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Northwest Atlantic Fisheries Organization



Report of the Fisheries Commission

26th Annual Meeting, September 13-17, 2004
Dartmouth, Nova Scotia, Canada

NAFO
Dartmouth, N.S., Canada
2004

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

Northwest Atlantic Fisheries Organization



Report of the Fisheries Commission

26th Annual Meeting, September 13-17, 2004
Dartmouth, Nova Scotia, Canada

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Dean Swanson
Chairman
September 2004

Report of the Fisheries Commission and its Subsidiary Body (STACTIC)
26th Annual Meeting, September 13-17, 2004
Dartmouth, Nova Scotia, Canada

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PART I

Report of the Fisheries Commission

26th Annual Meeting, 13-17 September, 2004 Dartmouth, Nova Scotia, Canada

I. Opening Procedures (Items 1-5 of the Agenda)

1. Opening Remarks by the Chairman, D. Swanson (USA)

The meeting was called to order by the Chair, Dean Swanson (USA), at 0900 hrs on September 14, 2004. Representatives from the following Contracting Parties (CP) were present: 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).

Denmark (in respect of the Faroe Islands and Greenland) addressed an opening statement to the assembly (Annex 2). Canada noted the importance of listening to the scientific advice and emphasized the necessity to discuss regulation of some presently unregulated fish stocks. Canada also pointed out that it looked forward to the first NAFO compliance report.

2. Appointment of Rapporteur

It was noted that starting with this meeting, the NAFO Secretariat will provide a rapporteur for the Fisheries Commission (FC). Dr. Ricardo Federizon was introduced as the new Fisheries Commission Coordinator of the Secretariat. At this meeting, he and Barbara Marshall will co-draft the report.

3. Adoption of Agenda

The agenda was adopted with a few amendments (Annex 3). Item 9 (Presentations on Compliance) was referred to STACTIC and it was noted that a compliance report will be discussed in conjunction with the presentation of the STACTIC report at the Annual Meeting (Agenda item 11). Accordingly, agenda item 9 was deleted with the understanding that working papers related to compliance could be circulated at any time during the meeting. Nevertheless, the original numbering of other agenda items will be retained.

It was noted that Article 14.13 of the NAFO CEM requires that chartering arrangements are reviewed at the Annual Meeting. It was decided to deal with this issue under agenda item 17 (see agenda item 17(bis) Review of Chartering Arrangements).

It was also noted that the General Council had referred their agenda item on “Timely Submission of Fishery Statistical Data” to the Fisheries Commission (SC WP 04/22) and it was decided to handle this discussion could under item 14 (Summary Advice by the Scientific Council, b. Other issues).

4. Admission of Observers

According to Rule 10 of the Rules of Procedure, the Executive Secretary invited the following international organizations: FAO, IBSFC, ICCAT, ICES, NAMMCO, NASCO, NEAFC and NPAFC in accordance with the Rules of Procedure. These organizations acknowledged NAFO's invitations. IBFSC, ICCAT, ICES, NASCO and NPAFC were unable to attend. FAO was represented by Mr. Hiromoto Watanabe (Fishery Liaison Officer, Fishery Policy and Planning Division), NAMMCO by Mr. Kolbeinn Arnason of Iceland and NEAFC by the delegate of Denmark (DFG). Also, Mr. Joao Neves from the NEAFC Secretariat will attend STACTIC sessions. WWF applied a few weeks before the Annual Meeting to obtain status as observer at General Council, Fisheries Commission and Scientific Council. According to the Rules of Procedure of General Council and Fisheries Commission, the request came too late to be processed this year. However, Scientific Council granted observer

status to two WWF delegates for its sessions: Ms. Charlotte Mogensen (Fisheries Policy Officer for the WWF European Policy Office) and Dr. Robert Rangeley (Atlantic Director for the WWF Canada).

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. It was pointed out that a media policy for NAFO was scheduled for discussion at STACFAD. Some delegates expressed a desire for a new approach to media policy to raise the profile of NAFO. Such initiatives could include a more appealing press release and the introduction of an official NAFO press conference after the closing session.

II. Administrative (Items 6-7)

6. Record of Agreed Fisheries Commission Decisions at the 25th Annual Meeting

As presented last year, it was agreed that a draft record of decisions would be prepared and available at the close of the Fisheries Commission meetings. Such a record should include substantive but not procedural decisions. A draft record of decisions (FC WP 04/21, Rev.) was compiled and presented at the closing session of the Fisheries Commission. Delegates were asked to comment to the Secretariat by October 1, 2004. The final list of decisions by FC will incorporate the comments received from Contracting Parties (Annex 4).

7. Review of Commission Membership

The membership of the Fisheries Commission is 16, including all Contracting Parties except Bulgaria.

III. Conservation and Enforcement Measures (Items 8-13)

8. Report of STACTIC, June 2004 (Copenhagen)

The STACTIC June 2004 report (FC Doc. 04/3) was presented together with the STACTIC Report at the Annual Meeting under agenda item. 11.

10. Increase of Inspection Presence in the NAFO Regulatory Area

This agenda item is included in the STACTIC report and was discussed under agenda item 11.

11. Report of STACTIC at the Annual Meeting

The Chair of STACTIC, Martin Newman, presented the STACTIC report to Fisheries Commission.

1. STACTIC recommended adoption of the compliance report (STACTIC WP 04/32, Rev. 2) (Annex 5). STACTIC noted that this was the first time that NAFO undertook a compliance review. The result is satisfactory but it is understood that STACTIC will seek to improve the process and the issue will be addressed at the next intersessional meeting of STACTIC.
2. STACTIC recommended that a proposal jointly submitted by Iceland, Denmark and Norway (STACTIC WP 04/3, Rev.3) (Annex 6) regarding the harmonization of fishery reporting formats used by NAFO and NEAFC be adopted.
3. STACTIC recommended adoption of a new illustration and description of toggle chains (STACTIC WP 04/25) (Annex 7) to be annexed to the NAFO CEM.
4. STACTIC recommended to adopt proposed modification of NAFO CEM Articles 18 (Product labeling) and 19 (Recording of catch and stowage) (STACTIC WP 04/30, Rev. 5) (Annex 8). STACTIC pointed out that these requirements will require continuing review by STACTIC to keep up with new developments.

5. STACTIC recommended adoption of STACTIC WP 04/31, Rev. 2 (Annex 9), a proposal by Iceland regarding inspection protocol (CEM Article 32, para 5, 6 and 8).
6. STACTIC noted that the EU agreed to host and co-ordinate a workshop for inspectors to discuss procedures currently in use and improve international cooperation.
7. STACTIC noted that a clearer mandate from the Fisheries Commission is required for the elaboration of a Contracting Party Scheme similar to that for NCPs presently discussed at STACFAC.
8. STACTIC recommended that the Fisheries Commission request Contracting Parties to make available detailed observer data (catch and effort for each haul, location (longitude and latitude), depth, time of net on bottom, catch composition and discards) to the Scientific Council by submitting them in an electronic format to the NAFO Secretariat.
9. STACTIC noted that it is still too early for an evaluation of the Pilot Project on Observers, Satellite Tracking and Electronic Reporting.

The Fisheries Commission applauded the efforts made by STACTIC and the Secretariat to elaborate the first NAFO Compliance Review. It was remarked that this review is of a high level in comparison with similar efforts of many other fishery management bodies. Contracting Parties were encouraged to reflect on how the NAFO compliance review can be improved and with it the process of analyses and data quality on which it is based. Any recommendations should be passed on to STACTIC for its consideration at the next intersessional STACTIC meeting. Regarding the harmonization of the North Atlantic reporting format, Iceland offered to coordinate an intersessional discussion between the Secretariat and interested Contracting Parties. Delegates also remarked on the desirability of a workshop for inspectors that was viewed as an important short-term initiative to improve the level of confidence of inspectors and international coordination of inspections within NAFO. Regarding a clearer mandate for the elaboration of a CP Scheme, delegates advised to first await the results of the NCP Scheme presently elaborated by STACFAC. It decided to refer the matter to General Council.

The Fisheries Commission adopted all recommendations by STACTIC and thanked Martin Newman for the monumental task of chairing STACTIC.

12. Implementation of the Precautionary Approach

The Scientific Council had recommended in 2004 that its Framework for a Precautionary Approach (PA) (SCS Doc. 03/23 – now FC Doc. 04/18) be adopted and implemented by the Fisheries Commission. This found general agreement among Contracting Parties and the SC Framework was adopted by Fisheries Commission (FC Doc. 04/18). Canada had tabled a proposal for testing the SC Framework on two stocks (yellowtail flounder in Div. 3LNO and shrimp in Div. 3M) before applying it to all regulated NAFO stocks (FC WP 04/10, Rev) (Annex 10). This proposal was adopted by the Fisheries Commission.

13. Johannesburg “Plan of Implementation” and implications for NAFO

The Executive Secretary presented implications for NAFO resulting from the “Plan of Implementation” of the Johannesburg World Summit on Sustainable Development (FC WP 04/7). The Executive Secretary was applauded for this initiative that helps Contracting Parties to evaluate NAFO’s performance and maintain NAFO’s leadership role in fisheries management and Contracting Parties were asked to contribute to this task. The Secretariat was encouraged to perform similar evaluations for other important international agreements. Delegates were especially interested in an application of the ecosystem approach within NAFO and mentioned the ecological impact of fishing gear (bottom trawling), sea mounts, marine protected areas, by-catch problems, and others as possible areas of attention for NAFO in this context. The Fisheries Commission agreed that Contracting Parties and the Scientific Council be invited to comment on FC WP 04-7 and further steps that could be taken regarding the issues raised in advance of the next annual meeting. It also took note of an offer by the Scientific Council to assist in such evaluations of important international agreements.

IV. Conservation of Fish Stocks in the Regulatory Area
(Items 14-19)

14. Summary of Scientific Advice by the Scientific Committee

a) Stock Assessments and recommendations (Scientific Council Chair)

The Chair of the Scientific Council, Dr. Joanne Morgan, presented a summary of the scientific advice to Fisheries Commission for 2005 and 2006. This included information contained in SCS Doc. 04/16 from June 2004 and SCS Doc. 03/ 25 from November 2003 as well as from SC Working Paper 04/30 from this meeting.

The Chair of Scientific Council also presented trends of the physical environment (oceanography) of the NAFO waters and their influence on the marine resources. The year 2003 was a year of considerable oceanographic variability throughout NAFO waters. The highlights were:

- In West Greenland, warm-saline ocean conditions dominated during 2003.
- On the Newfoundland Shelf, 2003 was a year of extremes. The very cold spring conditions were responsible for the Smith Sound fish kill. The waters were warmed by early-summer and were above normal throughout the remainder of the year.
- Annually 2003 conditions remained above normal, continuing the warm trend established in 1996.
- Initial results from 2004 show ocean temperatures continuing to increase.
- Historical data shows evidence that in general, warm-saline ocean conditions were favourable for fish production (e.g. cod, capelin, and salmon)
- Periods of colder conditions coincided with increased invertebrate production (e.g. crab, shrimp)
- Environmental conditions appear to be important at early life history stages for some species.

