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Northwest Atlantic Fisheries Organization



Report of the 24<sup>th</sup> Annual Meeting of the  
Fisheries Commission

September 16-20, 2002  
Santiago de Compostela, Spain

NAFO  
Dartmouth, N.S., Canada  
2002

**Members of the Fisheries Commission:**

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

Report of the Fisheries Commission and its Subsidiary Body  
(STACTIC), 24th Annual Meeting  
September 16-20, 2002  
Santiago de Compostela, Spain

Part I. Report of the Fisheries Commission .....	5
1. Opening Procedures .....	5
2. Administrative.....	5
3. Conservation and Enforcement Measures.....	6
4. Conservation of Fish Stocks in the Regulatory Area .....	9
5. Closing Procedures .....	14
Annex 1. List of Participants .....	15
Annex 2. Agenda .....	27
Annex 3. Terms of Reference – STACTIC Evaluation of the Program for Observers and Satellite Tracking.....	29
Annex 4. Confidential Treatment of Electronic Reports .....	36
Annex 5. Amendment of the Conservation and Enforcement Measures re Improvements to the Hail/VMS Systems .....	39
Annex 6. Proposal Relating to the Overhaul of NAFO Conservation and Enforcement Measures .....	40
Annex 7. Amendment of Conservation and Enforcement Measures – Part I.A.5(a) and I.A.5(d).....	41
Annex 8. Review of Compliance .....	42
Annex 9. Amendment to the Rule of Procedure for the Fisheries Commission for New Terms of Reference of the Standing Committee on International Control (STACTIC) and for a Supportive Role by the Executive Secretary .....	47
Annex 10. Amendment of Conservation and Enforcement Measures – Part I.K. ....	48
Annex 11. Terms of Reference for the Working Group on the Allocation of Fishing Rights to Contracting Parties of NAFO .....	49
Annex 12. Proposal to Address the Issues Related to Timing of Scientific Advice and Determination of TAC and/or Effort Control Measures for the Shrimp Stocks in Divisions 3L and 3M.....	50
Annex 13. Oceanic Redfish Quota.....	51
Annex 14. Proposal for NAFO to Establish a Precautionary TAC for Division 3O Redfish in 2004.....	52
Annex 15. Quota Table for 2003 .....	53
Annex 16. Fisheries Commission's Request for Scientific Advice on Management in 2004 of Certain Stocks in Subareas 2, 3 and 4.....	55
Part II. Report of the Standing Committee on International Control (STACTIC) .....	59
1. Opening of the Meeting .....	59
2. Appointment of Rapporteur .....	59
3. Adoption of the Agenda.....	59
4. Review of Annual Returns on Infringements.....	59
5. Review of Surveillance and Inspection Reports .....	59
6. Review of Operation of the Automated Hail/VMS System .....	59
7. Observer Program and Scientific Requirements; and Review of the NAFO Observer/VMS Scheme .....	60
8. Discussion of the Conservation and Enforcement Measures as the follow-up of STACTIC May 2002 Meeting .....	60
9. Discussion of Possible Amendments to the Conservation	

and Enforcement Measures .....	62
10. Report of the Drafting Group on the Review of the Conservation and Enforcement Measures .....	62
11. Time and Place of the Next Meeting.....	62
12. Other Matters .....	63
13. Adoption of Report .....	63
14. Adjournment .....	63
Annex 1. Agenda .....	64

## **PART I**

### **Report of the Fisheries Commission Meeting**

**24<sup>th</sup> Annual Meeting, September 16-20, 2002  
Santiago de Compostela, Spain**

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

##### **1.1 Opening Remarks by the Chairman, D. Swanson (USA)**

The meeting was called to order by the Chairman, Dean Swanson (USA), at 0920 hrs on September 17, 2002. Representatives from the following Contracting Parties (CP) were present: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russian Federation, Ukraine, and United States of America (Annex 1).

##### **1.2 Appointment of Rapporteur**

Mr. Brian Lester (Canada) was appointed Rapporteur. It was noted that the Northwest Atlantic Fisheries Organization (NAFO) Secretariat would provide the Rapporteur at future meetings of the Fisheries Commission (FC).

##### **1.3 Adoption of Agenda**

The provisional agenda was reviewed. The following changes were agreed upon:

- Items 8 and 9 combined under a new Item 9, Report of Standing Committee on International Control (STACTIC), May 2002 (Copenhagen); presentation proposals
- Addition of a new Item 8 "Presentations on Compliance" at the request of Canada and the EU
- Insertion of item 9 a) "review of program for observers and satellite tracking"

##### **1.4 Admission of Observers**

Admission of observers was discussed at the meeting of the General Council (GC).

##### **1.5 Publicity**

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

#### **2. ADMINISTRATIVE (Item 6)**

##### **2.1 Review of Commission Membership**

Review of membership was discussed at the opening session of the GC (under provisions of Article XIII.1 of the NAFO Convention). There were no additions to the membership of the FC.

### 3. CONSERVATION AND ENFORCEMENT MEASURES (Items 7 – 14)

#### 3.1 Report of the Working Group on Precautionary Approach

With respect to Agenda item 7, the Chair of the Working Group on the Precautionary Approach, Mr. Jim Baird (Canada), provided an overview of the June 2002 Working Group (WG) meeting (FC Doc. 02/12). The report recommended further progress on the Precautionary Approach (PA) issue as well as the overall implementation of the PA in NAFO. The WG recommended a joint Fisheries Commission-Scientific Council Working Group on the PA to meet intersessionally to consider the steps to develop plans for long-term management of different fleet sectors of the fisheries. Following discussions within the FC, no action was taken to initiate a joint Fisheries Commission-Scientific Council Working Group on the PA.

#### 3.2 Presentations on Compliance

With respect to Agenda item 8, two presentations on compliance were provided: one by Canada and one by the EU.

- As a follow-up presentation to the one provided in Helsingor at the Special Meeting of NAFO, in January 2002, Canada provided a more detailed presentation “Canadian Assessment of Compliance in the NAFO Regulatory Area (NRA)”. The Canadian assessment was based on the review of observer and other information from 1999-2001. Canada expressed its concern with the increasing trend in non-compliance in six areas and provided specific examples of each. Areas of concern were identified as follows:
  - i) directed fishing-excessive by-catch of moratoria species
  - ii) exceeding allocations/misreporting
  - iii) directed fishing after closure (3L shrimp)
  - iv) increased frequency of mesh size violations
  - v) increase in issuance of citations for apparent infringements
  - vi) non-submission or late submission of observer reports.
- The EU introduced FC Working Paper 02/29, “Compliance in the Regulatory Area” that provided results of European Community inspection activities in 2001 and 2002. Based on this document, the representative of the EU concluded that the level of compliance was satisfactory in the Regulatory Area and that the current situation could not in any case be compared to the one in the early 1990:s. The EU suggested the establishment of a compliance committee whereby CPs would identify incidents of non-compliance and address questions and follow-up action. This was supported by Canada.
- The EU requested that other CPs increase their involvement in inspections in the NRA given the large number of vessels that some CPs have in this area without any inspection presence. Canada shared the concern of the EU. Canada noted that while inspections at-sea and at dockside were important, observers are a very important aspect of monitoring at sea. Denmark (in respect of the Faroe Islands and Greenland) noted that the Faroe Islands had an inspection presence in the NRA for 6 weeks in 2002.

#### 3.3 Report of STACTIC, May 2002 (Copenhagen); Presentation Proposals

With respect to Agenda item 9, the Chair of STACTIC, Mr. David Bevan (Canada), provided a report of the work undertaken by STACTIC at intersessional meetings in May 2002 (FC Doc 02/11) and presented seven proposals for consideration.

##### a) Review of Program for Observers and Satellite Tracking

Mr. Bevan provided an update on the review of the program for observers and satellite tracking. Following additional work of STACTIC at the Annual Meeting, FC was presented with STACTIC Working Paper (WP) 02/31, “Terms of Reference for a STACTIC Evaluation of the Program for Observers and Satellite Tracking”. FC adopted the working paper as provided.

b) Use of Observer Information for Scientific Purposes

Mr. Bevan noted the need for standardization and automation of observer reports and noted that the associated costs would be addressed as part of the evaluation of the review of the observer program as outlined in STACTIC WP 02/31 as noted above.

c) Evaluation of Options to Modify the Observer/Vessel Monitoring System (VMS)

While there was a certain level of support within STACTIC for an Icelandic proposal to modify the observer scheme, the Chair of STACTIC indicated that STACTIC had to resolve issues such as the scope of the pilot project and the method of evaluation before FC could give further consideration. Most CPs supported the recommendation of STACTIC. The Representative of the EU expressed dissatisfaction with the proposed timeline on the pilot project and suggested that it should be accelerated. He noted that the Observer Program was limited in time and that it would end in 2003 unless it was explicitly prolonged by the Fisheries Commission. In view of the fact that the Fisheries Commission had endorsed the recommendation of STACTIC to prolong the current program for one more year (Section 7b of the September STACTIC Report), he considered it essential to launch the pilot project as soon as possible so that it could run in parallel with the current Scheme during 2003 and that the results could be fed into the ongoing review process.

The EU suggestion that STACTIC should meet as soon as possible to further develop the technical elements of the pilot project, including the scope and evaluation, was supported by several CPs.

The Representative of Canada responded to the EU intervention indicating that Part VI of the NAFO Conservation and Enforcement Measures indicates that the elements of this program are subject to review and revision, but that the continuation of the observer program was not in question.

Following discussion at heads of delegation, the FC agreed that a Working Group of STACTIC would meet in November 2002 to develop the scope and evaluation criteria for the pilot project. Section 11 of the STACTIC Report says, *inter alia*, that STACTIC [will] meet intersessionally in June to review the Conservation and Enforcement Measures, the scope and evaluation criteria of the Pilot Project, to review the observer and VMS Scheme and initiate work on a compliance report.

The Representative of Iceland expressed disappointment that its proposal on the observer pilot project did not go forward this year and noted that Iceland would continue to object to 100% observer coverage.

d) Confidential Treatment of Electronic Reports and Messages and Improvements to Hail/VMS Systems

The Chair submitted two working papers regarding the confidential treatment of electronic reports and messages and improvements to the hail /VMS systems. The proposals in STACTIC WP 01/15 (revised) and STACTIC WP 02/5 were adopted.

e) Modernization of the Conservation and Enforcement Measures

The Chair provided STACTIC WP 02/30 (revised) "Proposal by the European Community Relating to the Overhaul of NAFO Conservation Measures", which outlines the process for finalizing the amendments. The proposal was adopted.

f) Control/Avoidance of Incidental Catches

The FC approved two elements of STACTIC WP 02/15 (i.e. amended definition of the directed fishery and amended method for calculating by-catch). Several CPs expressed concerns with the two separate by-catch limits as set out in the WP and it was generally agreed that further work is required to determine if the percentage of by-catch limits need to be reduced. The Chair of the FC referred the question of the

percentage of by-catch limits to STACTIC for further review. The current by-catch limits will remain in place.

g) Compliance Issues (Rules of Procedure of the Fisheries Commission)

STACTIC WP 02/14 (revised) "Review of Compliance" and STACTIC WP 02/8 "Amendment to the Rules of Procedure for the Fisheries Commission – For New Terms of Reference" were prepared and agreed to by STACTIC at the intersessional meeting held in May. These working papers were adopted.

