. Distribution of Annual Meeting Documentation
18. Election of Chair
19. Time and Place of 2019-2021 Annual Meetings
20. Adjournment

Annex 3. Budget Estimate for 2019

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Budget Estimate for 2019

(Canadian Dollars)

	Approved Budget 2018	Projected Expenditures 2018	Preliminary Budget Forecast 2019	Budget Estimate 2019
1. Personal Services				
a) Salaries	\$1,080,000	\$1,089,000	\$1,117,000	\$1,127,000
b) Superannuation and Annuities	466,000	469,000	464,000	469,000
c) Medical and Insurance Plans	93,000	91,000	98,000	93,000
d) Employee Benefits	68,000	69,000	68,000	67,000
Subtotal Personal Services	1,707,000	1,718,000	1,747,000	1,756,000
2. Additional Help	2,000	2,000	2,000	2,000
3. Communications	24,000	24,000	24,000	24,000
4. Computer Services	47,000	47,000	42,000	51,000
5. Equipment	28,000	28,000	28,000	33,000
6. Fishery Monitoring	41,000	40,000	42,000	41,000
7. Hospitality Allowance	3,000	3,000	3,000	3,000
8. Internship	11,000	11,000	11,000	11,000
9. Materials and Supplies	28,000	28,000	28,000	33,000
10. NAFO Meetings				
a) Sessional	109,000	97,000	129,000	132,000
b) Inter-sessional Scientific	60,000	42,000	25,000	60,000
c) Inter-sessional Other	35,000	35,000	35,000	35,000
Subtotal NAFO Meetings	204,000	174,000	189,000	227,000
11. Other Meetings and Travel	32,000	32,000	32,000	34,000
12. Performance/External Reviews	93,000	93,000	-	-
13. Professional Services	51,000	45,000	51,000	45,000
14. Publications	14,000	14,000	14,000	14,000
15. Recruitment and Relocation	12,000	-	12,000	-
	\$2,297,000	\$2,259,000	\$2,225,000	\$2,274,000

Notes on Budget Estimate 2019
(Canadian Dollars)

Item 1(a)	Salaries Salaries budget estimate for 2019.		\$1,127,000
Item 1(b)	Superannuation and Annuities Employer's pension plan which includes employer's contributions, administration costs, actuarial fees and the required annual payment towards previous pension plan deficits.		\$469,000
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.		\$93,000
Item 1(d)	Employee Benefits Employee benefits as per the NAFO Staff Rules including overtime, repatriation grant, termination benefits, vacation pay, and home leave travel for internationally recruited members of the Secretariat.		\$67,000
Item 2	Additional Support Other assistance as required.		\$2,000
Item 3	Communications Phone, fax and internet services Postage and Courier	\$18,000 6,000	\$24,000
Item 4	Computer Services Computer hardware, software, supplies, support and website hosting.		\$51,000
Item 5	Equipment Leases (print department printer, photocopier and postage meter) Purchases Office Relocation Maintenance	\$15,000 9,000 5,000 4,000	\$33,000
Item 6	Fishery Monitoring Vessel Monitoring System (VMS) annual maintenance fee including programming changes as required due to changes to CEM Oracle database annual maintenance	\$38,000 3,000	\$41,000