The following stocks were fully assessed including elaboration of a scientific advice for 2005:

Species	Recommendation for 2005
Northern Shrimp in Division 3M	<ul style="list-style-type: none"> • The stock appears to have sustained an average annual catch of about 45 000 tons since 1998 with no appreciable effect on stock biomass. Of the year-classes that will be the main contributors to the fishery over the next few years, the 1999 year-class estimated to be strong, the 2000 weak and the 2001 average. The Scientific Council advises a catch of 45 000 tons for 2005. • no reason to change the advice in September
Northern shrimp in Division 3LNO	<p>Applying a 15% exploitation rate to the lower 95% confidence limit of the biomass estimates, averaged over the autumn 2000 to spring 2002 surveys, results in a catch of about 13 000 tons. Scientific Council reiterated that "the development of any fishery in the Div. 3L area take place in a gradual manner with conservative catch limits imposed and maintained for a number of years in order to monitor stock response". Scientific Council recommends that the TAC for shrimp in Div. 3LNO in 2005 should remain at 13 000 tons. Scientific Council reiterated its recommendations that the fishery be restricted to Div. 3L and that the use of a sorting grate with a maximum bar spacing of 22 mm be mandatory for all vessels in the fishery.</p>

Greenland halibut in Subarea 2 and Div. 3KLMNO	<p>Assuming that the catches in 2004 and 2005 do not exceed the TAC (20 000 tons, 19 000 tons) the 5+ exploitable biomass will remain stable at a low level. Fishing mortality, however, will remain high (~0.60).</p> <p>Furthermore, if catches during 2006 and 2007 equal the TACs established for these years in the Rebuilding Strategy, there is a high probability that stock biomass increases will occur in 2007 and 2008 and that fishing mortality will decline by about 50% (see figures below). The target biomass in the rebuilding plan has very low probability of being achieved by 2008.</p>
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The following stocks were fully assessed including elaboration of a scientific advice for 2005 and 2006

Species	Recommendation for 2005/2006
Cod in Division 3M	No directed fishery for cod in Div. 3M in years 2005 and 2006. Also, by-catch of cod in fisheries directed to other species on Flemish Cap should be kept at the lowest possible level.
American plaice in Division 3M	There should be no directed fishery on American plaice in Div. 3M in 2005 and 2006. By-catch should be kept at the lowest possible level.
Witch flounder in Divisions 3NO	No directed fishing on witch flounder in the years 2005 and 2006 in Div. 3N and 3O to allow for stock rebuilding. By-catches in fisheries targeting other species should be kept at the lowest possible level.
Yellowtail flounder in Divisions 3LNO	Scientific Council recommended that total catches should not exceed 15 000 tons in 2005 and 2006. This corresponds to catch projections based on $F = 2/3 F_{msy}$ and an assumed catch of 14 500 tons (= TAC) in the year 2004. Scientific Council noted that catches exceeded TACs in 1998-2001, but were lower than the TACs in 2002 and 2003. Scientific Council again notes that the advice applies to all removals (directed plus by catch).
Thorny skate in Divisions 3LNO	Scientific Council advised that catches in 2005 and 2006 not exceed 11 000 tons.
Northern shortfin squid in Subareas 3 and 4	<p>Based on available information (including an analysis of the upper range of yields that might be expected under the present low productivity regime), the Council advises that the TAC for years 2005 and 2006, for northern shortfin squid in Subareas 3+4, be set between 19 000 tons and 34 000 tons.</p> <p>The advised TAC range (19 000-34 000 tons) is applicable only during periods of low productivity. In periods of high productivity, higher catches and TAC levels are appropriate.</p>

The following stocks were monitored and there was no reason to change the advice given:
Cod in Div. 3NO; American plaice in Div. 3LNO; Witch flounder in Div. 2J+3KL; Redfish in Div. 3M, 3LN and 3O.

Scientific advice was also presented on the following three stocks, following special requests by the Fisheries Commission:

Species/Stocks	Status and/or Advice
Pelagic Redfish in SA 1- 3	<ul style="list-style-type: none"> • Surveys indicate that the proportion of the biomass in NAFO area varies: 1999 34%, 2001 40%, 2003 8% • Two study groups, the ICES Study Group on Stock Identity and Management Units of Redfish (SGSIMUR) and the Northwestern Working Group (NWWG) reviewed the available information. There was a discussion in these groups regarding the splitting of redfish shallower than 500 m and deeper than 500 in separate units. This would give three management units rather than the current two. However, no consensus in SGSIMUR or NWWG was reached.
White hake in Div. 3NO	<ul style="list-style-type: none"> • Most catch are from Division 3O. Catches increased substantially in 2002 as directed fishery developed in the NAFO RA. • The most common bycatch in Canadian fishery is monkfish (<10%), and redfish (22%) in EU fisheries. • There is a significant degree of overlap of white hake with cod and American plaice indicating the potential for significant bycatch of these species. • To avoid potential and bycatch problems and rapid increase in the fishery, catches in the directed fishery for white hake should be limited to catches of the recent two years which averaged 5 800 mt. • In order to provide catch options advice that could be used in the context of management by Total Allowable Catch (TAC), more scientific activities and research are needed on the following: <ul style="list-style-type: none"> • determination of the species stock structure • continued and enhanced collection of information on levels of catches as well as size, sex and maturity of commercial catches • application of assessment models • age determination that would allow eventual utilization of age-based analysis • further work on maturity studies • examination of the spatial dynamics of various populations components in relation to environmental and fishery related influences • analysis of detailed, geo-referenced commercial fishery data corresponding to the directed white hake fishery in the NRA to quantify bycatch levels and to spatially define species interactions.
Redfish in Div. 3LN and 3O	<ul style="list-style-type: none"> • The issue of the relationship of redfish in Divisions 3L, 3N and 3O remains complicated and unclear. In the absence of more definitive information, managing these as separate stocks is still appropriate. • New information is likely available in 2005.

A discussion evolved around Greenland halibut. Some delegates remarked that the assessment of Greenland halibut in the past sometimes appeared to be optimistic. They were assured that the results of the current assessment are consistent with the analyses and projections accepted in the 2003 assessment. The Scientific Council Chair also explained that assuming that the catches within the next 4 years (until 2007) do not surpass the fixed TACs, the stock biomass will probably increase during 2007 and 2008 but that this increase has a very low probability of reaching the target biomass by 2008. However, projected results are based on uncertain estimates of recruitment.

Further discussion revealed that the advice for thorny skate was based on average catches from 1996-2003 and that the data available for an assessment of this species are rather poor. It is hoped that an analytical assessment of this stock can be introduced in the near future. A similar situation applies to white hake such that some types of analyses may not be possible.

It was noted that the biomass of yellowtail flounder continues to develop in a positive way. Some delegates thought that this process of recovery proves the efficacy of the relevant NAFO management measures.

b) Other issues (as determined by SC)

- i) The Scientific Council Chair noted the extreme difficulty encountered by the Scientific Council to derive catch estimates from the available catch statistics for stock assessment purposes. She reminded the Fisheries Commission of the June 2004 Scientific Council recommendation that “the Chair of Scientific Council formally communicate to the Chair of Fisheries Commission the concerns of Scientific Council regarding the derivation and accuracy of catch information available, and request that for the future, each year prior to the June meeting of Scientific Council, Fisheries Commission conduct its own evaluation of catch information derived from various sources under Rule 5.1 pertaining to STACTIC, and provide Scientific Council with their agreed estimates by Contracting Party/Country to be utilized by Scientific Council in the conduct of stock assessments” (SCS Doc. 04/16).

Delegates inquired whether the poor quality of data adversely affected the scientific advice and were told that a higher uncertainty of the advice could well be a possibility in future years if the situation continues.

The EU expressed a strong objection to the Scientific Council practice of utilizing data of undisclosed origin. The EU finds this practice discriminatory and doubtful and requested Scientific Council to abandon this practice in the future.

In conclusion, the Fisheries Commission did not accept this recommendation. The Fisheries Commission declined to conduct its own evaluation of catch information and asked Scientific Council to continue with this task as usual.

- ii) The Scientific Council Chair reiterated Scientific Council’s recommendation that the Precautionary Approach Framework developed by Scientific Council (SCS Doc. 04/12) be endorsed and implemented by the Fisheries Commission without further delay. This was accepted (see Item 12).

15. Management and Technical Measures for Fish Stocks in the Regulatory Area 2005.

15.1 Cod in Div. 3M

In accordance with the scientific advice, it was decided by consensus that the 2004 provisions for this stock will be continued in 2005 and 2006, i.e. no directed fishery for this stock and application of by-catch provisions as formulated in the NAFO CEM Article 9, paragraph 3.

15.2 American plaice in Div. 3M

In accordance with the scientific advice, it was decided by consensus that the 2004 provisions for this stock will be continued in 2005 and 2006, i.e. no directed fishery for this stock and application of by-catch provisions as formulated in the NAFO CEM Article 9, paragraph 3.

15.3 Shrimp in Div. 3M

The Scientific Council recommended a TAC of 45 000 mt for this stock. There was no unanimous agreement regarding management measures for this stock. Iceland maintained its previous position that the provisions and measures in the NAFO CEM concerning this stock are contrary to the scientific advice. The Fisheries Commission decided that the 2004 provisions be rolled over for 2005 and noted the reservation of Iceland.

16. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2005

16.1 Yellowtail flounder in Div. 3LNO

It was noted that this stock is a success story in NAFO. The USA presented FC WP 04/12, suggesting that the TAC could be increased to 17,500 mt since such a TAC would not exceed F_{msy} recommended by Scientific Council and requesting an allocation. Canada proposed a TAC of 15,000 mt and asked that the existing allocation formula be followed. The Fisheries Commission decided that a TAC of 15,000 mt be adopted with the following allocation: Canada 14,624 mt, France (St. Pierre et Miquelon) 300 mt, and "Others" 76 mt.

The USA expressed its reservation to this decision (see Annex 11).

16.2 Witch flounder in Div. 3NO

In accordance with the scientific advice it was decided by consensus that the 2004 provisions for this stock will be continued in 2005 and 2006, i.e. no directed fishery for this stock and application of by-catch provisions as formulated in the NAFO CEM Article 9, paragraph 3.

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

The scientific advice for this stock included a recommendation of TAC in the range of 19,000-34,000 mt. The Fisheries Commission decided that the current level of TAC 34,000 mt be rolled over for 2005 and 2006.

16.4 Shrimp in Div. 3LNO

The scientific advice for this stock recommended the TAC be 13,000 mt and that fishing of this stock take place in Div. 3L only. A mandatory sorting grate of 22 mm was advised.

A proposal was discussed to roll over all measures that had been in place for 2004. Denmark (in respect of the Faroe Islands and Greenland) proposed that catch history be considered as the main criterion for determining allocations (FC W.P. 04/20) and that the decision on the allocation be postponed until October 2004 when Scientific Council undertakes its shrimp assessment. The Fisheries Commission adopted a rollover of the 2004 management measures for 2005, noting the reservation of Denmark (in respect of the Faroe Islands and Greenland) on the criteria for allocation (see Annex 12).

16.5 Greenland halibut in Div. 3LMNO

Discussion for this item was held under item 17.

16.6 If available in the Regulatory Area:

i. Cod in Div. 3M

In accordance with the scientific advice, it was decided by consensus that the 2004 provisions for this stock will be continued in 2005, i.e. no directed fishery for this stock and application of by-catch provisions as formulated in the NAFO CEM Article 9, paragraph 3.

ii. Witch flounder in Div. 2J3KL

In accordance with the scientific advice, it was decided by consensus that the 2004 provisions for this stock will be continued in 2005, i.e. no directed fishery for this stock and application of by-catch provisions as formulated in the NAFO CEM Article 9, paragraph 3.

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

It was agreed that the TAC remain at the 2004 level of 32,500 mt.

16.8 Management of Currently Unregulated Stocks

i. Redfish in Div. 3O

Fisheries Commission decided on a TAC for 2005, 2006, and 2007 of 20,000 mt for this stock. The following allocation scheme will apply: Canada 6,000 mt, EU 7,000 mt, Japan 150 mt, Korea 100 mt, Russia 6,500 mt and Others 250 mt (FC W.P. 04/18, Rev.) (Annex 13).