### **3.4 Review of the Provisions on Chartering Operations in the NRA**

With respect to Agenda item 10, as requested at the Special Meeting in Helsingor, the NAFO Secretariat prepared two working papers - FC WP 02/23 "Overview of Charter Arrangements (2000-2002)" and FC WP 02/24 "Overview of Charter Compliance with Part I.B.7 of the Conservation and Enforcement Measures".

While some CPs expressed opposition to the continuation of chartering operations in the NRA, the majority suggested the continuation of the current arrangements for one more year. The FC agreed to extend Part I.B. of the Conservation and Enforcement Measures for 2003. The FC also adopted FC WP 02/36 that amended Part I.K., paragraph 9 of the Conservation and Enforcement Measures on the fishing vessel limit in the Division 3L shrimp fishery. The amended Part I.K. will allow each CP to have one vessel fishing for shrimp in Division 3L for each CP 3L shrimp allocation they are fishing. Under the former wording, CPs were limited to only one vessel fishing shrimp in 3L at a time no matter how many CP allocations of 3L shrimp it was harvesting.

### **3.5 Increase of Inspection Presence in the NRA**

With respect to Agenda item 11, the EU and Canada expressed concern that outside of a limited presence by Denmark (in respect of the Faroe Islands and Greenland) (6 weeks) in 2002, they continue to be the only two CPs with an inspection presence in the NRA. Both parties expressed that it was inappropriate that inspections were the responsibility of only two of the 16 CPs and that these costs are being borne by just the two CPs. It was noted that some CPs are not meeting their obligations for a mandatory inspection presence when they have more than 15 vessels operating in the NRA. The EU noted that some CPs are requesting a reduction in observer coverage but this must be linked with increased inspection capacity. Canada recommended that all CPs should have a designated inspector to respond to compliance issues.

Denmark (in respect of the Faroe Islands and Greenland) indicated that the Faroe Islands would continue inspection presence in the NRA in 2003. Norway committed to an inspection presence if more than 15 of its vessels were fishing in the NRA.

### **3.6 Quota Allocation Issues**

With respect to Agenda item 12, following discussions in which several CPs expressed a desire to look at the issue of allocations, the FC adopted FC WP 02/30 (revised), which provided terms of reference for a working group on the allocation of fishing rights to Contracting Parties of NAFO. It was subsequently decided that the working group would be reconvened March 26-28, 2003 in order to report to the FC at its 25th Annual Meeting.

### **3.7 Report of STACTIC at the Annual Meeting**

With respect to Agenda item 13, the Chair of STACTIC provided an overview of the STACTIC meetings at the 24<sup>th</sup> Annual Meeting and submitted the Committee's report. Following discussion and concurrence on the time and place of the meeting of the Commission's WG on Allocations and on the STACTIC WG on the Pilot Project on Observers, the report was adopted.



### 3.8 Canadian Management Measures for 2J3KL Cod for 2002

With respect to Agenda item 14, a number of CPs expressed disappointment with Canada's decision to permit a commercial harvest of 5,600t of 2J3KL cod within Canadian waters in 2002. They stressed the need of consistent and coherent management measures for the entire area of distribution of the stock (ie both inside and outside the Canadian EEZ). In particular, they held that such a unilateral decision disregards the scientific recommendations for the stock and retards any possible rebuilding of the stock, that it undermines the moratoria established by NAFO in International waters, that not less than 603 violations occurred in 2002 inter alia leading to an overshoot of the unilateral quota and that according to Canada's own Scientists, a quota of 200 tonnes would be largely sufficient for scientific purposes. In view of this situation, Contracting Parties urged Canada to review its position in this regard. The Representative of Canada expressed the right for Canada to establish a TAC within its territorial waters and reiterated points from its letter to NAFO, GF 02/567, that stated that this fishery was tightly controlled, and for inshore small boats only. Canada indicated that there would be a full review of this stock before a decision is taken for 2003.

## 4. CONSERVATION OF FISH STOCKS IN THE REGULATORY AREA (Items 15-19)

### 4.1 Summary of Scientific Advice by the Scientific Council (SC)

With respect to Agenda item 15a, the Chair of the SC (Dr. Ralph Mayo, USA) provided a stock by stock overview of SC Advice/Recommendations as per SCS DC. 02/19.

Recommendations for one year - 2003 were provided for four stocks:

Species	Recommendation for 2003
Redfish 3M	3,000-5,000t, by-catch of juvenile redfish at lowest possible level
American plaice 3LNO	no directed fishery, lowest possible by-catch
Greenland halibut 2 + 3KLMNO	catches not to exceed average level of 2000 and 2001 level of 36,000t, reduced harvest of juveniles
Capelin 3NO	no directed fishery

The SC also provided two-year (2003/2004) advice for five other stocks:

Species	Recommendation for 2003/2004
Cod 3M	no directed fishery, lowest possible by-catch
American plaice 3M	no directed fishery, lowest possible by-catch
Witch 3NO	no directed fishery, lowest possible by-catch
Yellowtail flounder 3LNO	not to exceed 14,500t
Squid ( <i>Illex</i> ) 3+4	19,000 - 34,000t

SC noted that there was no significant change in three stocks (cod 3NO, redfish 3LN and witch 2J3KL) for which it provided two-year advice in 2001 and thus did not provide updated/revised advice for 2003.

The Chair of the SC also presented an overview of responses to special requests (as per NAFO SCS Doc. 02/19) including: the relationship between 3M witch and witch in 2J+3KL; distribution of shrimp in Divisions 3LNO and in 3M; and pelagic *Sebastes mentella* in NAFO Subareas 1-3 and adjacent to the ICES area.

SC concluded that witch in 3M in depths less than 730m do not appear to be linked with witch in 2J+3KL. Witch in the deep waters of the Flemish Pass (>730m) are likely to be more closely associated with witch along the slope of the Grand Banks in Division 3L.

SC provided the relative seasonal distribution for 3LNO shrimp biomass as follows:

Percentage of 3LNO shrimp biomass by division	Percentage of divisional biomass in the NRA
90% of biomass is in 3L	11-30% of 3L divisional biomass occurs in the NRA
<10% of biomass is in 3N	90% of 3N divisional biomass occurs in the NRA
1% of biomass is in 3O	

SC noted that age 2 shrimp were generally more abundant in depths <140 fathoms in Division 3M in all months. Multi-year spawners are more abundant in depths >140 fathoms in all months except March and April when they are more abundant in the shallower waters of Division 3M.

b) Decadal Trends in Environmental Conditions in the Northwest Atlantic

With respect to Agenda item 15b, Dr. M. Stein (EU) provided information on decadal trends in environmental conditions in the Northwest Atlantic that indicated relatively warm conditions in the 1950s and 1960s to a region in the 1970s to 1990s where temperatures were relatively cool. Dr. Stein provided a presentation on *Ocean Climatic Diversity in NAFO Waters*, which concluded that during the last three decades, the decreasing trends in temperatures have resulted in a decreased abundance of groundfish and an increased abundance of shellfish.

**4.2 Management and Technical Measures for Fish Stocks in the Regulatory Area, 2003** (Agenda item 16)

16.1 Cod 3M

Canada endorsed the SC recommendation that there be no directed fishery for 3M cod and that by-catch be kept at the lowest possible level for 2003 and 2004. Denmark (in respect of the Faroe Islands and Greenland) concurred but requested that CPs consider the possibility of a limited 3M cod fishery for science purposes. The FC agreed to extend the current moratorium for 2003 and 2004.

16.2 Redfish 3M

Latvia noted that there had been no new developments in the 3M redfish fishery and suggested that the status quo arrangement with a 5,000t TAC be kept in place for 2003. Lithuania and the EU supported this. The FC agreed to extend the current management measures for 2003.

16.3 American Plaice 3M

Canada endorsed the SC advice for 2003 and 2004 that there be no directed fishery for 3M American Plaice and that by-catch be kept at the lowest possible level. The EU supported the moratoria but suggested it should be for 2003 only. The US noted that in circumstances where stocks are under moratoria, it is more appropriate to use a multi-year approach. The FC agreed to follow the SC recommendation and extended the moratorium for 2003 and 2004.

16.4 Shrimp in Division 3M

There was considerable discussion on the management measures for shrimp in Division 3M and on the timing of SC advice on this stock. Several CPs agreed with the suggestion from the Representative from Estonia that the current effort limitation scheme should be maintained in the absence of any new information on this stock. It was noted that SC would review the shrimp stocks only in November 2002 but that a decision should be taken at the annual meeting to avoid a special meeting of FC to discuss shrimp. Iceland and the US indicated their concern with a continuation of an effort allocation system for managing this fishery.

Most CPs agreed that if the SC advice was relatively the similar to last year, the current system should be maintained, but if it changed significantly, a special meeting of the FC should be held or other means applied to

change the decision taken. Canada submitted a proposal FC WP 02/41 to address issues related to the timing of the SC advice and determination of the TAC and/or effort control measures for this stock for 2003. Following discussions, FC WP 02/41 (revised) was adopted. The measures in place for 2002 will be rolled over for 2003, subject to the conditions and process outlined in FC WP 02/41 (revised).

#### **4.3 Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2003** (Agenda item 17)

##### 17.1 Cod in Divisions 3NO

As SC advice from 2001 was for no directed fishery and by-catches at the lowest possible level for 2002 and 2003, the FC agreed to continue the current moratorium for 2003.

##### 17.2 Redfish in Divisions 3LN

The SC advice for 2002 and 2003 was for no directed fishery and by-catches at the lowest possible level. The FC agreed to continue the current moratorium for 2003.

##### 17.3 American Plaice in Divisions 3LNO

Canada noted the importance of this stock for Canadian fishermen noting that the SC recommendation must be viewed carefully. The EU noted larger increases of this stock in Divisions 3NO in recent years that could account for increased levels of by-catch.

The FC agreed to follow the SC advice of no directed fishery and by-catches at the lowest possible level. The current moratorium will continue for 2003.

##### 17.4 Yellowtail Flounder in Divisions 3LNO

While the SC provided positive advice that the TAC for this stock could be increased, the EU expressed concern that, given the high by-catches of American plaice in this fishery, it did not want the recovery of American plaice to be put in jeopardy. Canada responded to the EU concerns providing a detailed outline of measures it had taken to ensure by-catches of American plaice at the lowest possible level in this fishery.

The US tabled FC WP 02/31, which proposed a 1,000t allocation for the US if the TAC for this stock increased, maintaining that, in light of a number of considerations, it was time the US had an opportunity to fish in the NRA. This proposal was later withdrawn.

The Scientific Council advice was for a TAC of 14,500t for 2003 and 2004. Following discussion, the FC agreed to establish the TAC for 2003 consistent with this advice.

##### 17.5 Witch flounder in Divisions 3NO

The EU recommendation to follow the SC advice for no directed fishery and by-catches at the lowest possible level was supported by Canada. The FC agreed to continue the current moratorium for 2003.

##### 17.6 Capelin in Divisions 3NO

The Latvian proposal to follow the SC advice for no directed fishery and by-catches at the lowest possible level was agreed to by the FC. The current moratorium will continue for 2003.

##### 17.7 Squid (Illex) in Subareas 3 and 4

As the SC could not provide advice for this stock, Latvia proposed that the 34,000t TAC be maintained with the same footnotes as indicated in the quota table for 2002. The FC agreed to establish the TAC at 34,000t for 2003.

The Protocol for Determining the Productivity of the Short-finned Squid Resource in NAFO Subareas 3+4, FC WP 00/10, will continue to be applicable for 2003.