Report of STACFAD, 17-21 September 2018

Item 10(a)	NAFO Sessional Meetings Annual Meeting, September 2019, Halifax, Canada SC Meeting, June 2019, Halifax, Canada SC Meeting, October 2019		\$132,000
Item 10(b)	NAFO Inter-sessional Scientific Meetings Provision for inter-sessional meetings and a general provision for unforeseen expenses necessarily incurred by SC required for the provision of answering requests for advice from the Commission.		\$60,000
Item 10(c)	NAFO Inter-sessional Other General provision for Commission inter-sessional meetings.		\$35,000
Item 11	Other Meetings and Travel International Meetings regularly attended by the NAFO Secretariat which may include the following: Aquatic Sciences and Fisheries Abstracts (ASFA), Committee on Fisheries (COFI), Co-ordinating Working Party on Fishery Statistics (CWP), Fisheries Resources Monitoring Systems (FIRMS), International Fisheries Commissions Pension Society (IFCPS), Regional Fishery Body Secretariats' Network (RSN), United Nations		\$34,000
Item 12	Performance/External Reviews Costs associated with the performance review of the Organization.		\$0
Item 13	Professional Services Professional Services (audit, consulting, legal fees, and insurance) Professional Development and Training Public Relations	\$29,000 11,000 5,000	\$45,000
Item 14	Publications Production costs of NAFO publications, booklets, brochures, posters, etc., 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, Staff Rules, Secretariat Structure, etc.		\$14,000

Annex 4. Preliminary Budget Forecast for 2020 and 2021

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Preliminary Budget Forecast for 2020 and 2021

(Canadian Dollars)

	Preliminary Budget Forecast 2020	Preliminary Budget Forecast 2021
1 Personal Services		
a) Salaries	\$1,163,000	\$1,204,000
b) Superannuation and Annuities	469,000	472,000
c) Medical and Insurance Plans	100,000	105,000
d) Employee Benefits	71,000	73,000
Subtotal Personal Services	1,803,000	1,854,000
2 Additional Help	2,000	2,000
3 Communications	24,000	24,000
4 Computer Services	51,000	51,000
5 Equipment	28,000	28,000
6 Fishery Monitoring	42,000	43,000
7 Hospitality Allowance	3,000	3,000
8 Internship	11,000	11,000
9 Materials and Supplies	28,000	28,000
10 NAFO Meetings		
a) Sessional	134,000	135,000
b) Inter-sessional Scientific	60,000	60,000
c) Inter-sessional Other	35,000	35,000
Subtotal NAFO Meetings	229,000	230,000
11 Other Meetings and Travel	32,000	32,000
12 Professional Services	48,000	49,000
13 Publications	14,000	14,000
14 Recruitment and Relocation	0	0
	\$2,315,000	\$2,369,000

Annex 5. Preliminary Calculation of Billing for Contracting Parties for 2019

**Preliminary calculation of billing for Contracting Parties
against the proposed estimate of \$2,274,000 for the 2019 financial year
(Canadian Dollars)**

Budget Estimate	\$2,274,000
Deduct: Amount from Accumulated Surplus Account (pending approval from the Commission)	\$300,000
Funds required to meet 2019 Administrative Budget	\$1,974,000

Part A

Contracting Parties	Catches 2016	Catch %	NAFO Convention Article IX.2.a,b,c			
			10%	30%	60%	Subtotal
Canada	129,885	33.55%	\$77,684	\$49,350	\$397,366	\$524,400
Cuba	1,058	0.27%	-	\$49,350	\$3,198	\$52,548
Denmark (in respect of Faroe Islands and Greenland) (Note 2)	164,742	42.55%	\$98,531	\$49,350	\$503,962	\$651,843
European Union	39,985	10.33%	-	\$49,350	\$122,349	\$171,699
France (in respect of St. Pierre et Miquelon)	1,759	0.45%	\$1,052	\$49,350	\$5,330	\$55,732
Iceland	-	-	-	\$49,350	-	\$49,350
Japan	2,389	0.62%	-	\$49,350	\$7,343	\$56,693
Norway	3,197	0.83%	-	\$49,350	\$9,831	\$59,181
Republic of Korea	-	-	-	\$49,350	-	\$49,350
Russian Federation	10,500	2.71%	-	\$49,350	\$32,097	\$81,447
Ukraine	-	-	-	\$49,350	-	\$49,350
United States of America	33,662	8.69%	\$20,133	\$49,350	\$102,924	\$172,407
Total	387,177	100.00%	\$197,400	\$592,200	\$1,184,400	\$1,974,000