Russia proposed that the minimum mesh size of 90 mm be adopted for this fishery. The Fisheries Commission referred a discussion on new mesh size requirements for this fishery to STACTIC.

ii. Thorny Skate in Div. 3LNO

The Fisheries Commission decided that the TAC of 13,500 mt be established for 2005, 2006, and 2007, as proposed by Canada (FC W.P. 04/17) (Annex 14). The allocation will be as follows: Canada 2,250 mt, EU 8,500 mt, Russia 2,250 mt, and Others 500 mt.

The USA expressed its reservation to this decision on the grounds that the TAC of 13,500 mt is higher than that recommended by the Scientific Council (Annex 15).

iii. White Hake in 3NO

The Fisheries Commission decided that a TAC of 8,500 mt be established for 2005, 2006, and 2007, as proposed by Canada (FC W.P. 04/19, Rev.) (Annex 16). The allocation will be as follows: Canada 2,500 mt, EU 5,000 mt, Russia 500 mt, and Others 500 mt.

The Quota Table for 2005, Effort Allocation Scheme for Shrimp Fishery in the NRA Div. 3M, 2005 and Rebuilding Plan for 3LMNO Greenland halibut (CEM Annexes I.A, I.B, I.C, respectively) can be found in Annex 17 to this Report.

17. Review of Greenland Halibut Rebuilding Plan

After some deliberations, the Fisheries Commission confirmed the TAC of 14,079 mt (NAFO CEM, Chapter 1, Article 7 and reflected in Annex IC).

17(bis). Review of Chartering Arrangements

The Secretariat tabled FC WP 04/5 (Overview of Charter Compliance). The Fisheries Commission noted that there was a difference in interpretation of NAFO CEM, Article 14.2 between Estonia and the Secretariat and deferred this matter for discussion to STACTIC. STACTIC confirmed the interpretation of the Secretariat (see STACTIC Report, Part II), a view that was adopted by the Fisheries Commission

18. EU Enlargement and consequent revisions to the distribution of fishing entitlements

The European Union proposed and the Fisheries Commission agreed that the allocations in the new quota table include adjustments reflecting the accession of four NAFO Contracting Parties, i.e. Estonia, Latvia, Lithuania, and Poland to the European Union. For detailed quota allocations, see relevant agenda items and/or quota table. Stocks under moratoria through 2005 were also adjusted in a like manner. (See Quota Table – Annex 17)

19. Formulation of Request to the Scientific Council

The FC WP 04/22, Revised (Annex 18) containing the request for scientific advice was adopted.

V. Closing Procedures (items 20-22)

20. Time and Place of the Next Meeting

This agenda item was, as usual, deferred to the General Council.

21. Other Business

Iceland spoke for many delegates when it complained about the extreme delay of progress within the Fisheries Commission at this Annual Meeting. This had the consequence that delegates worked around the clock on Thursday and Friday, a very stressful and unhealthy situation that should not be repeated in the future. Iceland mentioned that it was unacceptable that a number of substantial proposals were discussed at 6 a.m. after a sleepless night without giving delegates adequate opportunity to consult with their governments.

22. Adjournment

The meeting was adjourned at 1:40 p.m. on Friday, 17 September 2004.

Annex 1. List of Participants

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Annex 2. Opening Statement by Denmark in respect of the Faroe Islands and Greenland

Mr Chairman, distinguished delegates, observers,

Firstly on behalf of the Faroe Islands and Greenland, I would like to express our pleasure in attending this year's meeting of the Fisheries Commission. As far as regional fisheries management organisations are concerned, NAFO is one of the oldest and most established, celebrating its 25th anniversary this year. And this particular Contracting Party was one of the founders of this organisation. So it is with humility and some degree of apprehension that I am heading our delegation to the FC this year for the first time. I know that many of you having been working within this organisation for many years. I am sure I can benefit from the experience, not only of my own delegation, but also of other delegations, as we delve into the details of our agenda.

Several opening statements made in the Council yesterday made particular reference to the importance of the Greenland halibut recovery plan adopted at last year's meeting. Our delegation shares the views expressed about this decision. It is indeed an indication of the ability of NAFO to take decisive action for the benefit of conservation and the long-term sustainability of the fishery, which must always go hand-in-hand – and not least motivated by the desire not to repeat past mistakes.

Through the conservation and management decisions taken in the Fisheries Commission, NAFO should not just be able to avoid past mistakes but also to correct ones it has itself made. The Faroe Islands and Greenland come to this annual meeting with the expectation that the Fisheries Commission is finally ready to address the issue of allocation of 3L shrimp in a constructive way and to agree on an equitable allocation with a basis in NAFO's own allocation principles, which are entrenched in the Convention and in NAFO practice. The present allocation adopted in 1999 was a mistake, and one we believe it is high time to correct.

We have outlined our views on this particular issue in more detail in a position paper which we will make available to all delegates during this meeting. We would ask you all to review the issue carefully and be ready to give it the serious attention it deserves. We believe that if this Commission once again fails to resolve the issue this year, it will seriously undermine the credibility of NAFO in general as a responsible fisheries management body.

There are of course many other stock-specific conservation and management items on the Commission's agenda for this meeting, as well as the need to consider the latest scientific advice and determine what further advice we require to be able to make well-founded and rational management decisions. There are also items related to compliance and inspection activities, and further discussion of how best to define and apply the precautionary approach in our management decisions.

Our delegation intends to approach all issues openly and in the same spirit of cooperation on which we always strive to base our international dealings, and we look forward to working constructively with all delegations.

Annex 3. Agenda

1. Opening by the Chairman, D. Swanson (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity
6. Record of Agreed Fisheries Commission Decisions at 2004 NAFO Annual Meeting
7. Review of Commission Membership
8. Report of STACTIC, June 2004 (Copenhagen)
10. Increase of inspection presence in the NAFO Regulatory Area
11. Report of STACTIC at the Annual Meeting
12. Implementation of the Precautionary Approach
13. Johannesburg "Plan of Implementation" and implications for NAFO (presentation by Executive Secretary upon request of FC Chair)
14. Summary of Scientific Advice by the Scientific Council
 - a) Stock assessments and recommendations (Scientific Council Chair)
 - b) Other issues (to be determined by SC)
15. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2005
 - 15.1 Cod in Div. 3M
 - 15.2 American plaice in Div. 3M
 - 15.3 Shrimp in Div. 3M
16. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2005
 - 16.1 Yellowtail flounder in Div. 3LNO
 - 16.2 Witch flounder in Div. 3NO
 - 16.3 Squid (*Illex*) in Subareas 3 and 4
 - 16.4 Shrimp in Div. 3LNO
 - 16.5 Greenland halibut in Div. 3LMNO
 - 16.6 If available in the Regulatory Area:
 - i. Cod in Div. 2J3KL
 - ii. Witch flounder in Div. 2J3KL
 - 16.7 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
 - 16.8 Management of Currently Unregulated Stocks:
 - i. 3O redfish (Report of the Working Group-FC Doc. 04/2)
 - ii. 3LNO Skate
 - iii. White hake in 3NO
17. Review of Greenland Halibut Rebuilding Plan
- 17(bis). Review of Chartering Arrangements
18. EU Enlargement and consequent revisions to the distribution of fishing entitlements
19. Formulation of Request to the Scientific Council for:
 - a) Scientific advice on the management of fish stocks in 2006
20. Time and Place of the Next Meeting
21. Other Business
22. Adjournment

Annex 4. Record of Decisions by the Fisheries Commission
(FC Working Paper 04/21, Final)

Substantive Issues (Agenda item):	Decision/Action:
8. Report of STACTIC, June 2004 (Copenhagen)	See item 11.
10. Increase of inspection presence in the NAFO Regulatory Area	See item 11
11. Report of STACTIC at the Annual Meeting	<p>STACTIC WP 04/32, Rev. 2 – Annual Compliance Review-2003 Adopted</p> <p>STACTIC WP 04/3 (Rev.3) – Harmonization Adopted</p> <p>STACTIC WP 04/25 – Toggle Chain Adopted</p> <p>STACTIC WP 04/30 (Rev. 5) – CEM Modifications Adopted – to be kept under STACTIC review</p> <p>STACTIC WP 04/31 (Rev. 2) – CEM – Inspection Adopted</p> <p>NAFO-NEAFC North Atlantic Format Iceland agreed to organize interested Contracting Parties using the NAFO Forum on the web</p> <p>The FC acknowledges the EU's offer to host a workshop for Inspectors</p> <p>FC takes note of STACFAC report and how to instruct STACTIC regarding Contracting Parties Scheme</p>
12. Implementation of the Precautionary Approach	FC WP 04/10 (Rev.) Adopted
13. Johannesburg "Plan of Implementation" and implications for NAFO	Noted Executive Secretary's report (FC WP 04/7) Deferred. CPs and SC encouraged to study
14. Summary of Scientific Advice by the Scientific Council	Noted Scientific Council Chair's report SC recommendation on determining catch estimates referred back to SC

15. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2005	
15.1 Cod in Div. 3M	Rollover for 2005 and 2006 - No directed fishery, article 9, para. 3 of CEM.
15.2 American plaice in Div. 3M	Rollover for 2005 and 2006 – No directed fishery, article 9, para. 3 of CEM.
15.3 Shrimp in Div. 3M	Rollover for 2005 – Management measures reviewed in event Precautionary Approach highlights problems. Iceland reservation noted.
16. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2005	
16.1 Yellowtail flounder in Div. 3LNO	TAC 15,000 tons – US reservation noted
16.2 Witch flounder in Div. 3NO	Rollover for 2005 and 2006 - No directed fishery, article 9, para. 3 of CEM.
16.3 Squid (<i>Illex</i>) in Subareas 3 and 4	The current level of TAC is 34 000 tons. Rollover for 2005 and 2006 – TAC of 34 000 tons.
16.4 Shrimp in Div. 3LNO	Rollover of management measures for 2005
16.5 Greenland halibut in Div. 3LMNO	See agenda item 17.
16.6 If available in the Regulatory Area:	Rollover for 2005 - No directed fishery, article 9, para. 3 of CEM.
i. Cod in Div. 2J3KL	
ii. Witch flounder in Div. 2J3KL	Rollover for 2005 - No directed fishery, article 9, para. 3 of CEM.
16.7 Pelagic <i>Sebastes mentella</i> (oceanic redfish) in the NAFO Convention Area	Rollover for 2005 noting changes in allocations
16.8 Management of Currently Unregulated Stocks:	FC WP 04/18 (Rev) Adopted
i. Redfish in Div. (Report of the Working Group)	
ii. Skate in Div. 3LNO	FC WP 04/17 (Rev) Adopted with US comments noted.
iii. 3NO White Hake	FC WP 04/19 (Rev) Adopted
17. Review of Greenland Halibut Rebuilding Plan	Agree to carry over the provisions as laid out in the Greenland Halibut Rebuilding Plan (CEM Chapter 1, Article 7 and reflected in Annex I.C and I.A)
17 (bis). Review of Chartering Arrangements	See item 11

18. EU Enlargement and consequent revisions to the distribution of fishing entitlements	The quota table has been adjusted to reflect the accession of Estonia, Latvia, Lithuania and Poland to the European Union
Formulation of Request to the Scientific Council for: a) Scientific advice on the management of fish stocks in 2006	Adopted (FC WP 04/22-Rev)
20. Time and Place of the Next Meeting	To General Council
21. Other Business	None

Annex 5. Annual Compliance Review - 2003
(STACTIC Working Paper 04/32, Rev. 2 – now FC Doc. 04/13)

1. Introduction

In accordance with the terms of reference outlined in STACTIC W.P. 02/14 a review was undertaken by STACTIC in 2004 on compliance with the Conservation and Enforcement Measures (CEM) in 2003. It was acknowledged by delegations that the process was valuable but would need to be developed and improved in the light of experience.