#### 17.8 Shrimp in Divisions 3LNO

There was considerable discussion on the management measures for this stock and on the timing of SC advice on this stock. Several CPs agreed with the Latvian proposal that the current measures should be maintained given that there was no new information on this stock and given that SC will review it only in November 2002.

Most CPs agreed that if the SC advice was relatively similar to last year, the current system should be maintained, but if it changed significantly, a special meeting of the FC should be held or other means applied to change the decision taken. The Canadian proposal FC WP 02/41 (revised) that was adopted for 3M shrimp to address the same issues of timing of the SC advice and determination of the TAC and/or effort control measures, also included measures for 3LNO shrimp.

Denmark (in respect of the Faroe Islands and Greenland) expressed its continued opposition to the current sharing of the portion in the NAFO Regulatory Area. Denmark (in respect of the Faroe Islands and Greenland) submitted a proposal on a new sharing arrangement, FC WP 02/40, for consideration. This proposal was not adopted.

The FC agreed that the measures in place for 2002 would be rolled over for 2003, subject to the conditions and process outlined in FC WP 02/41 (revised). The Representative of Denmark (in respect of the Faroe Islands and Greenland) warned that this neglect of the legitimate interests of Denmark (in respect of the Faroe Islands and Greenland) would most likely lead to an objection to this measure.

#### 17.9 Greenland Halibut in Divisions 3LMNO

The Representative of the European Union expressed the view that the SC advice for this stock lacked clarity and that it did not have the scientific rigour of previous reports. While Representatives for Latvia, Estonia, Japan and Russia agreed a reduction in TAC should be considered, they were not willing to accept an 8,000t reduction.

The Representative of Canada noted his awareness of the importance of this stock to other CPs, but expressed concern that three of four indices have shown that this stock has declined since 1999. He also noted concern with high catches of juveniles in this fishery and expressed his support to follow the SC advice for a TAC of 36,000t for Subarea 2+3 for 2003.

The Representative of Denmark (in respect of the Faroe Islands and Greenland) expressed concern over the footnote on the "Others quota" that states that no more than 40% of the quota may be fished by the first of May and 80% by the first of October and suggested that this be deleted or amended. The Representative of Latvia shared Denmark's (in respect of the Faroe Islands and Greenland) concerns but suggested that the footnote be amended to reduce the interruption in the prosecution of this fishery that was caused by splitting the quota essentially into three separate periods.

Following discussions on the TAC level for this stock, the FC decided to establish the 2+3 quota at 42,000t for 2003. This established the quota for Divisions 3LMNO at 31,122t for 2003. The FC also agreed to amend the footnote of the "Others quota" to limit harvests to only two separate periods and the footnote will now stipulate that no more than 60% of this quota may be fished before May 1, 2003.

#### 17.10 Cod and Witch Flounder in Divisions 2J3KL

The FC agreed to continue the current moratoria on both of these stocks for 2003.

#### 17.11 Pelagic *Sebastes Mentella* (Oceanic Redfish) in the NAFO Convention Area

The Report from the Ad hoc Working Group on Management of Oceanic Redfish, NAFO/FC Doc. 02/13, from the meeting held in June 2002 recommended that the FC accept WG W.P. 02/5 (revision 4), which provided a 5,000t TAC for NAFO CPs that were not NEAFC members. The report also noted that the Representative of Lithuania was of the opinion that NAFO should manage that portion of the stock found in the NAFO Convention Area and that the NAFO quota should be higher than 5,000t.

Representatives of the EU, Canada, Russia and Denmark (in respect of the Faroe Islands and Greenland) supported the WG report. The Representative of Lithuania repeated the concerns expressed that he had in the WG report and proposed that the TAC for non-NEAFC members should be 15,000t. France, Latvia and the Ukraine supported the Lithuanian position that the decision should be one taken by NAFO and not one guided by NEAFCs decision.

Following discussions, the FC adopted the paper FC WP 02/43 (revised) providing a quota of 7,500t for Oceanic Redfish in NAFO Subarea 2 and Divisions 1F and 3K for NAFO CPs that are not members of NEAFC and a quota of 25,000t for the CPs that are members of NEAFC.

After discussions, Contracting Parties agreed on the Quota Table for 2003 (Annex

#### 17.12 Management of Currently Unregulated Stocks

##### 3O Redfish

The Representative of Canada introduced a proposal, FC WP 02/27 (revised), for a precautionary TAC for 3O redfish in the range of 13,000t. He noted concern with the current exploitation rate of this slow growing stock and suggested that SC be asked to provide advice on reference points and conservation measures for this stock for future years.

The Representative of the EU noted that with the exception of large catches in 2001, the fishery had been relatively stable and did not see the need for a TAC right away. He suggested that the FC should ask for more formal science advice with a view for a proposed TAC for 2004, but not before obtaining SC advice.

Following discussions, the FC agreed to adopt the process set forth in FC WP 02/27 (revision 3) that requests SC to provide a full assessment of 3O redfish in advance of the 2003 Annual Meeting.

##### Thorny Skates

The Representative of the US tabled FC WP 02/33, which sought to establish catch limits (6,500t) for thorny skates in Divisions 3LNO while awaiting SC advice for this stock. Latvia noted that there was a need for SC advice before establishing a TAC. FC WP 02/33 was revised but as there was no consensus to proceed with a TAC for 2003, it was withdrawn.

#### **4.4 Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2004**

With respect to Agenda item 18, the FC's Request for Scientific Advice on Management in 2004 was outlined in FC WP 02/39. Following discussions, it was decided that prior to the next annual meeting, SC consider options to provide annual advice as regards to shrimp in Divisions 3LNO and 3M in advance of annual meetings. With this addition, FC WP 02/39 (revised) was adopted.

#### **4.5 Transfer of Quotas Between Contracting Parties**

With respect to Agenda item 19, the NAFO Secretariat provided a list of quota transfers between NAFO CPs from 1982 to present in FC WP 02/22. There were no comments from any CP.

## **5. CLOSING PROCEDURE (Items 20-22)**

### **5.1 Time and Place of the Next Meeting**

With respect to Agenda item 20, the time and place of the next meeting was to be established by General Council.

### **5.2 Other Business**

Under Agenda item 21, it was agreed that four intersessional meetings would be held. The dates and places determined by Heads of Delegation are as follows:

- |  |   |
|--|---|
| 1. STACTIC WG on Pilot Project   | Nov. 18-20, 2002<br>London, UK  |
| 2. Fisheries Commission WG on Allocations                              | March 26-28, 2003<br>Florida, USA                                     |
| 3. STACTIC WG to overhaul the<br>Conservation and Enforcement Measures | before June 2003 STACTIC<br>meeting – preferably by<br>teleconference |
| 4. STACTIC Intersessional Meeting                                      | June 16-20, 2003<br>Copenhagen, Denmark                               |

### **5.3 Adjournment**

With respect to Agenda item 22, the Chair thanked the NAFO Secretariat, Gordon Moulton and Brian Lester, for their assistance. The meeting was adjourned at 1020 hrs on September 20, 2002.

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## **Annex 2. Agenda**

### **I. Opening Procedure**

1. Opening by the Chairman, D. Swanson (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

### **II. Administrative**

6. Review of Commission Membership

### **III. Conservation and Enforcement Measures**

7. Report of the Working Group on Precautionary Approach
8. Presentations on compliance
9. Report of STACTIC, May 2002 (Copenhagen); presentation proposals
  - a) review of program for observers and satellite tracking
  - b) use of observer information for scientific purposes
  - c) evaluation of options to modify the observer/VMS system
  - d) confidential treatment of electronic reports and messages and improvements to hail/VMS system
  - e) modernization of the Conservation and Enforcement Measures
  - f) control/avoidance of incidental catches
  - g) compliance issues (Rules of Procedure of the Fisheries Commission)
  - h) other
10. Review of the provisions on chartering operations in the NAFO Regulatory Area
11. Increase of inspection presence in the NAFO Regulatory Area
12. Quota Allocation Issues
13. Report of STACTIC at the Annual Meeting
14. Canadian Management Measures for 2J3KL Cod in 2002

### **IV. Conservation of Fish Stocks in the Regulatory Area**

15. Summary of Scientific Advice by the Scientific Council
  - a) Stock assessments and recommendations (Scientific Council Chairman)
  - b) Decadal trends in environmental conditions in the Northwest Atlantic (Chair of STACFEN or his designate)
16. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2003
  - 16.1 Cod in Div. 3M
  - 16.2 Redfish in Div. 3M
  - 16.3 American plaice in Div. 3M
  - 16.4 Shrimp in Div. 3M
17. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2003
  - 17.1 Cod in Div. 3NO
  - 17.2 Redfish in Div. 3LN
  - 17.3 American plaice in Div. 3LNO

- 17.4 Yellowtail flounder in Div. 3LNO
  - 17.5 Witch flounder in Div. 3NO
  - 17.6 Capelin in Div. 3NO
  - 17.7 Squid (*Illex*) in Subareas 3 and 4
  - 17.8 Shrimp in Div. 3LNO
  - 17.9 Greenland halibut in Div. 3LMNO
  - 17.10 If available in the Regulatory Area:
    - i) Cod in Div. 2J3KL
    - ii) Witch flounder in Div. 2J3KL
  - 17.11 Pelagic *Sebastes Mentella* in the NAFO Convention Area
    - Report of the ad hoc Working Group on Oceanic Redfish
  - 17.12 Management of Currently Unregulated Stocks – 3O redfish
18. Formulation of Request to the Scientific Council for:
- a) Scientific advice on the management of fish stocks in 2004
19. Transfer of Quotas Between Contracting Parties

#### **V. Closing Procedure**

- 20. Time and Place of the Next Meeting
- 21. Other Business
- 22. Adjournment

### **Annex 3. Terms of Reference – STACTIC Evaluation of the Program for Observers and Satellite Tracking (STACTIC W.P. 02/31)**

As noted in Part VI of the NAFO Conservation and Enforcement Measures, the elements of the Program are subject to review and revision, as appropriate, for application in 2003 and subsequent years. During STACTIC meetings in 2002, it was concluded that a review of the effectiveness of the Program could not be completed, in part, due to a lack of clear guidance on a review process. STACTIC proposes the terms of reference below to provide direction for a review of the operation of the Program for the period 1999-2002. It is proposed that the evaluation cover the following 3 elements:

#### **1. ASSESSMENT - IMPLEMENTATION OF THE PROGRAM (2002 only)**

##### 1 a): Assessment of Impartiality and Independence:

The review will undertake to assess the independence and impartiality of observers in the following manner:

All Contracting Parties whose vessels fish in the NRA will report to the NAFO Secretariat on the recruitment and training of their observers. Annex 1 contains a format for the use of Contracting Parties to report this information to the Executive Secretary.

Additionally, Contracting Parties with an Inspection Presence in the NRA will report to the NAFO Secretariat any information they have relating to the independence and impartiality of observers.

This information will be combined by the Executive Secretariat and presented to STACTIC at the next Intersessional meeting.

##### 1b): Assessment of all other elements of the program:

The assessment will also include a review of the implementation of all other elements of the program by Contracting Parties or by Contracting Parties with an Inspection Presence in the Area. It will assess whether the elements of the program have been consistently and properly implemented in accordance with Part VI of the NAFO Conservation and Enforcement Measures.