Part B

Contracting Parties	Subtotal from Part A	NAFO Convention Article IX.2.d (Note 1)						Total contribution
		% Contribution	Catch % minus DFG	10%	30%	60%	Subtotal	
Canada	\$524,400	26.57%	58.39%	\$32,605	\$11,317	\$145,387	\$189,309	\$713,709
Cuba	\$52,548	2.66%	0.48%	-	\$11,317	\$1,184	\$12,501	\$65,049
Denmark (in respect of Faroe Islands and Greenland)	\$651,843	33.02%	-	-\$41,496	-\$124,487	-\$248,980	-\$414,963	\$236,880
European Union	\$171,699	8.70%	17.98%	-	\$11,317	\$44,756	\$56,073	\$227,772
France (in respect of St. Pierre et Miquelon)	\$55,732	2.82%	0.79%	\$442	\$11,317	\$1,969	\$13,728	\$69,460
Iceland	\$49,350	2.50%	-	-	\$11,317	\$0	\$11,317	\$60,667
Japan	\$56,693	2.87%	1.07%	-	\$11,317	\$2,674	\$13,991	\$70,684
Norway	\$59,181	3.00%	1.44%	-	\$11,317	\$3,578	\$14,895	\$74,076
Republic of Korea	\$49,350	2.50%	-	-	\$11,317	\$0	\$11,317	\$60,667
Russian Federation	\$81,447	4.13%	4.72%	-	\$11,317	\$11,753	\$23,070	\$104,517
Ukraine	\$49,350	2.50%	-	-	\$11,317	\$0	\$11,317	\$60,667
United States of America	\$172,407	8.73%	15.13%	\$8,449	\$11,317	\$37,679	\$57,445	\$229,852
Total	\$1,974,000	100.00%	100.00%	\$0	\$0	\$0	\$0	\$1,974,000

Note 1

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 Article IX.2.a,b and c of the NAFO Convention.

Note 2

Faroe Islands 3,556 metric tons
Greenland 161,186 metric tons



Annex 6. Headquarters Agreement between the Government of Canada and the Northwest Atlantic Fisheries Organization

[Annex 2, COM WP 18-32]

The Government of Canada and the Northwest Atlantic Fisheries Organization, wishing to conclude an agreement respecting the headquarters of the Organization in Canada, have agreed as follows:

Article 1

Definitions

For the purposes of this Agreement:

- (a) "Convention" means the *Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries*, signed on 24 October 1978 in Ottawa, Canada.
- (b) "NAFO" means the Northwest Atlantic Fisheries Organization, established under Article V of the Convention.
- (c) "Representative of members of NAFO" means a representative of a Contracting Party to the Convention and shall be deemed to include the Chairperson and Vice-Chairperson of the Commission, the Chairperson and Vice-Chairperson of the Scientific Council and all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.
- (d) "Officials of NAFO" means the Executive Secretary and internationally recruited staff of NAFO.

Article 2

NAFO shall have in Canada the legal capacities of a body corporate, including the capacity to contract, to acquire and dispose of property, to institute legal proceedings and, to such extent as may be required for the performance of its functions, shall have the privileges and immunities specified in this Agreement.

Article 3

NAFO, its property and its assets, wherever located and by whomsoever held, shall enjoy immunity from every form of judicial process except in so far as in any particular case the Executive Secretary of NAFO has expressly waived its immunity. Such waiver shall be understood not to extend to any measure of execution, save with the express consent of the

Executive Secretary, NAFO shall establish guidelines as to the circumstances in which the Executive Secretary may waive any immunity of NAFO, and as to the method in which any such waiver shall be made.

Article 4

The premises of NAFO shall be inviolable. The property and assets of NAFO, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action, except with the consent of and under the conditions agreed to by the Executive Secretary of NAFO. This Article shall not prevent the reasonable application of fire protection regulations.