Following the agreement of Contracting Parties at the STACTIC Meeting in Copenhagen in June 2004, data tables were prepared by the Secretariat and circulated to STACTIC participants in July 2004 (STACTIC W.P. 04/18 Revised) according to the lay out contained in the W.P. 04/8 . These tables, which number 13 in total, were drawn up on the basis of the obligations outlined in Conservation and Enforcement Measures (CEM) and provide an overview of the compliance of Contracting Parties or vessels with those obligations. The tables are contained in STACTIC Working Document 04/18 (Revised).

2. Observations on the data

The Secretariat provided a detailed explanation of the compilation that they had undertaken which is contained in STACTIC W.P. 04/1 (Revision 2). The Secretariat encountered the following difficulties and problems during the compilation:

1. Reports in different languages.
2. Unreadable or difficult to read reports because of poor quality of reproduction.
3. Incomplete information in the reports, e.g. no information on fishing dates, division or sub-area, mesh size, missing hail reports.
4. Inconsistent information on AI between the issuing report, cover letters, and Reports on Inspection and Surveillance Activities.
5. Lack of care in specifying units (kg or mt) and in placing decimal points in reporting catches.

3. Assessment of the compilation tables

An assessment was carried out table by table, of the incidences of non-compliance. This assessment is attached at the annex to this document. Tables 1 to 5 concern compliance by Contracting Parties and tables 6 to 13 concern compliance by vessels.

a) Compliance by Contracting Parties

The problems encountered by the Secretariat with regard to the data were confirmed. Parties agreed that a greater effort needs to be made to improve the information provided, in view of the significant discrepancies between a number of different data sources (observer reports, VMS and Port Inspections). It was also agreed that greater attention needs to be paid to quality control related to VMS communications.

On the whole Contracting Parties had fulfilled their obligations under the CEM with regard to providing reports to the Secretariat. Delays had been noted with regard to the notification of fishing vessels (Table 1) but in view of the amendment to the CEM whereby a vessel register had been introduced this would no longer be a requirement from 2004.

Delays were also noted concerning reports of follow up to citations of infringements (Table 4). However, such information had been provided at a later date. It was agreed that the normal STACTIC procedure whereby Contracting Parties notified the disposition of infringements (FC Doc. 04/5) provides a more accurate impression of the situation as it contains updated information.

b) Compliance by Vessels

According to an analysis of the tables, it was noted that there were recurring incidents of citations for infringements in 2003 for the following:

- directed fishing on species under moratoria
- misreporting of catch
- mesh violations
- VMS violations
- failure to carry independent and impartial observers.
-

Canada and the USA took the view that infringements should not be viewed as the only indicator of non-compliance and all relevant indicators should be considered.

Due to discrepancies in the data it was impossible to determine compliance with catch limits.

4. Additional information

In accordance with paragraph 3 of the terms of reference Canada requested that additional sources of information be examined in the review. Canada made a presentation in this regard.

The Canadian presentation concentrated on the issue of directed fishing for moratoria species. On the basis of economic analysis, observer data, VMS data, at-sea inspections and aerial surveillance, Canada took the view that masters were directing for moratoria species and misreporting catch of unregulated species in order to cover this activity. In addition, masters were using various strategies, such as covering catch with tarpaulin, to avoid detection of non-compliant behavior. Canada stated that this was a serious concern in 2003. Canada also took the view, which was supported by the USA that citations for infringements should not be considered the only indicator of non-compliance.

Canada recommended that a standardized port inspection protocol would provide for improved inspections and confirmation of catch as well as improved confidence in NAFO and transparency between Contracting Parties. Canada recommended that capping fisheries of unregulated species would prevent or minimize the potential for masters to use these fisheries as a cover for directed fisheries for moratoria species. It was also proposed that the Secretariat should undertake a comprehensive review of VMS reports to determine the frequency of missing reports. There was a discussion on these points but there was no consensus to bring them forward.

The presentation made by the EU (STACTIC W.P. 04/22) provided an overview of citations for infringements issued each year from 1994 to 2003.

5. Conclusions and Recommendations

Parties agreed that non-compliance was a threat to the conservation of vulnerable stocks and that the Compliance Review for 2003 had been a useful first exercise in determining such non-compliance.

However, it is clear from the first experience of undertaking a Compliance Review that a greater effort needs to be made in order to ensure a greater degree of accuracy in the data that is used as a basis for the review. It was also acknowledged that improvements need to be made in the process of its compilation and analysis.

The Secretariat made the following recommendations:

1. Reports in official language: English
2. Standardization of format of observer reports.
3. Electronic submission of reports.

Concerning citations, certain types of infringements by fleets were reported, as follows:

- EU, directing for moratoria species and misreporting of catch.
- Lithuania, VMS requirements
- Russia, mesh size
- Faroe Islands; Japan, lack of an independent observer (not confirmed by the Japanese authorities).

Significant discrepancies in the data from VMS, observer reports and port inspections are a generalized problem for which no obvious explanation could be provided in many cases. Parties concurred that it was important to do a critical analysis of the data and address discrepancies. Parties agreed on the need to ensure that compilation tables and information on the disposition of infringements in FC Doc.04/5 are up to date. The validity was questioned of comparing data from disparate sources, such as VMS, observer and port inspection data with provisional monthly catch and STATLANT 21 statistics.

ANNEX

Table 1 – Number of Vessels Notified to NAFO Secretariat (pursuant to Article 15 CEM)

Some delays were reported in the sending of notifications of fishing vessels to the Secretariat in 2003. The Secretariat also pointed out some problems in receiving data and in the quality of some data.

Given the amendments to the Article 15 (6) of the CEM establishing a vessel register, this will no longer be a requirement in 2004.

Table 2- Submission of Catch and Effort Data for 2003 by Contracting Parties (CPs) to the NAFO Secretariat, as of 30th June 2004

Parties discussed issues specific to their own activity such as further details on Port Inspections. Parties agreed to investigate missing data which included:

- Canada, Port Inspection data
- Cuba, provisional monthly catch data (explained by charter arrangement)
- France (SPM), only STATLANT 21 data submitted (explained by fact fishery occurs only in 3Ps)
- Denmark (FRO), information submitted after deadline
- Poland, only VMS and number of port inspections submitted,
- Ukraine provided data on VMS and provisional monthly catch only, (explained by charter arrangement.)

It was concluded that Table 2 dealing with submission of catch and fishing effort was completed in a satisfactory manner.

Table 3-Notification of Inspection Plans (Pursuant to IV CEM)

It was noted that only Canada, Denmark (FRO), and EU carried out inspections. All had submitted inspection plans and provided notification as required under the CEM. Denmark (FRO) did not submit by November 1 deadline as the inspection plan had not been finalized by that date.

Table 4- Reports on Infringement follow-up (pursuant to Article 35 CEM)

According to Table 4, reports on follow-up received by September 1, 2003 were as follows

- no reports had been received from the EU by the due date
- no report from Denmark (FRO) by the due date
- 1 of 2 reports received from Russia by the due date

Reports on follow-up received by February 1, 2004 were as follows:

- no reports received from EU by the due date
- no reports from Lithuania by the due date

Parties offered explanations for why some data was missing. In some cases, the follow-up was not reflected in the table but details had been provided at a later date.

It was noted that regarding Table 4, FC 04/5 Revised would be a better tool since it is updated on an ongoing basis.

It was concluded that the table is of limited value since it deals with reported infringements rather than follow-up and therefore shows only occasions when requirements under the scheme were not followed. It was agreed the quality and detail of the report i.e. whether any action was taken and the details of that action, was more important than the quantity of reports.

Table 5 – Annual Report on Inspection and Surveillance Activities (Pursuant to Article 36 CEM)

Only Canada, EU and Denmark (FRO) submitted reports as they are the only Contracting Parties with an inspection presence.

Table 6a – Catch Data (from VMS, observer, port, monthly provisional catch and STALANT 21 reports) and compliance with catch limits (pursuant to Articles 3 to 9 CEM)

Parties noted significant discrepancies between various sources of data. Japan noted their concerns as expressed in W.P. 04/18 (1) that the Japanese authorities could not confirm the failure to have an independent and impartial observer on board with respect to tables 6a, 6b, 9 and 13. Several parties expressed concerns about the accuracy of table 6a and possible explanations were provided but no firm conclusions established.

There was further discussion on the value of each of the various data sources. Some CPs questioned the validity of comparing VMS, observer and port inspection data with provisional monthly catch and STATLANT 21 statistics.

Table 6b – Catch data (from at-sea inspection reports) and compliance with catch (Pursuant to articles 3 to 9 CEM)

The reports contained in 6b are not comparable to other sources as the data is an indication of catch data between inspections on a particular vessel. The summary information was also in Tables 12 and 13.

Some CPs indicated that there was value in the Table 6b since it could identify instances of directed fishing or exceeding by-catch as outlined in the NCEM. The information is made available to flag states to analyze further as they choose.

Table 7 – Fishing Days at NAFO RA, including fishing days for shrimps at Area 3M (Pursuant to Articles 3 to 9 CEM)

Several parties expressed concern about the accuracy of data and noted a number of discrepancies. Parties discussed possible reasons for the discrepancies including transit time included as fishing days, time lag between entry and commencement of fishing, and technical failures. The Secretariat noted that days between entry and exit are the days that are included. There was a measure of unreliability with VMS data and it made comparison between VMS, observer reports and port inspection data more difficult.

Problems with language and legibility of some observer reports were also noted as well as lack of standard observer report. Parties discussed specific items related to their own activity and agreed to scrutinize figures and provide explanations where possible.

Table 8 – Catch reporting though hail reports (Pursuant to Articles 3 to 9 CEM) . Discrepancy between number of entries and exits was noted. The Secretariat offered an explanation for the difference between the number of days calculated from Catch on Entry reports (COE) versus VMS days . It was noted that this was further complicated by missing data. For example there were a number of discrepancies between COE/COX (catch on exit) which should in fact be identical.

Table 9 – Gear and Mesh size information (Pursuant to Articles 3 to 9 CEM)

Data was reviewed and the most prevalent type of violation cited by CP was noted including:

- Estonia, mesh size, 1
- EU, gear infringement, 1; mesh size, 2 (one not confirmed by Port Inspection)
- Japan, gear infringement, 1
- Russia, gear infringement, 1

Missing data from port inspection reports was noted. Parties provided corrections specific to their activity.

Table 10 – CP Summary on Satellite Tracking System (STS) Position Reports and Citations concerning STS

Concerns about VMS were raised and apparent discrepancies noted. Parties discussed concerns of quality control and cases where infringements were issued. Parties offered explanations for compliance areas that seemed to be problematic. Lithuania noted that new software is now in place and offered assurances that data would be improved.

Iceland noted there was a misunderstanding on the name of a vessel in an inspection report and that there had been a recording mistake by an operator, due in part to difference between NAFO and NEAFC regulations. This had been corrected with the Secretariat. Iceland suggested that the system should provide a warning to CP's if Catch on Entry is recorded without a following positional report. Assurances were offered that pertinent data would be improved.

Table 11 – CP Summary on AI regarding Prevention of Inspectors from carrying out their duties

There were no infringements for obstructing inspectors and therefore full compliance with this provision of CEM. It was recommended that Table 11 be simplified to one line that noted infringements only, if any.

Table 12 – Number of vessels cited with AI and number of citations

Discrepancies can easily be explained as during a single inspection, it was possible for a vessel to be cited for more than one infringement.

Table 13 – Details of Apparent Infringements Issued

It was noted that certain CPs had specific areas of non-compliance.