This assessment of all other elements of the Program will be conducted by the Executive Secretariat, which will complete a report to STACTIC for the next Intersessional meeting, outlining the performance of each Contracting Party in implementing the elements of Part VI of the NCEM. Annex 2 outlines the format to be used in the report.

Contracting Parties with an Inspection Presence in the NRA may also provide to STACTIC information they have acquired regarding the implementation of the program.

#### **2. ASSESSMENT - FINANCIAL AND PRACTICAL IMPLICATIONS OF PROGRAM**

The review will include an assessment of the financial and practical implications of the Program for Contracting Parties (including Contracting Parties with an inspection presence) in the NRA. Specifically, the Review will consider 2 aspects of the Program.

##### 2a) Assessment of Financial Implications:

To facilitate this assessment, all Contracting Parties (including those with an inspection presence) will calculate the following:

- 1) the costs of the program for:
  - Contracting Parties
  - Contracting Parties with an Inspection Presence
  - Vessel Owners

- Observer Contracting Companies
- 2) the costs of the program in relation to each Contracting Party's (including those with an inspection presence) contribution to the monitoring and control regime and in relation to the presence of vessels fishing in the NRA.
  - 3) the costs of at sea inspections, port inspections and air surveillance

This information will be submitted to the NAFO Secretariat in the format outlined in Annexes 3 and 4.

2b) Identification of Practical Implications:

Contracting Parties (including those with an inspection presence) will examine the practical considerations and logistical effort involved in the development of procedures, deployment plans and training required by the Program.

Contracting Parties will submit to the NAFO Secretariat the logistical issues related to the implementation of the Program they encounter in ensuring compliance with the program.

**3. ASSESSMENT OF THE EFFECTIVENESS OF THE PROGRAM**

The final component of the review will assess the effectiveness of the program in relation to compliance with the Conservation and Enforcement Measures and support for the Scientific Council.

Each Contracting Party (including those with an inspection presence) will assess the effectiveness of

- the interaction between the Program and the Inspection Scheme (sea and port inspections)
  - the interaction with inspectors
  - procedures for follow-up of observer reported infringements
- accuracy and usefulness of observer data
  - support to Scientific Council
  - quantity and quality of the data
  - availability of data on real time basis
  - formatting of the data
- the contribution of observers and VMS (the Program) to compliance with the NCEM
  - infringements reported by observers
  - infringements not reported by observers
  - infringements detected by VMS
  - infringements not detected by VMS

This section of the review will also assess the relative costs of the current program in comparison with other control measures such as enhanced VMS and port inspections.

All reports, evidence and information submitted to the NAFO Secretariat in relation to this review should be submitted to the NAFO Secretariat by November 30, 2002 and will be reported to STACTIC at the next intersessional meeting. The information will be distributed to all Contracting Parties one month in advance of the intersessional meeting. The data collected will be assessed and recommendations will be considered and provided to the Fisheries Council on the operation of the program.

ANNEX 1. ASSESSMENT OF OBSERVER INDEPENDENCE AND IMPARTIALITY

Number of Observers	Observer Employer (Name and Address)	Status of Observer Employer (e.g. state body, private contractor)	Who trains the observers?	How are observers paid?	Other Pertinent Details
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ANNEX 2. ASSESSMENT OF IMPLEMENTATION

F - FULL

P – PARTIAL (Requires explanatory footnote)

N - NONE

A. OBSERVERS

Contracting Party	Part VI NAFO Conservation and Enforcement Measures												
	1a)	2	3a) i)	3 a) ii)	3a) iii)	3a) iv)	3b)	3 c)	3 d)	4	5	6	7
Canada													
Cuba													
Denmark (Faroes)													
Denmark (Greenland)													
Estonia													
European Union													
Iceland													
Japan													
Latvia													
Lithuania													
Norway													
Poland													
Russia													



ANNEX 2 (cont'd). ASSESSMENT OF IMPLEMENTATION

B. SATELLITE TRACKING/ VESSEL MONITORING SYSTEM (VMS)

Contracting Party	Part VI NAFO Conservation and Enforcement Measures						
	B. 1	B. 2	B. 3	B. 4	B. 5	B. 6	B. 7
Canada							
Cuba							
Denmark (Faroes)							
Denmark (Greenland)							
Estonia							
European Union							
Iceland							
Japan							
Latvia							
Lithuania							
Norway							
Poland							
Russia							

ANNEX 3. EXPENDITURES – 1999 - 2001

Contracting Party:

A. OBSERVERS

Year	Observer Sea Days	Observer Transit Days	Travel	Recruitment and Training	Administration	Other (Specify)
1999						
2000						
2001						
2002						

Contracting Party:

B. SATELLITE TRACKING/VESSEL MONITORING SYSTEM

Year	Hardware	Software	Transmissions	Maintenance	Training	Monitoring	Other (Specify)
1999							
2000							
2001							
2002							

ANNEX 4. EXPENDITURES - ALL MEANS

EXPENDITURES – OBSERVERS

Observer Sea Days	Observer Transit Days	Travel	Training	Administration	Other
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EXPENDITURES – SATELLITE TRACKING / VMS

Hardware	Software	Transmissions	Maintenance	Training	Monitoring	Other
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EXPENDITURES – TRADITIONAL MEANS OF SURVEILLANCE

Sea Surveillance	Air Surveillance	Port Inspections	Other
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**Annex 4. Confidential Treatment of Electronic Reports**  
(FC Doc. 02/20 – formerly STACTIC W.P. 01/15 revised)

**Part VIII**

**PROVISIONS ON SECURE AND CONFIDENTIAL TREATMENT OF  
ELECTRONIC REPORTS AND MESSAGES TRANSMITTED  
PURSUANT TO Part III E, VI and VII OF THE  
CONSERVATION AND ENFORCEMENT MEASURES.**

**1. Field of application**

The provisions set out below shall apply to all electronic reports and messages transmitted and received pursuant to Part III. E and to annex I, Part VI.A.3 and B of the Conservation and Enforcement Measures, hereinafter referred to as “reports and messages”.

**2. General Provisions**

- 2.1. The NAFO Executive Secretary and the appropriate authorities of Contracting Parties transmitting and receiving reports and messages shall take all necessary measures to comply with the security and confidentiality provisions set out in sections 3 and 4.
- 2.2. The NAFO Executive Secretary shall inform all Contracting Parties of the measures taken in the secretariat to comply with these security and confidentiality provisions.
- 2.3. The NAFO Executive Secretary shall take all the necessary steps to ensure that the requirements pertaining to the deletion of reports and messages handled by the Secretariat are complied with.
- 2.4. Each Contracting Party shall guarantee the NAFO Executive Secretary the right to obtain as appropriate, the rectification of reports and messages or the erasure of reports and messages the processing of which does not comply with the provisions of the NAFO Conservation and Enforcement Measures.
- 2.5. Notwithstanding the provisions of Part III .E.2 and Part VI.B., the Fisheries Commission may instruct the NAFO Executive Secretary not to make available the reports and messages received under Part III and VI to a Contracting Party, where it is established that the Contracting Party in question has not complied with these security and confidentiality provisions.

**3. Provisions on Confidentiality**

- 3.1. Reports and messages shall be used only for the purposes stipulated in the Conservation and Enforcement Measures. No report or message referred to in section 1 shall be kept in a computer database at the Secretariat unless explicitly provided for in the Conservation and Enforcement Measures.
- 3.2. Each inspecting Contracting Party shall make available reports and messages only to their means of inspection and their inspectors assigned to the Scheme of Joint International Inspection and Surveillance. Reports and messages shall be transmitted to the inspection platforms and inspectors not more than 48 hours prior to entry into the Regulatory Area.
- 3.3. The NAFO Executive Secretary shall delete all the original reports and messages referred to in section 1 from the database at the NAFO Secretariat by the end of the first calendar month following the year in which the reports and messages have originated. Thereafter the information related to the catch and movement of the fishing vessels shall only be retained by the NAFO Executive Secretary, after measures have been taken to ensure that the identity of the individual vessels can no longer be established.

- 3.4. The NAFO Executive Secretary shall not make available reports and messages to other parties than those specified explicitly in Part III.E.2 of the Conservation and Enforcement Measures.
- 3.5. Inspecting Contracting Parties may retain and store reports and messages transmitted by the Secretary until 24 hours after the vessels to which the reports and messages pertain have departed from the Regulatory Area without re-entry. Departure is deemed to have been effected six hours after the transmission of the intention to exit from the Regulatory Area.

#### **4. Provisions on security**

##### **4.1 Overview**

Inspecting Contracting Parties and the NAFO Secretariat shall ensure the secure treatment of reports and messages in their respective electronic data processing facilities, in particular where the processing involves transmission over a network. Contracting Parties and the NAFO Secretariat must implement appropriate technical and organisational measures to protect reports and messages against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, and against all inappropriate forms of processing.

The following security issues must be addressed from the outset:

- System access control:  
The system has to withstand a break-in attempt from unauthorised persons.
- Authenticity and data access control:  
The system has to be able to limit the access of authorised parties to a predefined set of data only.
- Communication security:  
It shall be guaranteed that reports and messages are securely communicated.
- Data security:  
It has to be guaranteed that all reports and messages that enter the system are securely stored for the required time and that they will not be tampered with.
- Security procedures:  
Security procedures shall be designed addressing access to the system (both hardware and software), system administration and maintenance, backup and general usage of the system.

Having regard to the state of the art and the cost of their implementation, such measures shall ensure a level of security appropriate to the risks represented by the processing of the reports and the messages.

Security measures are described in more detail in the following paragraphs.

##### **4.2 System Access Control**

For their main computer systems the Contracting Parties and the Secretariat shall aim to meet the criteria of a C2-level trusted system, (as described in Section 2.2 of the U.S. Department of Defence Trusted Computer System Evaluation Criteria (TCSEC), DOD 5200.28-STD, December 1985).

The following features are some of the ones provided by a C2-level trusted system:

- A stringent password and authentication system. Each user of the system is assigned a unique user identification and associated password. Each time the user logs on to the system he/she has to provide the correct password. Even when successfully logged on the user only has access to those and only those functions and data that he/she is configured to have access to. Only a privileged user has access to all the data.
- Physical access to the computer system is controlled.
- Auditing; selective recording of events for analysis and detection of security breaches.
- Time-based access control; access to the system can be specified in terms of times-of-day and days-of-week that each user is allowed to login to the system.
- Terminal access control; specifying for each workstation which users are allowed to access.

##### **4.3 Authenticity and Data Access Security**

Communication between the Contracting Parties and the NAFO Secretariat for the purpose of the Conservation and Enforcement Measures shall use the X.25 Protocol. Where E-mail is used for general communication and reports outside the scope of provision 1. between the NAFO Secretariat and the Contracting Parties the X.400 Protocol or Internet shall be used.

#### **4.4 Communication Security**

If Contracting Parties and the NAFO Secretariat agree, the X.400 Protocol or the Internet can be used for communication of data under the Scheme, but then appropriate encryption protocols like "Pretty Good Privacy" (PGP) or "Digital Encryption Standard" (DES) shall be applied to ensure confidentiality and authenticity.

#### **4.5 Data Security**

Access limitation to the data shall be secured via a flexible user identification and password mechanism. Each user shall be given access only to the data necessary for his task.

#### **4.6 Security Procedures**

Each Contracting Party and the NAFO Executive Secretary shall nominate a security system administrator. The security system administrator shall review the log files generated by the software, properly maintain the system security, restrict access to the system as deemed needed and act as a liaison with the Secretariat in order to solve security matters.