Article 5

The archives of NAFO, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Article 6

NAFO, its assets, income and other property shall be:

- (a) exempt from all direct taxes except for charges for public utility services;

- (b) exempt from customs duties in respect of articles imported or exported by NAFO in the furtherance of its functions, provided that articles imported under such exemption shall not be sold or disposed of in Canada except under conditions agreed to by the Government of Canada; and
- (c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

Article 7

NAFO shall enjoy in Canada, for its official communications, treatment not less favourable than that accorded by the Government of Canada to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of NAFO.

Article 8

NAFO shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Article 9

Except insofar as in any particular case any privilege or immunity is waived pursuant to Article 11, representatives of members of NAFO shall have in Canada, to such extent as may be required for the performance of their functions, while exercising their functions and during the journey to and from the place of meeting, the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations in Canada;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys; and,
- (g) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

Article 10

In order to secure, for the representatives of members of NAFO complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of members of NAFO.

Article 11

Privileges and immunities are accorded to the representatives of members of NAFO, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with NAFO. Consequently, a member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Article 12

Except insofar as in any particular case any privilege or immunity is waived pursuant to Article 13, officials of NAFO shall have in Canada, to such extent as may be required for the performance of their functions:

- (a) 87 immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) exemption from taxation on the salaries and emoluments paid to them by NAFO;
- (c) immunity from national service obligations;
- (d) immunity, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (e) the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to Canada;
- (f) together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys; and
- (g) the right to import free of duty their furniture and effects at the time of first taking up their post in Canada.

Article 13

Privileges and immunities are granted to officials in the interests of NAFO and not for the personal benefit of the individuals themselves. The Executive Secretary shall have the right and the duty to waive the immunity of any official in any case where, in the Executive Secretary's opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of NAFO. In the case of the Executive Secretary, the Commission shall have the right to waive immunity.

Article 14

NAFO shall co-operate at all times with the appropriate Canadian authorities to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Agreement.

Article 15

Except insofar as in any particular case any privilege or immunity is waived pursuant to Article 16, all experts (other than those falling within the scope of Article 12) performing missions for NAFO shall have in Canada, to such extent as may be required for the performance of their functions, during the period of their missions, including the time spent on journeys in connection with their missions:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage;
- (b) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind, which immunity shall continue to be accorded when they are no longer employed on mission for NAFO;
- (c) inviolability for all papers and documents;
- (d) for the purpose of their communications with NAFO, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary foreign missions; and
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Article 16

Privileges and immunities are granted to experts in the interests of NAFO and not for the personal benefit of the individuals themselves. The Executive Secretary shall have the right and the duty to waive the immunity

of any expert in any case where, in the Executive Secretary's opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of NAFO.

Article 17

Nothing in this Agreement exempts a Canadian citizen, residing or ordinarily resident in Canada, from liability for any taxes or duties imposed by any law in Canada.

Article 18

Any dispute between NAFO and the Government of Canada concerning the interpretation or application of this Agreement or any supplementary agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred to a tribunal of three arbitrators for final decision. One arbitrator shall be designated by the President of NAFO, and another by the Minister of Foreign Affairs of Canada. The two arbitrators shall appoint a third arbitrator.

Article 19

"Without prejudice to any of the privileges and immunities provided to NAFO as set out in this agreement, NAFO shall make adequate provision for appropriate modes of settlement of:

- (a) disputes arising out of contracts or other disputes to which the organization is a party; and
- (b) disputes involving any officials of the organization if their immunity has not been waived in accordance with Article 13.

Article 20

NAFO shall inform the Minister of Foreign Affairs of Canada of the names and title of the officials of NAFO who are posted to Canada.

Article 21

Nothing in this Agreement shall be construed as in any way diminishing, abridging, or weakening the right of the Canadian authorities to safeguard the security of Canada, provided that NAFO shall be immediately informed in the event that the Government of Canada shall find it necessary to take any action against any person enumerated in the Agreement.