- EU, directing for moratoria species and misreporting catch.
- Lithuania, VMS requirements
- Russia, mesh size
- Faroe Islands; Japan, lack of an independent observer (not confirmed by Japanese authorities).

2 citations for Russia had been withdrawn.

Following review of tables, the details of dispositions of infringements contained in 04/5 were discussed. Some parties provided additional updates of ongoing dispositions. In cases where information could not be provided at this time, Parties agreed to investigate further.

Annex 6. Joint Proposal by Iceland and Denmark (in respect of Greenland and Faroe Islands) and Norway

(STACTIC Working Paper 04/3, Rev. 3 – now FC Doc. 04/8)

PROPOSAL

Background:

At the STACTIC meeting in June 2003 it was agreed to establish an informal working group to compare the message system in NAFO and NEAFC and locate possible differences between the two systems. A report on the findings was presented during the Annual meeting in September 2003 and is available in STACTIC Working Paper 03/14.

Some of the findings have been taken incorporated in the latest version of the CEM (NAFO/FC Doc. 04/1) but there are still some items that need to be corrected and inserted.

The following proposal deals with the VMS message format in Annex IX and the format for communication of catches and reports by fishing vessels in Annex X.

Additionally a new Annex is proposed for clarification of the message system.

The proposed changes and amendments are based on harmonization, in order to make the messages and reports short and compact and for reasons of clarity.

**Annex IX
VMS Data Format**

The current template can only handle automatic VMS position reports. Following the recent changes to the message system where the Entry report was renamed as Catch on Entry and Exit as to Catch on Exit and the first positions detected either inside or outside the Regulatory Area transmitted as Entry and Exit accordingly, these could be taken into the same message template. Additionally, manual position reports could also be dealt with in the same template.

This can be achieved by giving option for different codes for type of message and two different formats for latitude and longitude, one for decimal degrees and the other for degrees and minutes.

The following changes are proposed:

1. Sequence Number (SQ) to be set as mandatory with a footnote (1) making it optional in case of a VMS message. By this, manual position report from vessels with a defective satellite tracking system will be sequentially numbered as other messages.
2. As it is proposed to use this template for other messages, the Type of Message is proposed to have a footnote (4) where the other types of messages are listed:

Position	=	POS
Entry	=	ENT
Exit	=	EXI
Manual position	=	MAN

3. In the current template, the data element Vessel Name and External Registration Number are set as mandatory. It is proposed to change these to optional. There is no need to transmit these every time a position is forwarded since this information is already registered in the databases by the notification message (NOT).
4. It is proposed to include the two existing data elements for position in the template. The LT/LG (decimal degree) to be used for automatic VMS messages (footnote 3). LA/LO (degrees and minutes) to be used for manual messages (footnote 2).

Current template includes the data elements Record Date (RD), Record Time (RT) and Record Number (RN). These elements are not found in the templates for communication of catches in Annex X. These are relevant there as well.

The data elements RD, RT and RN are the, date, time and sequence number from the relevant Contracting Party and are to be inserted into the messages and reports received from fishing vessels . It will therefore be proposed to list and describe these separately together with general information on the message format in a new Annex. (See # ??)

New Annex IX

The following template and notes are proposed for the VMS Data Format:

Data Element:	Field Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination; "XNW" for NAFO
Sequence Number	SQ	M ¹	Message detail; message serial number in current year
Type of Message	TM ⁴	M	Message detail; message type, "POS" as Position report/message to be communicated by VMS or other means by vessels with a defective satellite tracking device
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail. Unique Contracting Party vessel number as ISO-3 flag state code followed by number
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel
Latitude	LA	M ²	Activity detail; position at time of transmission
Longitude	LO	M ²	Activity detail; position at time of transmission
Latitude (decimal)	LT	M ³	Activity detail; position at time of transmission
Longitude (decimal)	LG	M ³	Activity detail; position at time of transmission
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

¹ Optional in case of a VMS message

² Mandatory for manual messages

³ Mandatory for VMS messages

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

Type of message shall be "EXI" for the first VMS message from outside the Regulatory Area as detected by the FMC of the Contracting Party, and the values for latitude and longitude are, in this type of message, optional. Type of message shall be "MAN" for reports communicated by vessels with a defective satellite tracking device in accordance with Article 21 (5).

Annex X
Format for communication of catches and reports by fishing vessels

Following changes are proposed to Annex X

ENTRY report

5. Delete template 2) “ENTRY” report and use the template in Annex IX instead. At the same time the data elements Vessel Name (NA) and External Registration Number (XR) will be optional (see point 3)

TRANSHIPMENT report

6. Change heading for 3) “TRANSHIPMENT” report to read as:
 2) “TRANSHIPMENT” report
7. Change data element Master Name (MA) in the Transshipment report to be optional. This information is already being transmitted in the Catch on Entry (COE) report.
8. Make the data elements Latitude (LA) and Longitude (LO) optional by a footnote; Optional if the vessel is subject to satellite tracking in accordance with Article 21 (1).

Catch on EXIT report

9. Change the heading for “Catch on EXIT” report to read as:
 3) “Catch on EXIT” report
10. Make the data element Master Name (MA) as optional.
11. Make the data elements Latitude (LA) and Longitude (LO) optional by a footnote; Optional if the vessel is subject to satellite tracking in accordance with Article 21 (1)
12. In the remarks column for the data element Catch (CA) is a reference to the last Catch report. The only Catch report is the CAX report in the Pilot Project so the reference must be to the CAX report .’....commencement of fishing in the R.A., or last Catch report (CAX) if such a report is sent according to the Pilot Project, in pairs as needed”.
13. In this template is a data element “Days Fished” (DF). This appears to be new and probably taken directly from the NEAFC system. There is no reference to this data element in older NAFO document. There is no real use for this data element since the number of days in the area will automatically be calculated from the day of entry, this should either be made optional or simply deleted.

EXIT report

14. Delete template 5) “EXIT” report and use the template in Annex IX instead. At the same time the data elements Vessel Name (NA) and External Registration Number (XR) will be optional (see point 3).

New Annex

15. It is proposed to add a new Annex to list **“Data Exchange Format and Protocols”**. The purpose of this Annex is to explain the structure of the data exchange format and to list or make reference to agreed communication protocols. Show template for Return messages (RET) with its error codes and list all data elements from the North Atlantic Format which are used in reports and messages in the NAFO Regulatory Area with explanation on the content and size of each.

Annex XXIII Data Exchange Format and Protocols

A. Data transmission format

Each data transmission is structured as follows:

1. Data characters in accordance with ISO 8859.1
2. Each data transmission is structured as follows:
 - double slash (“//”) and the characters “SR” indicate the start of a message;
 - a double slash (“//”) and field code indicate the start of a data element;
 - a single slash (“/”) separates the field code and the data;
 - pairs of data are separated by space;
 - the characters “ER” and a double slash (“//”) at the end indicates the end of a record.

B. Data exchange protocols

Authorised data exchange protocols for electronic transmission of reports and messages between Contracting Parties and the Secretary shall be in accordance with Annex XX, Rules on Confidentiality.

New Annex...
C. Format for electronic exchange of fisheries monitoring information
(The North Atlantic Format)

Category	Data Element	Field code	Type	Contents	Definitions
System	Start Record	SR			Indicates start of the record
Details	End Record	ER			Indicates end of the record
	Return Status	RS	Char*3	Codes	ACK / NAK = Acknowledged / Not Acknowledged
	Return Error Number	RE	Num*3	001 – 999	Codes indicating errors as received at operation centre, see Annex XXIII D2
Message	Address destination	AD	Char*3	ISO-3166 Address	Address of the party receiving the message, “XNW” for NAFO
Details	From	FR	Char*3	ISO-3166 Address	Address of the transmitting party, (Contracting Party)
	Type of Message	TM	Char*3	Code	Code for the message type as
	Sequence Number	SQ	Num*6	NNNNNN	Message serial number
	Record Number	RN	Num*6	NNNNNN	Serial number of the record in the relevant year
	Record Date	RD	Num*8	YYYYMMDD	Year, month and date
	Record Time	RT	Num*4	HHMM	Hours and minutes in UTC
	Date	DA	Num*8	YYYYMMDD	Year, month and date
	Time	TI	Num*4	HHMM	Hours and minutes in UTC
Vessel	Radio Call Sign	RC	Char*7	IRCS Code	International Radio Call Sign of the vessel
Registration	Vessel name	NA	Char*30		Name of the vessel
Details	Ext. registration	XR	Char*14		Side Number of the vessel
	Flag State	FS	Char*3	ISO-3166	State of registration
	Contracting Party internal ref. number	IR	Char*3 Num*9	ISO-3166 +max. 9N	Unique vessel number attributed by the flag State pursuant to registration
	Port Name	PO	Char*20		Port of registration of the vessel/homeport
	Vessel Owner	VO	Char*60		Name and address of the vessel owner
	Vessel Charterer	VC	Char*60		Name and address of the vessel charterer
Vessel Character. Details	Vessel capacity unit	VT	Char*2 Num*4	“OC”/“LC” Tonnage	According to: “OC” OSLO 1947 Convention /“LC” LONDON ICTM-69 Capacity of the vessel in metric tons
	Vessel Power unit	VP	Char*2 Num*5	0-99999	Indication of which measurement unit applies "HP" or "KW" Total main engine power
	Vessel Length	VL	Char*2 Num*3	“OA”/“PP” Length in meters	Unit “OA” length overall, “PP” length between perpendiculars Total length of the vessel in meters, rounded to the nearest whole meter
	Vessel Type	TP	Char*3	Code	As listed in Annex V.A.
	Fishing Gear	GE	Char&3	FAO Code	International Standard Statistical Classification of the Fishing Gear as Annex VI
	Limited Authorization	LU	Char*3	Yes or No	Yes or No to indicate whether a limited authorization is valid or not

Category	Data Element	Field code	Type	Contents	Definitions	
Activity Details	Latitude	LA	Char*5	NDDMM *WGS-84)	e.g. //LA/N6235 = 62°35' North	
	Longitude	LO	Char*6	E/WDDMM (WGS-84)	e.g. //LO/W02134 = 21°34' West	
	Latitude (decimal)	LT	Char*7	+/-DD.ddd	Value negative if latitude is in the southern hemisphere ¹ (WGS84)	
	Longitude (decimal)	LG	Char*8	+/-DDD.ddd	Value negative if longitude is in the western hemisphere ¹ (WGS84)	
	Trip Number	TN	Num*3	001-999	Number of the fishing trip in current year	
	Catch	CA	Species	Char*3	FAO species code 0-9999999	The cumulative catch retained on board by species, in kilogram live weight rounded to the nearest 100 Kg since the vessel entered the R.A. or since the last CAX report if such a report is sent, in pairs as needed.
	Quantity		Num*7			
	Quantity onboard	OB	Species	Char*3	FAO species Codes 0-9999999	Quantity onboard the vessel by species in kilograms live weight rounded to the nearest 100 Kg, in pairs as needed
	Quantity		Num*7			
	Transferred species	KG	Species	Char+3	FAO species Codes 0-9999999	Information concerning the quantities transferred between vessels by species in kilograms live weight rounded to the nearest 100 Kg, whilst operating in the R.A.
Quantity	Num*7					
Relevant Area	RA	Char*6	ICES/NAFO Codes	Code for the relevant fishing area		
Directed Species	DS	Char*3	FAO species codes	Code for the species the vessel is targeting. Allow for several species, separated by a space. E.g. //DS/species species species//		
Transhipped From	TF	Char*7	IRCS Code	International Radio Call Sign of the donor vessel		
Transhipped To	TT	Char*7	IRCS Code	International Radio Call Sign of the receiving vessel		
Master Name	MA	Char*30		Name of the vessels master		
Pilot Project	Apparent Infringement	AF	Char*1	Y or N	For onboard observer to report his observations	
	Discard	RJ	Species	Char*3	Detailed information regarding discard in kilograms live weight, in pairs as needed.	
	Quantity		Num*7			
	Undersize	US	Species	Char*3	Detailed information regarding undersize catch in kilograms live weight, in pairs as needed.	
	Quantity		Num*7			
	Daily catch	CA	Species	Char*3	FAO species code 0-9999999	The cumulative catch retained on board by species, in kilogram live weight rounded to the nearest 100 Kg since the vessel entered the R.A. or since the last CAX report if such a report has been sent, in pairs as needed.
	Quantity		Num*7			
	Mesh Size	ME	Num*3	0 – 999	Average mesh size in millimeters	
Production	PR	Char*3	Code	Code for the production Annex XXI (c)		
Log Book	LB	Char*1	Y or N	For onboard observer to approve the entries in the vessels log book		
Hails	HA	Char*1	Y or N	For onboard observer to approve the hails sent from the vessel		
Observer Name	ON	Char*30	Text	Name of the onboard observer		
Free Text	MS	Char*255	Text	Activity detail; for further comments by observer		

¹ The plus sign (+) does not need to be transmitted; leading zeros can be omitted.