**Annex 5. Amendment of the Conservation and Enforcement Measures  
re improvements to the hail/VMS systems**

(FC Doc. 02/19-formerly STACTIC W.P. 02/5 revised)

1. The NAFO Conservation and Enforcement Measures (CEM) do not provide for automatic communications of so-called administrative reports, i.e. notifications concerning fishing vessels operating in the Regulatory Area, cf. CEM, Part III, D. The CEM should be amended in order to allow the automatic communication of such administrative reports.

Automatic communication is understood as a system whereby such messages, defined in accordance with the syntax of the North Atlantic Format, can be submitted in computer readable form.

2. The CEM may include an optional system of Return messages (RET) whereby the sender receives verification that a message has been received with/without problems.

3. The Transshipment report should be extended to include identification of the client vessel, including whether transshipment has been to or from that vessel, by means of the field codes TT and TF.

4. A fishing vessel with a technical failure or non-operation of a defective satellite tracking device should submit manual Position reports at least every 6 hours instead of "at least daily" as required by the current rules. These messages should be submitted in computer readable form if possible, and such messages should be identified as MAN, cf. CEM, Part VI, B, paragraph 5.

5. The first VMS Position report automatically generated and communicated when a vessel enters the Regulatory Area should be identified as ENT (entry into the area), and the last automatically generated VMS Position report transmitted leaving the Regulatory Area should be identified as EXI (exit from the area).

Consequently, the codes of the current manually generated messages ENT and EXI should be changed and the following is proposed:

COE (catch on entry) instead of ENT; and

COX (catch on exit) instead of EXI, cf. CEM, Part III, Annex 1, 1.1 and 1.4

6. Automatically communicated reports required by the CEM should be transmitted via the Flag State Monitoring Centre (FMC) to the NAFO Secretariat (automatically routed to the Secretariat), cf. CEM, Part III, E, paragraph 1.

7. From 1 January 2001 all vessels fishing in the Regulatory Area shall be equipped with satellite tracking devices. According to the CEM, fishing vessels are thus no longer required to send messages concerning movement within the Regulatory Area, cf. CEM Part III, E, paragraph 4. Consequently points c) and d) of Part III, E of the CEM should be removed.

**Annex 6. Proposal by the European Community**  
**Relating to the Overhaul of NAFO Conservation and Enforcement Measures**  
(STACTIC W.P. 02/30-Revised)

**Background**

There has for a certain time been a general agreement in NAFO on the need to make a general overhaul of the NAFO Conservation and Enforcement Measures. A STACTIC meeting was convened in May 2001 for this purpose, which developed a new framework for these measures. A Drafting Group was thereafter given the task of drawing up a new text in accordance with the agreed framework. This Drafting Group met in July 2002 and produced a draft text. The Group acknowledged that further work would be required (in particular in relation to the Annexes) but was hopeful that a new text could be finalised and be submitted for adoption at the 2003 Annual Meeting.

**Proposal**

In order to prepare the grounds for 2003 meetings it is proposed that further progress be made inter-sessionally in accordance with the following arrangements:

- The report together with the draft text of new measures has been circulated to all Contracting Parties who are invited to present their comments on the text as well as the outstanding issues raised in the report directly to the European Community before 15 December 2002. Comments should be sent directly to Staffan.Ekwall@cec.eu.int
- The European Community shall then, on the basis of the comments by Contracting Parties, prepare an up-dated text of the Conservation and Enforcement Measures. This text shall be circulated to all Contracting Parties before 15 February 2003.
- Contracting Parties are then invited to submit their comments on the up-dated text to the European Community before 30 March 2003. The European Community will then review the text in view of the comments made and present the a new version for an intersessional Drafting Group/STACTIC meeting in 2003.
- It is furthermore proposed that the drafting group should be given the opportunity to propose amendments of substance compared to the current text, in particular those identified in Annex 4 of the document. Such amendments should however be highlighted in a separate fashion.



**Annex 7. Amendment of Conservation and Enforcement Measures –  
Part I.A.5(a) and I.A.5(d)**  
(FC Doc. 02/18)

Part I.A.5 (a) to include the definition of a directed fishery as follows:

- (a) Masters shall not conduct directed fisheries for species for which incidental catch limits apply. A directed fishery for a species is conducted when that species comprises the largest percentage by weight of the catch in any one haul.

Part I.A.5 (d) as follows:

- (d) The percentages in (b) and (c) are calculated as the percentage, by weight, for each species of the total catch retained onboard.

**Annex 8. Review of Compliance**  
(STACTIC W.P. 02/14)

Pursuant to the instructions of the Fisheries Commission given at its Special Meeting in Helsingor (January 2002), STACTIC agreed to further its work on initiating an annual review of compliance and report to the Fisheries Commission as follows:

- 1) The Executive Secretary shall compile the following information:
  - a) catch statistics as provided in all tables of the "Recording of Provisional Catches" and STATLANT reports;
  - b) port inspection reports;
  - c) summary data of observer reports;
  - d) information from VMS;
  - e) information from surveillance in the NAFO Regulatory Area;
  - f) NAFO inspection reports;
  - g) hail reports (entry, exit, transshipment);
  - h) reports of disposition of apparent infringements; and
  - i) any other relevant information available to the Executive Secretary.
  
- 2) The Executive Secretary shall compile the information in (1) in an electronic format which permits easy comparison of data from different sources. Sample tables for this format are attached. STACTIC recommends that prior to the 2002 annual meeting the Secretariat identify technical and resource requirements for completion of the sample tables or elaborate possible alternate formats. In creating this compilation, the Executive Secretary shall identify information which has not been submitted and seek to obtain it from the Contracting Parties concerned prior to completing the compilation. The Executive Secretary shall transmit this compilation of information to all Contracting Parties no later than 60 days prior to the meeting at which the information is to be discussed.
  
- 3) STACTIC shall review the information compiled by the Executive Secretary, notably any discrepancies, omissions and contradictions. At the request of any Contracting Party, additional sources of information shall be examined by STACTIC.
  
- 4) STACTIC shall review the compliance of Contracting Parties as well as the vessels of Contracting Parties with respect to the Conservation and Enforcement Measures, using the infringements listed in part IV paragraph 9 of the Conservation and Enforcement Measures as the focal point for its first compliance review and report.
  
- 5) STACTIC shall include in its compliance report, if appropriate, recommendations to the Fisheries Commission to deter, reduce and/ or eliminate noncompliance in the Regulatory Area.
  
- 6) STACTIC recommends that it conduct the first compliance review based on 2002 data and submit its first compliance report to the 2003 annual meeting of the Fisheries Commission. STACTIC further recommends that it meet in connection with the 2003 annual meeting to conduct its first compliance review and produce its compliance report.
  
- 7) STACTIC observed that amendments to the rules of procedure regarding the mandate of STACTIC and the role of the Executive Secretary may be appropriate in the context of the compliance review and report. A proposal to amend paragraph 5 of the Rules of Procedure in this regard is attached.
  
- 8) STACTIC noted that the electronic submission of the information Contracting Parties are required to submit pursuant to the Conservation and Enforcement Measures would greatly facilitate STACTIC's work in producing a report on compliance.

## Fishing Vessel Compilation

### General Note

NP denotes “not provided”, ie: that the information should have been provided but was not. NA denotes “not available” and means that the information was not collected and that there was no obligation to provide the information (eg: that the vessel was not inspected).

### Catch

Contracting Party	Vessel Name	Side Number	Trip Dates		Division	Species	NAFO inspection report (2)	Date of NAFO inspection report	Port inspection report (1)	Observer Report	Hail Data (3)	Apparent infringement issued
			Start	End								

1. Catch in NAFO inspection reports, observer reports ,and hail data is reported in round weight. Catch in port inspections is reported in processed weight and will need to be converted to round weight by a factor of x.
2. Catch recorded in inspection reports is collected as of a certain date and thus cannot be compared directly to catch figures from port inspection reports and observer reports.
3. This column consists of a calculation performed by the Secretariat: (exit hail catch – entry hail catch) + transshipment hail catch = catch in the NAFO Regulatory Area.

**Mesh Size**

Contracting Party	Vessel Name	Side Number	Trip Dates		Species	Observer Measurement	NAFO inspection measurement	Port Inspection Measurement	Apparent Infringement Issued
			Start	End					

**Interference with satellite tracking systems**

Contracting Party	Vessel Name	Side Number	Trip Dates		VMS data (1)	NAFO Inspection Report	Apparent Infringement issued
			Start	End			

1. Secretariat to enter number calculated as follows: Determine the period of time the vessel spent in the NAFO Regulatory Area and the number of VMS positions it should have automatically reported for that period of time. If the actual figure reported automatically is less than the projected figure, determine if the discrepancy is compensated by manual reporting. Enter any remaining discrepancy between what the vessel should have reported and what was actually reported in this column. Note that the STACTIC working paper on “Provisions on Secure and Confidential Treatment of Electronic Reports and Messages Transmitted Pursuant to Part III E, VI and VIII of the Conservation and Enforcement Measures” will require the Executive Secretary to make this determination within 24 hours of a vessel’s departure from the NAFO Regulatory Area.
2. Observer reports (other than summary data) may also show interference with satellite tracking. Contracting Parties with information in this regard should draw it to the attention of the Executive Secretary or to STACTIC during its compliance review.

**Preventing an inspector from carrying out his or her duties**

Contracting Party	Vessel Name	Side Number	Trip Dates		NAFO Inspection Reports
			Start	End	

**Contracting Party Summaries**

**Catch**

Contracting Party	Division	Species	Quota	NAFO inspection report (2)	Date of NAFO inspection report	Port inspection report (1)	Observer Report	Hail Data (3)	Apparent infringement issued

1. Catch in NAFO inspection reports, observer reports ,and hail data is reported in round weight. Catch in port inspections is reported in processed weight and will need to be converted to round weight by a factor of x.
2. Catch recorded in inspection reports is collected as of a certain date and thus cannot be compared directly to catch figures from port inspection reports and observer reports.
3. This column consists of a calculation performed by the Secretariat: exit hail catch – (entry hail catch + transshipment hail catch) = catch in the NAFO Regulatory Area.

**Mesh Size**

Contracting Party	Species	Observer Measurement	NAFO inspection measurement	Port Inspection Measurement	Apparent Infringement Issued

**Interference with satellite tracking systems**

Contracting Party	VMS data (1)	Inspection Report	Apparent Infringement issued

1. Secretariat to enter the number of vessels the VMS calculation noted in the corresponding table (fishing vessel summary) above indicates have interfered with satellite tracking systems.

**Preventing an inspector from carrying out his or her duties**

Contracting Party	Inspection Reports

**Annex 9. Amendment to the Rules of Procedure for the Fisheries Commission for  
New Terms of Reference of the Standing Committee on International Control  
(STACTIC) and for a Supportive Role by the Executive Secretary  
(FC Doc. 02/16-formerly STACTIC W.P. 02/8)**

Rule 5.1 shall read as follows :

“There shall be a **Standing Committee on International Control (STACTIC)** which shall:

- a. review and evaluate the effectiveness of the Conservation and Enforcement Measures established by the Fisheries Commission;
- b. review and evaluate the compliance by Contracting Parties with the Conservation and Enforcement Measures established by the Fisheries Commission;
- c. review and evaluate reports on the inspection and surveillance activities carried out by the Contracting Parties;
- d. review and evaluate reports on infringements, including serious infringements, and the follow-up thereto by the Contracting Party;
- e. produce an annual report on compliance by all Contracting Parties for the preceding calendar year. The report shall be based on a comprehensive provisional compilation by the Executive Secretary of relevant reports submitted by Contracting Parties and any other information available to the Executive Secretary. This compilation shall be dispatched to all Contracting Parties together with the draft provisional agenda pursuant to Rule 4.1;
- f. promote the co-ordination of inspection and surveillance activities carried out by the Contracting Parties;
- g. develop inspection methodologies;
- h. consider the practical problems of international measures of control;
- i. consider such other technical matters as may be referred to it by the Fisheries Commission; and
- j. make appropriate recommendations to the Fisheries Commission.”