Article 22

Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of Canada. They also have the duty not to interfere in the internal affairs of Canada.

Article 23

1. This Agreement shall enter into force in accordance with an Exchange of Notes between the Executive Secretary of NAFO and the Government of Canada.
2. This Agreement may be amended by written agreement between the Parties.
3. This Agreement shall cease to be in force if the seat of the organization is removed from the territory of Canada, except for such provisions as may be applicable in connection with the orderly termination of operations of NAFO at its seat in Canada and the disposition of its property therein.
4. Each Party may terminate this Agreement at any time by giving two years written notice to the other Party.

Done at ____ [location] _____, on __ [date] _____, in the English and French languages, each version being equally authentic.

[representative of Canada]

[representative of NAFO]

Annex 7. Memorandum of Understanding
[STACFAD Working Paper 15-09]

Memorandum of Understanding

BETWEEN

Fisheries and Oceans Canada

AND

Northwest Atlantic Fisheries Organization

Month, Year

Fisheries and Oceans Canada (“DFO”) and the Northwest Atlantic Fisheries Organization (“NAFO”),

CONSIDERING the Government of Canada’s obligation as Host State to the NAFO Secretariat;

HAVE REACHED the following understanding:

1. PURPOSE/OBJECTIVES/EXPECTED OUTCOMES

This Memorandum of Understanding (MOU) is intended to outline the logistics for the accommodation of the Headquarters of NAFO in Canada, outline the undertakings of DFO as provider of premises and NAFO as occupant, and elaborate on security measures that are needed for protection, safe operation and sound management of the premises occupied by NAFO.

2. ROLES AND ACTIVITIES

NAFO accepts that DFO will provide the premises of the Organization. DFO will make the final determination on the location of the premises in consultation with NAFO.

DFO permits NAFO to occupy the premises, for the foreseeable future, for the sole purpose of providing reasonable and adequate space for the Headquarters of NAFO, without cost to NAFO unless explicitly stated in this Memorandum of Understanding.

NAFO will occupy the premises for the sole purpose of the Headquarters. NAFO will use and occupy the premises of the Organization in accordance with its mandate as outlined in the NAFO Convention and the provisions of this Memorandum of Understanding.

DFO will pay the costs of a capital nature related to the premises of the Organization as well as Maintenance and Operating Costs as stipulated in the lease agreement for the premises of the Organization.

NAFO Secretariat will subscribe to and maintain in force, at its expense, comprehensive all-risk property insurance for contents belonging to the Organization and civil liability insurance.

Participants will not be responsible towards each other with respect to a risk which is the responsibility of the other Participant to insure or self-insure.

The allocation of space and the configuration of that space within the premises of the NAFO Secretariat will be based on the applicable Government of Canada Workplace Standards.

NAFO Secretariat will be provided with security measures that are outlined in a typical lease agreement, customary to the building security measures and office space that is being leased. If additional security measures are required, NAFO Secretariat would be responsible for the administrative management of those additional measures.

3. AMENDMENT

The Participants may amend this MOU at any time upon their mutual written consent. An amendment will be confirmed by an exchange of letters by the Participants setting out the amendment and its effective date.

4. STATUS OF THE MOU

This MOU is an expression of the mutual intentions of the Participants and is not legally binding on them or enforceable against them.

5. CONTACTS

[List of the names, titles, telephone numbers and email addresses of the main contacts]

6. FINAL DISPOSITION

- a. This MOU will come into effect upon its signature by the Participants and will remain valid for the duration of the Headquarters Agreement.
- b. Either Participant may terminate this MOU by giving to the other Participants [X] days' written notice of its intent to terminate.

Signed, in [duplicate], at [location of the official signature] this day of Year, in the English and French languages, each version being equally valid.

For [Full Title of Participant #1]

For [Full Title of Participant #2]