D. 1) Structure of reports and messages as laid down in Annex IX and Annex X when forwarded by Contracting Parties to the Secretary.

Where appropriate, each Contracting Party shall retransmit to the Secretary reports and messages received from its vessels in accordance with Articles 21 and 22; subject to the following amendments:

- the address (AD) shall be replaced by the address of the Secretary (XNW)
- the data elements “record date” (RD), “record time” (RT), “record number” (RN) and “from” (FR) shall be inserted.

D. 2) Return messages.

If a Contracting Party so requests, the Secretary shall send a return message every time an electronic transmission of a report or message is received.

Return message format:

Data Element	Field Code	Mandatory/Optional	Remarks
Start Record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, Contracting Party sending the report
From	FR	M	Message detail; XNW is NAFO (who is sending the return message)
Type of message	TM	M	Message detail; message type RET for return message
Return Status	RS	M	Reporting detail; code showing whether the report/message is acknowledged or not (ACK or NAK)
Return error number	RE	O	Reporting detail; number showing the type of error: report/message unreadable (101), inconsistent data (102), sequence error (103)
Record number	RN	M	Reporting detail; record number of the report/message which is received
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of Record	ER	M	System detail; indicates end of the record

E. Types of reports and messages

Annex	Provisions	Code	Message / Report	Remarks
IV. A	Article 15	NOT	Notification	Notification of authorised fishing vessels
IX	Article 21(1)	ENT POS EXI	Entry Position Exit	VMS messages
	Article 21 (5)	MAN	Manual position	Reports transmitted by fishing vessels with a defective satellite tracking device to the Contracting Party
X	Article 22 (1a)	COE	Catch on Entry	Report transmitted by fishing vessels, prior to entering the R.A.
	Article 22 (1c)	TRA	Transshipment	Report on quantities on-loaded or off-loaded in the R.A.,
	Article 22 (1b)	COX	Catch on Exit	Report transmitted by fishing vessels, prior to leaving the R.A.
	Article 21 (1) Article 22 (2)	RET	Return	Automatic electronic message pursuant to reception of records
XXI (a)	1	CAX	Catch	Daily Catch report in Pilot Project
	2	OBR	Observer	Daily Observer report in Pilot Project

In the message template in Annex XXI (a) for the Observer report is a data element “Production” and in the Remarks column “code for the production”. There is no reference to where the codes are to be found. Therefore the following addition to Annex XXI is proposed.

Annex XXI (c)

Product form codes

Code	Product form
A	Round – Frozen
B	Round – Frozen (Cooked)
C	Gutted Head on – Frozen
D	Gutted Head Off - Frozen
E	Gutted Head Off – Trimmed – Frozen
F	Skinless Fillets – Frozen
G	Skin on Fillets - Frozen
H	Salted Fish
I	Pickled Fish
J	Canned Products
K	Oil
L	Meal Produced from Round Fish
M	Meal Produced from Offal
N	Other (Specify)

**Annex 7. Proposal by Canada for Modifications to the
NCEM to illustrate and describe Toggle Chains**
(STACTIC W.P. 04/25 – now FC Doc. 04/9)

EXPLANATORY MEMORANDUM

This paper proposes the creation of an annex to describe and illustrate toggle chains. Vessels fishing for 3L shrimp are required by Article 10, paragraph 7 of the NAFO Conservation and Enforcement Measures to use toggle chains that are at least 72 cm in length. This provision is in place to reduce the capture of unwanted groundfish bycatch by requiring a minimum spacing between the footrope and the fishing line of at least 72 cm. The proposed revision to Article 10, paragraph 7 is as follows:

7. Vessels fishing for shrimp in Division 3L or 3M shall use sorting grids or grates with a maximum bar spacing of 22 mm. Vessels fishing for shrimp in Division 3L shall also be equipped with toggle chains of a minimum 72 cm in length, **as described in Annex XXII.**

Annex XXII

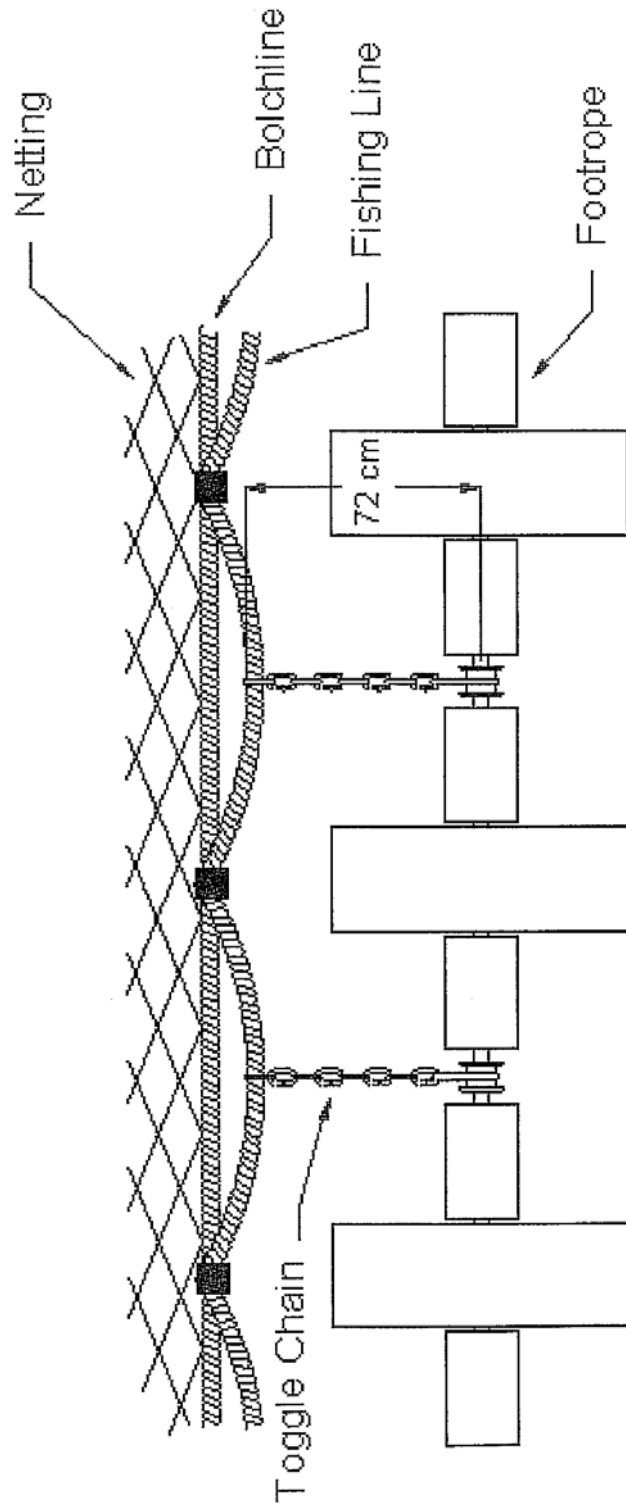
Shrimp Trawl Toggle Chains

Toggle chains are chains, ropes, or a combination of both, which attach the footrope to the fishing line or bolchline at varying intervals.

The terms “fishing line” and “bolchline” are interchangeable. Some vessels use one line only; others use both a fishing line and a bolchline as shown in the sketch.

The toggle chain length should be measured from the center of the chain or wire running through the footrope (center of footrope) to the underside of the fishing line.

The attached sketch shows how to measure the toggle and chain length.



Annex 8. Proposed Modifications of NAFO CEM Articles 18 (Product labeling) and 19 (Recording of catch and stowage) -Working Paper presented by Denmark (in respect of Greenland and Faroe Islands)
(STACTIC Working Paper 04/30, Revision 5 – now FC Doc. 04/10))

EXPLANATORY MEMORANDUM

The aim of the proposed modification is to ensure more effective inspection of fishing vessels at sea and in port by extending the provisions regarding product labelling and introducing the requirement for master of the vessels to keep stowage plans of the catch stored on board. It is also necessary to distinguish between catches taken inside and outside the NAFO Convention Area.

The Fisheries Commission agreed that the application of the measure shall be reviewed by STACTIC in 2006.

Article 18 is replaced by the following:

Article 18 – Product labelling

When processed all fish harvested in the Regulatory Area shall be labelled in such a way that each species and product category is identifiable. It shall also be clearly marked as having been caught in the Regulatory Area. Furthermore, all shrimp harvested in Division 3L and all Greenland Halibut harvested in Sub-area 2 and Divisions 3KLMNO shall be marked accordingly.

Article 19.4 replaced by the following article 19.4 and article 19.5 and 19.6 are added:

Article 19- Recording of catch and stowage

4. Fishing vessels shall record their cumulative production by species in a production logbook. It shall be updated every day for the preceding day reckoned from 0000 hrs (UTC) until 2400 hrs (UTC). The production logbook shall be kept on board until the vessel has been unloaded completely.
5. Taking into consideration the legitimate safety and navigational responsibilities of the master of the vessel, the following shall apply: Catches of the same species may be stowed in more than one part of the hold, but in each part of the hold where it is stowed it shall be kept clearly separate (for example by plastic, plywood, netting etc.) from catches of other species. Similarly all catches taken inside the NAFO Convention Area shall be stowed separately from all catches taken outside the area.
6. Fishing vessels shall keep a stowage plan that shows the location of the different species in the holds as well as the quantities of such species on board in product weight stated in kilograms. It shall be updated every day for the preceding day reckoned from 0000 hrs (UTC) until 2400 hrs (UTC). The stowage plan shall be kept on board until the vessel has been unloaded completely.

**Annex 9. Proposal by Iceland for amendments to the NAFO Conservation
and Enforcement Measures re Inspection Protocol**

(STACTIC Working Paper 04/31, Rev. 2 – now FC Doc. 04/11)

Background

The changes to these paragraphs are meant to ensure the continuity of inspections of vessels that have been cited cf. paragraph 2 of the same article. The proposal is in the first place aimed at making it possible for the inspector that makes the citation to stay onboard the vessel until it is certain that an inspector from the Flag Contracting Party is present and in a position to inspect the vessel. Secondly the inspector is allowed to stay onboard while the Contracting Party inspector conducts a follow up inspection. This makes the whole procedure more transparent and excludes the opportunity to alter the situation onboard between the citation and the inspection by the Flag Contracting Party inspector. By sharpening of the wording of the article the effectiveness and continuity of the procedure laid out in this article is more secure.