Rule 5.2

“The Executive Secretary shall assist the Committee in fulfilling its task under paragraph 5.1. When performing this task, the Executive Secretary shall in particular signal any malfunctions on issues falling under the competence of the Committee and provide the Committee with all relevant information and documentation.”

The current Rules 5.2-5.4 shall be renumbered accordingly.

**Annex 10. Amendment of the Conservation and Enforcement Measures,  
Part I.K.** (FC Doc. 02/17-formerly FC W.P. 02/36)

**Amend Conservation and Enforcement Measures, Part I.K. as follows:**

9. In the NAFO Regulatory Area, each Contracting Party shall limit in 2003 the number of vessels fishing for shrimp in Division 3L at any time to one vessel per each Contracting Party's allocation.



**Annex 11. Terms of Reference for the Working Group on the Allocation of Fishing Rights\* to Contracting Parties of NAFO**  
(FC Working Paper 02/30-Revised)

The Fisheries Commission requests:

1. interested Contracting Parties to participate in the reconvened Working Group named above with senior-level participation;
2. the reconvened Working Group to be chaired by a representative of the European Union;
3. the Working Group to be reconvened to:
  - develop options whose terms are explicit and predictable for allocation to Contracting Parties from current fisheries with NAFO TACs, fisheries previously not subject to NAFO TACs, new fisheries, closed fisheries being reopened, and fisheries for which fishing rights are or will be allocated in terms other than quotas (e.g. effort limits).
4. the report of the reconvened Working Group by June 30, 2003 in order to be considered at the 25<sup>th</sup> Annual Meeting of the Fisheries Commission

\*Allocation of fishing rights includes allocation of quotas as well as e.g., effort limitations.

**Annex 12. Proposal to address the issues related to timing of Scientific Advice and  
Determination of TAC and/or effort control measures for the shrimp stocks  
in Divisions 3L and 3M (by Canadian Delegation)**  
(FC Working Paper 02/41-Revised)

## **BACKGROUND**

The Scientific Council provided the most recent scientific advice for the shrimp stocks in Divisions 3L and 3M in November 2001. Most of the information used to provide the 2001 assessment was collected from the 2000 calendar year (e.g. catch data for 3L and 3M, Canadian 3L autumn research vessel survey, etc.). The next meeting of the Scientific Council to assess the status of these shrimp stocks is scheduled for November 2002. It would be beneficial to have the most recent scientific advice available prior to making decisions for these shrimp fisheries in 2003.

In prior years, the Fisheries Commission has met intersessionally to review the most recent scientific advice and decide upon management measures for the fishing year immediately succeeding the assessment year. Several Contracting Parties have identified that intersessional meetings of this type are a burden with respect to cost, scheduling and workload. In cases where there is a degree of stability in resource abundance, one option would be to establish multi-year TAC's. However, for the shrimp stocks in question, this degree of stability is not a recent characteristic. The 3L fishery is relatively new, with 2002 being the 3<sup>rd</sup> year of fishing activity under NAFO quota management. The scientific advice for the shrimp stock in 3M changed substantially during the most recent assessment of this stock.

## **PROPOSAL**

At the conclusion of the next Scientific Council meeting (November 2002), if the scientific advice with respect to harvest levels for the shrimp stocks in Divisions 3L and 3M does not recommend a change different from the current level by 25% or more, it is proposed that the TAC in division 3L and/or the effort control scheme in division 3M for 2003 be the same as that for 2002. This proposal will apply to the management measures for 2003 only, based on the scientific advice coming from the November 2002 Scientific Council meeting.

This proposal would result in no change in the management measures for 3M shrimp if the recommended harvest level is within the range of 33,750 to 56,250 t. For 3L shrimp there would be no change in the TAC if the recommended harvest level is in the range of 4,500 to 7,500 t.

If the scientific advice is not consistent with the ranges above then the TAC for 3L and the effort control scheme for 3M shrimp would be based on the most recent scientific advice and decided in accordance with the NAFO mail vote procedures. The current allocation key and/or effort control scheme would apply, unless a change is agreed by mail vote.

**Annex 13. Oceanic Redfish Quota**  
(FC W.P. 02/43-Revised)

Taking into account that NEAFC will establish the 2003 TAC for Oceanic Redfish and the associated quota table applicable to NEAFC Contracting Parties, Fisheries Commission decided to establish a quota of 7,500 tons for Oceanic Redfish in NAFO SA2 and Divisions 1F and 3K from the overall TAC to be established by NEAFC for 2003 for the NAFO Contracting Parties who are not NEAFC Contracting Parties and set an overall catch level of 25,000 t for Contracting Parties who are also Contracting Parties of NEAFC when fishing in NAFO SA2 and Divisions 1F and 3K. The fishing regulation measures and reporting system for these allocations are reflected in the footnotes of the Quota Table.

		<u>Oceanic Redfish</u> (pelagic <i>Sebastes mentella</i> ) <u>NAFO SA 2 and</u> <u>Divisions 1F and 3K</u>
Denmark (Faroe Islands and Greenland) European Union Iceland Norway Poland Russia	}	25,000 <sup>1);2);3)</sup>
Canada Cuba Estonia France (St. Pierre et Miquelon) Japan Korea Latvia Lithuania Ukraine USA	}	7,500 <sup>1);3)</sup>

- 1) The Contracting Parties shall notify the Executive Secretary bi-weekly of catches taken by its vessels from this allocation. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.
- 2) As acceptance of this decision the quantities taken from that allocation in the NAFO Convention Area by respective Contracting Parties shall be deducted from the quotas allocated to these Contracting Parties in the NEAFC Convention Area.
- 3) This arrangement applies to 2003 and is without prejudice to sharing arrangements for this stock in future years.

**Annex 14. Canadian Proposal for NAFO to Establish a Precautionary TAC  
for Division 3O Redfish in 2004** (FC W.P. 02/27-Revision 3)

Redfish is a long-lived species with a relatively low fecundity rate. The mature stock biomass is supported by few strong year classes, usually appearing about every 10 years. The redfish stock in Division 3O is heavily exploited before year classes reach sexual maturity. In addition, there is an increasing exploitation of the stock by fleets outside Canada's 200-mile limit with total estimated catches at 22,000t in 2001. NAFO has not established a TAC for this stock. Canada has set a TAC of 10,000t for this stock in Canadian waters based on Canadian scientific advice and recommendations from the Fisheries Resource Conservation Council. In recent years, overall catches have exceeded the Canadian TAC of 10,000t for this stock. Given that the renewed interest by various fleets in this resource in the NAFO Regulatory Area is continuing, it seems likely that the total catch will continue to exceed the Canadian TAC of 10,000t.

The Scientific Council advised that an initial conservation measure should be to bring the stock under a quota management regime that is applicable throughout the stock area. It advised that catches have averaged about 13,000t since 1960 and over the longer term, catches at this level do not appear to have been detrimental.

The current situation of an unregulated stock in the context of considerable uncertainty as to fishing mortality is contrary to the Precautionary Approach and is inconsistent with Canada's management of the resource within its exclusive economic zone.

Canada notes that the Fisheries Commission has requested that the Scientific Council provide a full assessment of Div. 3O redfish in advance of the 2003 Annual Meeting.

Based on this advice, the Fisheries Commission will consider the appropriateness of the establishment of a TAC or other management regime as appropriate in 2004.

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2003 of particular stocks in Subareas 1-4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Contracting Party	Cod		Redfish		American plaice		Yellowtail	Witch	Capelin	G. halibut	Squid ( <i>Illex</i> ) <sup>2,3</sup>	Shrimp
	Div. 3M	Div. 3NO	Div. 3M	Div. 3LN	Div. 3M	Div. 3LNO	Div. 3LNO	Div. 3NO	Div. 3NO	Div. 3LMNO	Subareas 3+4	Div. 3L
1. Canada	0	0	500	0	0	0	14137 <sup>7</sup>	0	0	4 668	N.S. <sup>4</sup>	5 000
2. Cuba	0	-	1750	0	-	-	-	-	0	-	510	67
3. Denmark (Faroe Islands and Greenland)	0	-	69	-	-	-	-	-	-	-	-	67
4. European Union	0	0	3100	0	0	0	290 <sup>7</sup>	-	0	17 226	N.S. <sup>4</sup>	67
5. France (St. Pierre et Miquelon)	-	-	69	-	-	-	-	-	-	-	453	67
6. Iceland	-	-	-	-	-	-	-	-	-	-	-	67
7. Japan	-	-	400	-	-	-	-	-	0	3 189	510	67
8. Korea	-	-	69	-	-	-	-	-	-	-	453	67
9. Norway	0	-	-	-	-	-	-	-	0	-	-	67
10. Poland	0	-	-	-	-	-	-	-	0	-	227	67
11. Estonia												67
12. Latvia												67
13. Lithuania												67
14. Russia												67
15. Ukraine												67
16. United States of America	-	-	69	-	-	-	-	-	-	-	453	67
17. Others	0	0	124	0	0	0	73 <sup>7</sup>	0	-	2 070 <sup>5</sup>	794	0
<b>Total Allowable Catch</b>	<b>*<sup>9</sup></b>	<b>*</b>	<b>5 000<sup>6</sup></b>	<b>*</b>	<b>*<sup>9</sup></b>	<b>*</b>	<b>14 500<sup>8</sup></b>	<b>*</b>	<b>*</b>	<b>31 122</b>	<b>34 000</b>	<b>6 000</b>

Annex 15. Quota Table for 2003

<sup>1</sup> Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply.

<sup>2</sup> The opening date for the Squid (*Illex*) fishery is 1 July.

<sup>3</sup> Any quota listed for squid may be increased by a transfer from any "coastal state" as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.

<sup>4</sup> Not specified because the allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC.

<sup>5</sup> Of which no more than 60% (1242 t) may be fished before 1 May 2003..

<sup>6</sup> Each Contracting Party shall notify the Executive Secretary bi-weekly of catches taken by its vessels from this stock. Not more than 2500 tons may be fished before July 1, 2003. The Executive Secretary shall notify without delay all Contracting Parties of the date on which, for this stock, accumulated reported catch taken by vessels of the Contracting Parties is estimated to equal 50 and then 100 percent of the TAC for that stock.

<sup>7</sup> Contracting Parties shall inform the NAFO Executive Secretary before (1 December 2002) of the measures to be taken to meet the advice of the NAFO Scientific Council, i.e. to ensure that total catches do not exceed the levels indicated.

<sup>8</sup> The provisions of Part I, Section A.5c) of NAFO Conservation and Enforcement Measures shall apply.

<sup>9</sup> Applicable to 2003 and 2004.

\*No directed fishing – The provisions of Part I, Section A.5a and c of NAFO Conservation and Enforcement Measures shall apply.