To enable the fishing vessel to resume its normal fishing operation after an inspection has been completed and possible evidences sealed or saved, one sentence has been added to paragraph 6 to facilitate for that.

The current reading of paragraph 8 is that inspectors from other Contracting Parties are allowed to board and remain onboard while the vessel proceeds to port pursuant to paragraph 7. The change in the wording of paragraph 8 is only to underline that the inspector that made the citation is allowed to remain onboard during that time as well.

Article 32 paragraphs 5, 6 and 8 shall read as follows:

5. The inspector is entitled to remain on board the vessel for the period necessary to provide information to the authorised inspector concerning the infringement. During this time, the inspector shall complete the inspection and, within a reasonable period of time, communicate with an inspector or competent authority of the Contracting Party of the inspected vessel. Following the arrival of the Contracting Party inspector, the inspector may remain aboard the inspected vessel while the Contracting Party inspector conducts an inspection, provided that the competent authority of the Contracting Party of the inspected vessel does not require the inspector to leave the vessel.
6. As long as the inspector remains aboard, the master may not resume fishing until the inspector is reasonably satisfied, as a result of either the action taken by the vessel's master or the inspector's communication with an inspector or competent authority of the Contracting Party of the inspected vessel, that the infringement will not be repeated. However, in cases where the inspector is unable to communicate with the authority of the Contracting Party of the inspected vessel, the master may resume fishing as soon as the inspector has completed the inspection and secured evidence according to paragraph 4.
8. When a vessel is required to proceed to port pursuant to paragraph 7, an inspector from another Contracting Party may board and/or remain on board the vessel as it is proceeding to port, provided that the competent authority of the Contracting Party for the inspected vessel does not require the inspector to leave the vessel.

Annex 10. Precautionary Approach Framework (Proposal by Canada)
(STACTIC Working Paper 04/10, Rev. – now FC Doc. 04/12)

Canada endorses the application of a precautionary approach framework that can be used by the Fisheries Commission to make decisions for NAFO-managed stocks.

Canada proposes the practical implementation of the PA, by the Fisheries Commission, on selected stocks to ensure there is a sound understanding of the aspects of moving forward within the proposed framework.

It is suggested that the outcomes from the evaluation of these selected stocks be used to guide the Fisheries Commission regarding the most appropriate application of the framework to all NAFO stocks.

Canada proposes that the Scientific Council be requested to provide their advice for selected stocks in 2005 within the PA framework. The SC should be further requested to provide a description of how the advice using the PA framework differs from advice provided in the traditional manner.

With this in mind it is proposed that the implementation of the PA to be considered for the following stocks:

- Yellowtail flounder in Divisions 3LNO
 - a data rich stock in good health
 - general production based assessment
 - managed by TAC/Quota

- Shrimp in Division 3M
 - a data poor stock in good condition
 - managed by effort controls

Annex 11. Statement of the United States regarding Conservation and Management of Yellowtail Flounder in Division 3LNO

Thank you, Mr. Chairman.

NAFO has accomplished much important business this week. It is now the first regional fishery management organization in the world to impose conservation and management measures for an elasmobranch species, thorny skates. The United States has been seeking this for many years. NAFO has also initiated management on other unregulated stocks, and taken steps to move forward with the precautionary approach.

It should come as no surprise, however, to those who have watched and worked with our delegation over the years that we have been at NAFO, that we are deeply disappointed that NAFO, once again, has failed to acknowledge the legitimate interests of the United States by providing its fishing industry a reasonable, practical opportunity to pursue a NAFO fishery.

The United States clearly meets relevant criteria. We are a coastal state. We have a tradition of fishing in this area and for this stock. We have contributed significantly to the science that supports NAFO and the management of this stock. We are the second-largest financial contributor to NAFO.

And there can be no doubt about the health and productivity of this stock. The recovery of yellowtail flounder in Division 3LNO is one of the great success stories of which NAFO should justly be proud. A fishery management organization that unduly restricts the utilization of a stock, after the painful price of recovery has been paid and stock rebuilding achieved, is not serving its members, our fishermen, and our fishing economies. This kind of restriction undermines the credibility of a responsible fishery management organization.

The United States believes that our proposal for the management of yellowtail flounder was reasonable, prudent, conservative and precautionary. We heard objections that it was inconsistent with scientific advice. That is clearly not true. The Scientific Council analyzed alternative fishing mortality rates, and concluded at even at the highest rate analyzed, the chance of the stock falling below its B_{msy} at any time in the next 14 years is less than 12%.

We heard objections that harvests need to be limited because of bycatch considerations. But bycatch is an acknowledged problem in many fisheries, including some for which we provided new fishing authorizations today. Why single out yellowtail to special concern. Why allege that this is a priority when at the same time NAFO data indicates that thousands of tons of moratorium species are being taken in other NAFO fisheries. There is a question of logic and equity here that strains belief.

We also heard objections that the U.S. proposal was somehow a surprise. This one hurts most, because it implies that our government has been less than forthcoming with our partners. Let me assure everyone here today that nothing could be further from the truth with regard to our intentions. For the past two years we have been urging NAFO to allow fishermen to begin to reap the benefits of the yellowtail flounder recovery by increasing the target fishing mortality rate. Last year, we successfully urged the Scientific Council to analyze the impacts and harvest levels that would be associated with specific target fishing mortality rates. We all received that advice, and it was publicly known and discussed. To imagine that we -- or some other party -- would not take advantage of this scientific advice and propose that we all have the opportunity to begin reaping the benefits of a conservative management program, is completely unbelievable.

We heard that scientific advice needs to be followed, and yet many of our decisions today have departed from scientific advice. We heard that allocation keys could not be revised, and yet we have today revised allocation keys. And why would these be done? Because parties had requirements that needed to be met in order to have an effective management system among equal, sovereign states. Almost every party's needs were able to be addressed, with the outstanding exception of the United States.

Mr. Chairman, this is patently unfair. It is not worthy of an organization such as NAFO to treat a party who has made so many contributions, who is a coastal state, and who has a tradition in this fishery, with such cavalier rejection.

Mr. Chairman, as we have noted to our colleagues in the past, the United States, as any other party, has many priorities. We all allocate our limited and precious time and our energy and resources to those priority issues where our interests are most at stake. It is becoming increasingly clear to us that for the United States, NAFO may not be such a priority. The unfortunate action that NAFO is taking today only serves to strongly reinforce this impression.

We continue to wish NAFO and our colleagues well. We genuinely appreciate the efforts of the Canadian government and its industry to work with us to find a solution to this problem. Unfortunately we were unable to do so, and the ultimate results are unfair, unreasonable, and simply unacceptable to the United States.

Annex 12. Denmark (in respect of Faroe Islands and Greenland) Intervention on 3L Shrimp

Mr Chairman,

Our delegation has been discussing with other delegations on the issue of the allocation of shrimp in 3L. As you know, we do not have what we can call an allocation key for this stock. We have an unsatisfactory ad hoc arrangement of equal portions to 15 Contracting Parties in the NRA, with 5/6 of the TAC going to Canada as coastal state.

We have during this meeting been trying to gauge the level of concern and interest among Contracting Parties in resolving this issue. It is a problem not just for this Contracting Party, but for all Parties as members of NAFO.

I won't dwell on the details of our grievances, Mr Chairman, you have all heard them many times.

We would like to offer to the Commission a proposal for a way forward on the allocation of shrimp in 3L (FC Working paper 04/20). We do this in the spirit of compromise and with a genuine desire to see a final resolution of this issue.

We remain steadfast in our view that catch history must be the main criterion for allocation in the NRA, but we are of course also sensitive to the entitlements that other Contracting Parties have become accustomed to since 2000.

In short, this proposal is to postpone the decision on the TAC and its division and allocation until after this year's Oct/Nov meeting of the Scientific Council, which will be requested to deliver new advice for 2005.

A process of gradual reallocation would result form an increase in the TAC, firstly addressing the level of the share to DFG with an amount of 1000 t, then addressing the coastal state share in proportion to this adjustment. Additional increase would be divided between the coastal state and the NRA in the fixed proportion. Further increase in the share to the NRA over and above the 1000 t to DF would be divided proportionally between all Contracting Parties with shares in the NRA.

This may sound complicated, but in fact we believe this way forward is a simple transparent procedure to rectify the situation. The pace at which it can be implemented will of course depend on the level of any increase in the TAC. We are not trying to pre-empt the scientists, but all indications are that the stock is in good shape and that we can all look forward to benefiting from the further development of the shrimp fishery in 3L.

This optimistic outlook, Mr Chairman, gives us now an excellent opportunity to correct the mistake made by this Commission in 1999 in a pragmatic and rational way.

Annex 13. Proposal by Canada for 3O Redfish
(FC Working Paper 04/18, Revised – now FC Doc. 04/15)

During 2002 the Scientific Council recommended that an initial conservation measure should be to bring this stock under a quota management regime that is applicable throughout the stock area.

During the 2004 WG on the Management of 3O Redfish the United States, Japan and Canada suggested that the Fisheries Commission should consider a TAC for this stock in the range of 13,000 to 20,000 t.

It is proposed that a Total Allowable Catch of 20,000 t be established for 3O Redfish for three years (2005-2007).

Standard allocation criteria suggest a substantial allocation for Canada. These are: Coastal state status, percent biomass inside and outside Canada's 200 mile EEZ, coastal community dependence and contribution to science and enforcement.

In an effort to provide a compromise position on this issue Canada is prepared to forego its claim related to these basic criteria.

Canada currently has set a TAC of 10,000 t for this stock. However, Canada is prepared to accept a downward adjustment to an amount that reflects the average proportion of the entire harvest during the past decade.

Therefore the following allocations are proposed:

Country	Allocation
Canada	6000
EU	7000
Japan	150
Korea	100
Russia	6500
Others	250

The allocations for the EU, Russia and others also generally reflect fishing patterns of the recent period.

Annex 14. Proposal by Canada for 3LNO Skates
(FC Working Paper 04/17 – now FC Doc. 04/14)

Canada proposes that a Total Allowable Catch of 13,500 t be established for 3LNO Skates for 3 years (2005-2007).

Canada proposes, based on standard allocation criteria (Coastal state status, percent biomass inside and outside Canada's 200 mile EEZ, coastal community dependence and contribution to science and enforcement, catch history), the following allocations:

Country	Allocation
Canada	2250
EU	8500
Russia	2250
Others	500

Annex 15. United States Statement regarding Skates in Division 3LNO

The United States is pleased that NAFO has decided this year to initiate regulation of thorny skate catches from Div. 3LNO, thereby taking the lead in international management of elasmobranchs (sharks, skates and rays). These are unique resources that are seriously overfished. Their vulnerable life histories make them particularly prone to decline from overfishing. FAO and other international organizations have strongly urged States and regional fisheries management organizations to take action to protect these species. NAFO is the first regional fishery management organization to take this kind of action for an elasmobranch species.

I must say that we are disappointed, however, that the 13,500 t TAC for this vulnerable species was set above the Scientific Council's advice for a maximum catch limit (11,000 t in 2005 and 2006). We are also disappointed that this recommendation is for three years rather than the two recommended by the Scientific Council. Considering that skates' life history characteristics lead to low resilience to fishing mortality, the United States is concerned that the NAFO skate TAC for 2005-2007 is not sufficiently precautionary and that three years is too long to maintain a TAC at levels in excess of scientific advice.

The Scientific Council reported that thorny skate biomass in Div. 3LNO markedly declined from 1985 to 1994 and has since remained low. Abundance on the Grand Bank is currently near a historic low and the stock is now concentrated on the southwestern part of the Grand Bank, a phenomenon similar to that observed for northern cod just prior to collapse. This "hyper-aggregation" leaves thorny skates increasingly vulnerable to exploitation.