		<u>Oceanic Redfish</u> <u>(pelagic <i>Sebastes mentella</i>)</u>
		<u>NAFO SA 2 and</u> <u>Divisions 1F and 3K</u>
Denmark (in respect of Faroe Islands and Greenland)	}	25,000 <sup>1);2);3)</sup>
European Union		
Iceland		
Norway		
Poland		
Russia		
Canada	}	7,500 <sup>1);3)</sup>
Cuba		
Estonia		
France (St. Pierre et Miquelon)		
Japan		
Korea		
Latvia		
Lithuania		
Ukraine		
USA		

- 1) The Contracting Parties shall notify the Executive Secretary bi-weekly of catches taken by its vessels from this allocation. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.
- 2) As acceptance of this decision the quantities taken from that allocation in the NAFO Convention Area by respective Contracting Parties shall be deducted from the quotas allocated to these Contracting Parties in the NEAFC Convention Area.
- 3) This arrangement applies to 2003 and is without prejudice to sharing arrangements for this stock in future years.

**Annex 16. Fisheries Commission's Request for Scientific Advice on Management  
in 2004 of Certain Stocks in Subareas 2, 3 and 4**

(FC Doc. 02/22 – formerly FC W.P. 02/39, revised)

1. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2003 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 2004:

Shrimp (Div. 3M, 3LNO)  
Greenland halibut (Subarea 2 and Div. 3KLMNO)  
Capelin (Div. 3NO)

2. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2003 Annual Meeting, provide advice on the scientific basis for the management of the following fish stocks on an alternating year basis:

Cod (Div. 3NO; Div. 3M)  
Redfish (Div. 3M; Div. 3LN)  
Yellowtail flounder (Div. 3LNO)  
American plaice (Div. 3LNO; Div. 3M)  
Witch flounder (Div. 2J3KL; Div. 3NO)  
Squid (Subareas 3 and 4)

- In 2002, advice was provided for 2003 and 2004 for cod in 3M, American plaice in 3M, yellowtail flounder in 3LNO, witch flounder in 3NO and squid in SA 3&4. These stocks will next be assessed in 2004.
- In 2003, advice will be provided for 2004 and 2005 for cod in 3NO, American plaice in 3LNO, witch flounder in 2J3KL, redfish in 3M and redfish in 3LN. These stocks will next be assessed in 2005.

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

3. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2003 Annual Meeting, provide advice on the scientific basis for the management of redfish in Div. 3O including recommendations regarding the most appropriate TAC for 2004 and 2005. This stock will be assessed in alternate years thereafter.
4. The Commission and the Coastal State request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above:
  - a) The preferred tool for the presentation of a synthetic view of the past dynamics of an exploited stock and its future development is a stock assessment model, whether age-based or age-aggregated.
  - b) For those stocks subject to analytical-type assessments, the status of the stocks should be reviewed and management options evaluated in terms of their implications for fishable stock size in both the short and long term. As general reference points, the implications of fishing at  $F_{0.1}$  and  $F_{2002}$  in 2004 and subsequent years should be evaluated. The present stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.
  - c) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the general reference points should be the level of fishing effort or fishing

mortality (F) which is calculated to be required to take the MSY catch in the long term and two-thirds of that effort level.

- d) For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.
- e) Spawning stock biomass levels considered necessary for maintenance of sustained recruitment should be recommended for each stock. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing reproductive potential of the stock, management options should be offered that specifically respond to such concerns.
- f) Information should be provided on stock size, spawning stock sizes, recruitment prospects, fishing mortality, catch rates and TACs implied by these management strategies for the short and the long term in the following format:
  - I. For stocks for which analytical-type assessments are possible, graphs should be provided of all of the following for the longest time-period possible:
    - historical yield and fishing mortality;
    - spawning stock biomass and recruitment levels;
    - catch options for the year 2004 and subsequent years over a range of fishing mortality rates (F) at least from  $F_{0.1}$  to  $F_{max}$ ;
    - spawning stock biomass corresponding to each catch option;
    - yield-per-recruit and spawning stock per recruit values for a range of fishing mortalities.
  - II. For stocks for which advice is based on general production models, the relevant graph of production as a function of fishing mortality rate or fishing effort should be provided. Age-aggregated assessments should also provide graphs of all of the following for the longest time-period possible:
    - exploitable biomass (both absolute and relative to  $B_{MSY}$ )
    - yield/biomass ratio as a proxy for fishing mortality (both absolute and relative to  $F_{MSY}$ )
    - estimates of recruitment from surveys, if available.
  - III. Where analytical methods are not attempted, the following graphs should be presented, for one or several surveys, for the longest time-period possible:
    - time trends of survey abundance estimates, over:
      - an age or size range chosen to represent the spawning population
      - an age or size-range chosen to represent the exploited population
    - recruitment proxy or index for an age or size-range chosen to represent the recruiting population.
    - fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the exploited population.

For age-structured assessments, yield-per-recruit graphs and associated estimates of yield-per-recruit based reference points should be provided. In particular, the three reference points, actual F,  $F_{0.1}$  and  $F_{max}$  should be shown.

5. Noting the progress made by the Scientific Council on the development of a framework for implementation of the Precautionary Approach, the Fisheries Commission requests that the Scientific Council provide the following information for the 2003 Annual Meeting of the Fisheries Commission for stocks under its responsibility requiring advice for 2004, or 2004 and 2005:
  - a) the limit and target precautionary reference points as described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (when precautionary reference points cannot be determined directly, proxies should be provided);
  - b) information including medium term considerations and associated risk or probabilities which will assist the Commission in developing the management strategies described in paragraphs 4 and 5 of Annex II in the Agreement;



- c) information on the research and monitoring required to evaluate and refine the reference points described in paragraphs 1 and 3 of Annex II of the Agreement; these research requirements should be set out in the order of priority considered appropriate by the Scientific Council;
  - d) any other aspect of Article 6 and Annex II of the Agreement which the Scientific Council considers useful for implementation of the Agreement's provisions regarding the precautionary approach to capture fisheries;
  - e) propose criteria and harvest strategies for re-opening of fisheries and for new and developing fisheries; and
  - f) to work toward the harmonization of the terminology and application of the precautionary approach within relevant advisory bodies.
6. In addition, the following elements should be taken into account by the Scientific Council when considering the precautionary approach:
- a) Many of the stocks in the NAFO Regulatory Area are well below any reasonable level of  $B_{lim}$  or  $B_{buf}$ . For these stocks, the most important task for the Scientific Council is to inform on how to rebuild the stocks. In this context and building on previous work of the Scientific Council in this area, the Scientific Council is requested to evaluate various scenarios corresponding to recovery plans with timeframes of 5 to 10 years, or longer as appropriate. This evaluation should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, including information on the consequences and risks of no action at all.  
  
References to "risk" and to "risk analyses" should refer to estimated probabilities of stock population parameters falling outside biological reference points.
  - b) Where reference points are proposed by the Scientific Council as indicators of biological risk, they should be accompanied by a description of the nature of the risk incurred if the reference point is crossed (e.g. short-term risk of recruitment overfishing, loss of long-term yield, etc.)
  - c) When a buffer reference point is proposed in order to maintain a low probability that a stock, measured to be at the buffer reference point, may actually be at or beyond the limit reference point, the Scientific Council should explain the assumptions made about the uncertainty with which the stock is measured, and also the level of 'low probability' that is used in the calculation.
  - d) Wherever possible, short and medium term consequences should be identified for various exploitation rates (including no fishing) in terms of yield, stability in yield from year to year, and the risk or probability of moving the stock beyond  $B_{lim}$  or  $B_{buf}$ . Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the risks of falling below  $B_{lim}$  and  $B_{buf}$ , as well as of being above  $F_{lim}$  and  $F_{buf}$ , the risks of stock collapse and recruitment overfishing, as well as the risks of growth overfishing and the consequences in terms of both short and long term yields.
  - e) When providing risk estimates, it is very important that the time horizon be clearly spelled out. By way of consequence, risks should be expressed in timeframes of 5, 10 and 15 years (or more), or in terms of other appropriate year ranges depending on stock specific dynamics. Furthermore, in order to provide the Fisheries Commission with the information necessary to consider the balance between risks and yield levels, each harvesting strategy or risk scenario should include, for the selected year ranges, the risks and yields associated with various harvesting options in relation to  $B_{lim}$  ( $B_{buf}$ ) and  $B_{target}$ , and  $F_{lim}$  ( $F_{buf}$ ) and  $F_{target}$ .
7. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2003 Annual Meeting, to consider options available for the provision of annual advice as regards shrimp in Div. 3LNO and 3M in advance of the Annual Meetings.
8. Regarding pelagic *S. mentella* redfish in NAFO Subareas 1-3, the Scientific Council is requested to review the most recent information on the distribution of this resource, as well as on the affinity of this stock to the pelagic

redfish resource found in the ICES Sub-area XII, parts of SA Va and XIV and to the shelf stocks of redfish found in ICES Sub-areas V, VI and XIV, and NAFO Subareas 1-3.

9. With respect to thorny skate in Divisions 3LNO, the Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2003 Annual Meeting to provide the following:
  - a) Information on exploitation rates in recent years, as well as information on by-catches of other groundfish in the 3LNO skate fishery;
  - b) Information on abundance indices and the distribution of the stock in relation to groundfish resources, particularly for the stocks which are under moratorium;
  - c) Information on the distribution of thorny skate in Divisions 3LNO, as well as a description of the relative distribution inside and outside the NAFO Regulatory Area;
  - d) Advice on reference points and conservation measures that would allow for .exploitation of this resource in a precautionary manner;
  - e) Information on annual yield potential for this stock in the context of (d) above;
  - f) Identification and delineation of fishery areas and exclusion zones where fishing would not be permitted, with the aim of reducing the impact on the groundfish stocks which are under moratorium, particularly juveniles;
  - g) Determination of the appropriate level of research that would be required to monitor the status of this resource on an ongoing basis with the aim of providing catch options that could be used in the context of management by Total Allowable Catch (TAC); and
  - h) Information on the size composition in the current catches and comment on these sizes in relation to the size at sexual maturity.

## **PART II**

### **Report of the Standing Committee on International Control (STACTIC)**

#### **1. Opening of the Meeting**

The Chairman, Mr. David Bevan (Canada), opened the meeting at 10:00 on September 16, 2002. Representatives from the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), Estonia, the European Union, Iceland, Japan, Latvia, Lithuania, Norway, Russian Federation, the Ukraine and the United States.

#### **2. Appointment of Rapporteur**

Mr. Paul Steele (Canada) was appointed rapporteur.

#### **3. Adoption of the Agenda**

One amendment to the agenda was proposed and accepted, i.e. the addition of the review of the Observer/VMS scheme as an issue under agenda item 7. The revised agenda was accepted (see Annex 1).

#### **4. Review of Annual Returns on Infringements**

The Secretariat introduced STACTIC Working Papers 02/21 and 02/25.

The representative from Japan pointed out an error in Working Paper 02/25 with respect to the date of inspection for the Japanese vessel Zuiho Maru No. 88. The Secretariat agreed to correct this.

The Chairman requested that Contracting Parties provide any additional relevant information to the NAFO Secretariat at the earliest opportunity.

#### **5. Review of Surveillance and Inspection Reports**

The Secretariat introduced STACTIC Working Paper 02/22.

The representative from Canada provided a verbal report regarding Canadian surveillance activities in the NAFO Regulatory Area in 2000 and 2001. Written reports (STACTIC Working Papers 02/27 and 02/28) were later circulated.

The representative from the United States questioned the reference in the Canadian report to 14 sightings of US vessels in 2001. The representative from Canada advised that this relates to sightings of US swordfish vessels. As these vessels were not fishing for NAFO-managed stocks, the reference to them will be deleted from the report.

#### **6. Review of Operation of the Automated Hail/VMS System**

The Secretariat introduced STACTIC Working Paper 02/24. He indicated that there have been no major changes in the operation of the automated hail system since he gave his report at the last STACTIC meeting in May, 2002. Most Contracting Party vessels are providing automatic position reports, but some entries are still being made manually. He noted that some manual reports received indicate failure of the VMS system, but at the present time there is no way to distinguish between these reports and the regular positional reports received automatically.

The Secretariat indicated that a cost estimate of \$45,000 has been received for implementing the changes to the automated reporting system that had been proposed by Norway at the May, 2002 STACTIC meeting (STACTIC Working Paper 02/5). The Chairman advised that, since the Fisheries Commission has approved the Norwegian

proposal as well as the proposal made by Denmark with respect to confidentiality (STACTIC Working Paper 01/15 and corrigendum), he will advise the STACFAD Chairman of the \$45,000 funding requirement.

The representative from Iceland stated that the contractor doing the work for the NAFO Secretariat has indicated that an additional amount of approximately \$30,000 (for a total of \$75,000) would be required to ensure that the automated reporting system could handle the reports that would be required if the Icelandic proposal for changes to the observer program were to be adopted.

#### **7(a). Observer Program and Scientific Requirements**

The discussion focussed on a paper titled Harmonized NAFO Observer Program Data System Proposal (NAFO SCS Doc. 00/23). This document had been developed by the Scientific Council to define scientific requirements for observer program data.

The Chairman stated that this issue, including the need to standardize and automate observer reports and the associated cost implications, has been brought to the attention of the Fisheries Commission. He noted that further work must be done by STACTIC to develop cost estimates associated with the implementation of these changes. It was agreed that this issue should be addressed as part of the review of the NAFO Observer /VMS Scheme (see agenda item 7(b) below).

#### **7(b). Review of the NAFO Observer/VMS Scheme**

At the May, 2002 STACTIC meeting Contracting Parties were requested to provide information to the Secretariat regarding surveillance costs for 2001 as well as data on infringements, fishing effort and inspections conducted during the period of 1998-2001.

The Secretariat introduced STACTIC Working Paper 02/23, which summarized the information received from Contracting Parties to date. He indicated that some information on inspections and infringements has not yet been provided. The Chairman asked that Contracting Parties provide the required information to the Secretariat as soon as possible.

The representative from the European Union stated that STACTIC should consider how to proceed with the evaluation of the effectiveness of the scheme once all the required information is compiled.

The representative from Canada agreed, and suggested that the first step of the evaluation could be an assessment of whether all Contracting Parties have fully implemented the scheme and currently meet all requirements set out in the Conservation and Enforcement Measures with respect to observers and VMS.

A small working group was then formed to draft terms of reference for the review of the Observer/VMS scheme. The approved terms of reference are attached (STACTIC Working Paper 02/31).

It was agreed that a recommendation will be made to the Fisheries Commission that the existing Part VI of the NAFO Conservation and Enforcement Measures remain in effect in 2003 pending completion of the review of the Observer/VMS scheme.

### **8. Discussion of the Conservation and Enforcement Measures as the follow-up of STACTIC May 2002 Meeting**

A discussion took place regarding the proposal that Iceland had presented to the Fisheries Commission on 17 September 2002 regarding an alternative observer program (NAFO/FC Doc. 02/26). It was agreed that, while there appeared to be a certain level of support for the general thrust of the Icelandic proposal, issues such as the scope of the pilot project and the method of evaluation had to be resolved by STACTIC before the Fisheries Commission could give further consideration to the proposal.

The representative from the European Union suggested that, as a pilot, the project should be limited to a small number of vessels. He also stated that the project should not be restricted to only one area and/or fishery.

The representative from Canada expressed concern about the potentially wide scope of the project, which could result in a large number of vessels fishing in the Regulatory Area without observers. He also stated that the 20% coverage level seems to have been selected in an arbitrary manner, and that rigorous analysis is required to determine an appropriate coverage level.

The representative from Denmark (in respect of the Faroe Islands and Greenland) stated that 20% coverage is not sufficiently high to ensure the statistical validity of the observer data and therefore he is hesitant to support the Icelandic proposal.

The representative from Iceland indicated that the actual coverage level would be greater than 20% due to the fact that many Contracting Parties will have less than five vessels fishing in the Regulatory Area. He also stated pointed out that the pilot project would be restricted to only those Contracting Parties that have the technical capabilities required to participate.

The representative from Canada noted that although some Contracting Parties do not currently have the technical capability, they may acquire it in the next few years, and therefore there would be the potential for large numbers of vessels to fish without observers in future years.

The representative from Russia stated that it is too early to implement the Icelandic proposal for groundfish. He stated that the proposal should apply to the shrimp fishery only and that the coverage should be at the level of 75-80%, not 20%.

The representative from Japan agreed that 20% coverage goes too far. He stated that further study is required to determine an appropriate level of coverage. He also stated that the pilot project should apply not only to the shrimp fishery but also the groundfish fisheries.

The representative from Canada noted that there continue to be a number of practical issues regarding the Icelandic proposal that have not yet been addressed. For example, he said it's unclear what information would be received from the vessels, how it would be reviewed and how decisions would be made on the appropriate follow-up action following analysis of the information. He also questioned whether there is an opportunity for a limited number of Contracting Parties to cooperate on a small scale pilot project rather than implementing the project on a larger scale involving all Contracting Parties.

The representative from Norway suggested that a pilot project could involve 50% coverage rather than 20%, with a maximum of five vessels from any one Contracting Party operating without observers. He suggested that the evaluation table developed by STACTIC in 1998 could be used as the basis for an evaluation framework for the pilot project.

The representative from Canada indicated that there should be no need for five vessels per Contracting Party to participate in the pilot project. His view is that the concept could be effectively tested with a much smaller number of vessels.

The representative from Norway pointed out that some Contracting Parties have less than 5 vessels present in the Regulatory Area and there are also a number of Contracting Parties that do not meet the technical requirements for participation in the Pilot Project.

The representative from the United States suggested that the pilot project should be limited to the shrimp fishery, with 50% observer coverage and a limit of two vessels per Contracting Party. He suggested that the pilot project be of two years duration and that the implementation costs be borne by the participating Contracting Parties.

The representative from the European Union indicated that the European Union is not in favour of restricting the pilot project to only one area or fishery.

The representative from Iceland stated that the pilot project would provide a good tool for evaluating the level of compliance in mixed fisheries.

The representative from the European Union suggested that a pilot project could be developed involving a relatively small number of vessels, 50% of which would be allowed to fish without observers. For example, if a total sample of 10 vessels is agreed upon, all of those vessels would have observers onboard upon entering the NAFO Regulatory Area. Observers would be removed from five of those vessels, but only after the communications equipment and capabilities have been fully tested and shown to be working properly.

The representative from Norway expressed support for the European Union suggestion, but stated a preference for a larger number of vessels, e.g. ten vessels without observers rather than five.

The representative from Iceland indicated that the European Union and Norwegian suggestions are worthy of consideration and that Iceland is willing to work with Contracting Parties to further develop these ideas.

The representative from the European Union suggested that a small working group be asked to further develop the details of the pilot project, e.g. scope and evaluation criteria.

The representatives from Norway, Denmark (in respect of the Faroe Islands and Greenland), Iceland, Japan, and the United States indicated their support for this approach.

The Chairman stated that he will bring this recommendation forward in his report to the Fisheries Commission.

#### **9. Discussion of Possible Amendments to the Conservation and Enforcement Measures(Task from the Fisheries Commission)**

The Chairman noted that the Fisheries Commission has approved two elements of STACTIC Working Paper 02/15, i.e. the amended definition of a directed fishery and the amended method for calculating bycatch. He noted that the current bycatch limits will remain in place for the present time, and will be subject to review by STACTIC at a later date.

#### **10. Report of the Drafting Group on the Review of the Conservation and Enforcement Measures**

The representative from the European Union provided an update regarding the project undertaken by a drafting group comprised of representatives from the European Union, the United States and Canada. The drafting group had been given a mandate to identify and remove redundancies and inconsistencies in the NAFO Conservation and Enforcement Measures.

The report of the drafting group, including a draft revision of the Measures, was circulated to STACTIC delegates. The representative from the European Union introduced STACTIC Working Paper 02/30 (Revised), which outlined the process for finalizing the amendments to the Measures. The report and draft Measures, together with revised annexes to be developed by Canada, will be circulated electronically to all Contracting Parties, with comments requested before December 15, 2002. Another draft of the Measures will be circulated before February 15, 2003, with comments requested by March 30, 2003. A final draft will be reviewed at an intersessional meeting of STACTIC and at the 2003 annual meeting of NAFO.

There was agreement to follow the process outlined above.

The drafting group has identified a number of issues that will require further guidance from STACTIC. These issues are described in Annex 4 of the drafting group's report. The Chairman asked that Contracting Parties provide comments on these issues at the same time that they submit comments on the draft revisions to the Measures.

#### **11. Time and Place of the Next Meeting**

STACTIC recommends that there be intersessional meetings of STACTIC and its working groups as follows:

- that the STACTIC Working Group on Modernization of the Conservation and Enforcement Measures meet preferably by phone to conclude the redrafting of the Conservation and Enforcement Measures prior to the June intersessional meeting of STACTIC;
- that the STACTIC Working Group on the Pilot Project on Observers meet prior to the June intersessional meeting to develop the scope and evaluation criteria for the pilot project;
- that STACTIC meet intersessionally in June to review the Conservation and Enforcement Measures, the scope and evaluation criteria of the Pilot Project, to review the observer and VMS Scheme and initiate work on a compliance report.

## **12. Other Matters**

The representative from Estonia asked for clarification of Section I.K.9 of the Conservation and Enforcement Measures, which states that “each Contracting Party shall limit in 2002 the number of vessels fishing for shrimp in Division 3L at any time to one vessel.” He stated that this provision is unclear as it relates to charter operations. He questioned whether a Contracting Party could operate more than one vessel in Division 3L if the additional vessels were chartered to other Contracting Parties.

The Chairman noted that the Fisheries Commission is addressing the issue of charter vessel arrangements. He stated that the question raised by Estonia will be brought to the attention of the Fisheries Commission.

## **13. Adoption of Report**

The report was adopted by STACTIC on 19 September 2002.

## **14. Adjournment**

The meeting adjourned on 19 September 2002.

**Annex 1. Agenda**

1. Opening by the Chairman, D. Bevan (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Returns of Infringements
  - a) review of disposition of outstanding infringements by Contracting Parties
5. Review of Surveillance and Inspection Reports
6. Review of Operation of the Automated Hail/VMS system
7.
  - a) Observer Program and Scientific Requirements
  - b) Review of the NAFO Observer/VMS Scheme
8. Discussion of the Conservation and Enforcement Measures as the follow-up of STACTIC May 2002 (Copenhagen) Meeting:
9. Discussion of possible amendments to the Conservation and Enforcement Measures (Task from the Fisheries Commission)
10. Report of the Drafting Group on the Review of the Conservation and Enforcement Measures
11. Time and Place of the Next Meeting
12. Other Matters
13. Adoption of Report
14. Adjournment