The FAO *International Plan of Action for the Conservation and Management of Sharks*, recommends application of the precautionary approach to ensure sustainable catches of sharks, skates, rays and chimaeras with special attention to vulnerable or threatened stocks of these species.

We have taken important, landmark action today. It is extremely disappointing that we did not do more.

Annex 16. Proposal by Canada for 3NO White Hake
(FC Working Paper 04/19, Revised – now FC Doc. 04/16)

During 2004 the Scientific Council reported that to avoid potential overfishing and bycatch problems, catches in the directed fishery for white hake should be limited to catches of the recent two years which averaged 5800 t. This average was based on catch estimates as used by Scientific Council. A similar calculation, based on official NAFO statistics, results in an average of 6250 t.

It is proposed that a Total Allowable Catch of 8500 t be established for 3NO White Hake for three years (2005-2007).

Canada proposes, based on standard allocation criteria (Coastal state status, percent biomass inside and outside Canada's 200 mile EEZ, coastal community dependence and contribution to science and enforcement, catch history), the following allocations:

Country	Allocation
Canada	2500
EU	5000
Russian Federation	500
Others	500

Annex 17. CEM Annexes I.A, I.B, I.C

**Annex I.A
Annual Quota Table**

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2005 of particular stocks in Subareas 1-4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Species	Cod			Redfish				American plaice		Yellowtail	Witch	
	3L	3M	3NO	3LN	3M	3O	Sub-Area 2 and Div. 1F+3K	3LNO	3M	3LNO	3L	3NO
Canada		0	0	0	500	6000	1000 ^{2,4}	0	0	14624 ⁵		0
Cuba		0	-	0	1750		1000 ^{2,4}	-	-	-		-
Denmark (Faroe Islands and Greenland)		0	-	-	69		25000 ^{2,3}	-	-	-		-
European Union		0 ¹²	0 ¹²	0 ¹²	7813 ¹³	7000	<u>25000^{2,3}</u> 6500 ^{2,16}	0	0 ¹²	-		0 ¹²
France (St. Pierre et Miquelon)		-	-	-	69		1000 ^{2,4}	-	-	300 ⁵		-
Iceland		-	-	-	-		25000 ^{2,3}	-	-	-		-
Japan		-	-	-	400	150	1000 ^{2,4}	-	-	-		-
Korea		-	-	-	69	100	1000 ^{2,4}	-	-	-		-
Norway		0	-	-	-		25000 ^{2,3}	-	-	-		-
Russia		0	0	0	9137	6500	25000 ^{2,3}	-	0	-		0
Ukraine						150	1000 ^{2,4}					
United States of America		-	-	-	69		1000 ^{2,4}	-	-	-		-
Others		0	0	0	124	100	-	0	0	76 ⁵		0
TOTAL ALLOWABLE CATCH	*	*8	*	*	5000 ⁹	20000 ¹⁷	32500 ^{11,18}	*	*8	15000 ¹⁰	*	*8

Species	White hake	Capelin	Skates	Greenland halibut	Squid (Illex) ¹	Shrimp	
Division/Contracting Party	3NO	3NO	3LNO	3LMNO	Sub-areas 3+4	3L	3NO
Canada	2500	0	2250	2112	N.S. ⁶	10833	
Cuba		0		-	510	144	
Denmark (Faroe Islands and Greenland)		-		244	-	144	
European Union	5000	0 ¹²	8500	8254 ¹⁹	<u>N.S.</u> ⁶ 611 ¹⁴	720 ¹⁵	
France (St. Pierre et Miquelon)		-		230	453	144	
Iceland		-		-	-	144	
Japan		0		1443	510	144	
Korea		-		-	453	144	
Norway		0		-	-	144	
Russia	500	0	2250	1796	749	144	
Ukraine						144	
United States of America		-		-	453	144	
Others	500	-	500	0 ⁷	794	0	
TOTAL ALLOWABLE CATCH	8500¹⁷	*	13500¹⁷	14079	34000⁸	13000	*

* Ban on fishing in force – The provisions of Article 9, paragraph 3 shall apply.

1. Any quota listed for squid may be increased by a transfer from any “coastal state” as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.
2. The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.
3. Quota to be shared by vessels from Denmark (Greenland and Faroe Islands), European Union, Iceland, Norway and Russia. Catches in the NAFO Convention Area shall be deducted from the quotas allocated in the NEAFC Convention Area.
4. Quota to be shared by vessels from Canada, Cuba, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.
5. Contracting Parties shall inform the Executive Secretary before 1 December 2004 of the measures to be taken to ensure that total catches do not exceed the levels indicated.
6. The allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC (= 29.458 tons).

7. In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.
8. Applicable to 2005 and 2006.
9. Each Contracting Party shall notify the Executive Secretary every second week of catches taken by its vessels from this stock until accumulated reported catch reaches 50%, after which time weekly notification shall apply. Not more than 2500 tons may be fished before July 1, 2005. The Executive Secretary shall notify without delay all Contracting Parties of the date on which, for this stock, accumulated reported catch taken by vessels of the Contracting Parties is estimated to equal 50% and then 100% of the TAC.
10. The provisions of Article 9, paragraph 3 of the Conservation and Enforcement Measures shall apply.
11. In the case of the NEAFC decision which modify the level of TAC for this stock in 2005 as compared to 2004, these figures shall be accordingly adjusted.
12. Including fishing entitlements of Estonia, Latvia, and Lithuania following their accession to the European Union and in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7).
13. Including allocations of 1571 tonnes each for Estonia, Latvia and Lithuania out of a sharing of 20,000 tonnes, following their accession to the European Union.
14. Allocations of 128 tonnes each for Estonia, Latvia and Lithuania as well as 227 tonnes for Poland out of a TAC of 34,000 tonnes, following their accession to the European Union.
15. Including allocations of 144 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 13000 tonnes, following their accession to the European Union
16. Allocation of 5800 tonnes for Lithuania and 700 tonnes to Latvia following their accession to the European Union.
17. Applicable to 2005, 2006, and 2007.
18. The quota shares in footnotes 4 and 16 can only be fished in the NAFO Regulatory Area. If an increase in the overall TAC as defined in footnote 11 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share referred to in footnote 4.
19. Including an allocation of 461 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.

Annex I.B
Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2005

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

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

Annex I.C
Rebuilding Plan for 3LMNO Greenland Halibut

Species	Greenland halibut	Greenland halibut	Greenland halibut	Greenland halibut
Division/ Contracting Party	3LMNO 2004	3LMN O 2005	3LMNO 2006	3LMNO 2007
Canada	2223	2112	2056	1778
Cuba	-	-	-	-
Denmark (Faroe Islands and Greenland)	-	244	238	206
European Union	8203	8254 ³	8038 ⁴	6951 ⁵
France (St Pierre et Miquelon)	-	230	224	194
Iceland	-	-	-	-
Japan	1519	1443	1405	1215
Korea	-	-	-	-
Norway	-	-	-	-
Russia	1890	1796	1748	1512
Ukraine	-	-	-	-
United States of America	-	-	-	-
Others	985 ¹	0 ²	0 ²	0 ²
TOTAL ALLOWABLE CATCH	14820	14079	13709	11856

¹ Of which no more than 60% may be fished before 1 May in each year.

² In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.

³ Including an allocation of 461 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

⁴ Including an allocation of 450 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

⁵ Including an allocation of 389 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

**Annex 18. Fisheries Commission's Request for Scientific Advice on Management in 2006
of Certain Stocks in Subareas 2, 3 and 4**

(FC W.P. 04/22, Revised – now FC Doc. 04/7)

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 2005 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 2006:

Shrimp (Div. 3M, 3LNO)
Greenland halibut (Subarea 2 and Div. 3KLMNO)

2. The Fisheries Commission with the concurrence of the Coastal State as regards shrimp in Div. 3LNO requests Scientific Council, at its meeting of November, 2004 in review of the most recent data to provide advice concerning the scope for an adjustment to the TAC for 2005 from the currently advised level of 13,000 t.
3. 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 2005 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; Div. 3O)
Yellowtail flounder (Div. 3LNO)
American plaice (Div. 3LNO; Div. 3M)
Witch flounder (Div. 2J3KL; Div. 3NO)
Skates (Div. 3LNO)
Capelin (Div. 3NO)
Northern Shortfin Squid (Subareas 3 and 4)

- In 2004, advice was provided for 2005 and 2006 for cod in 3M, American plaice in 3M, yellowtail flounder in 3LNO, witch flounder in 3NO and northern shortfin squid in SA 3&4. These stocks will next be assessed in 2006.
- In 2005, advice will be provided for 2006 and 2007 for cod in 3NO, American plaice in 3LNO, witch flounder in 2J3KL, redfish in 3M, redfish in 3LN, redfish in 3O and capelin in 3NO. These stocks will next be assessed in 2007. For redfish in Div. 3O the Scientific Council is requested to also provide its advice in the context of the 3-year management plan.

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.

4. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2005 Annual Meeting, to provide advice on the scientific basis for the management of white hake in Div. 3NO including recommendations regarding the most appropriate TAC for 2006 and 2007 in the context of the 3-year management plan. This stock will be assessed in alternate years thereafter.
5. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2005 Annual Meeting, to provide information on the status of the Greenland halibut in SA 2+ Div. 3KLMNO in relation to the Rebuilding Strategy including commentary on progress in relation to targets described in the Strategy.

6. 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_{2004} in 2006 and subsequent years should be evaluated. The present stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.
 - c) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the level of fishing effort or fishing mortality (F) required to take two-thirds MSY catch in the long term should be calculated.
 - d) For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.
 - e) Spawning stock biomass levels considered necessary for maintenance of sustained recruitment should be recommended for each stock. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing reproductive potential of the stock, management options should be offered that specifically respond to such concerns.
 - f) Information should be provided on stock size, spawning stock sizes, recruitment prospects, fishing mortality, catch rates and TACs implied by these management strategies for the short and the long term in the following format:
 - I. For stocks for which analytical-type assessments are possible, graphs should be provided of all of the following for the longest time-period possible:
 - historical yield and fishing mortality;
 - spawning stock biomass and recruitment levels;
 - catch options for the year 2006 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.

7. Noting the Precautionary Approach Framework as endorsed by Fisheries Commission, the Fisheries Commission requests that the Scientific Council provide the following information for the 2005 Annual Meeting of the Fisheries Commission for the following stocks under its responsibility requiring advice for 2006: yellowtail flounder in Div. 3LNO, Shrimp in Div. 3M
 - a) the limit and precautionary reference points as described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (for those stocks for which precautionary reference points cannot be determined directly, proxies should be provided);
 - b) the stock biomass and fishing mortality trajectory over time overlaid on a plot of the proposed PA Framework (for those stocks where biomass and/or fishing mortality cannot be determined directly, proxies should be used);
 - c) information regarding the current Zone the stock is within as well as proposals regarding possible harvest strategies to move the resource to (or maintain it in) the Safe Zone including medium term considerations and associated risk or probabilities which will assist the Commission in developing the management strategies described in paragraphs 4 and 5 of Annex II in the Agreement.
 - d) A description of the advice using the Precautionary Framework differs from advice provided in the traditional manner.
8. The following elements should be taken into account by the Scientific Council when considering the Precautionary Approach Framework:
 - a) References to “risk” and to “risk analyses” should refer to estimated probabilities of stock population parameters falling outside biological reference points.
 - b) Where reference points are proposed by the Scientific Council as indicators of biological risk, they should be accompanied by a description of the nature of the risk associated with crossing the reference point such as recruitment overfishing, impaired recruitment, etc..
 - c) When a buffer reference point is proposed in the absence of a risk evaluation in order to maintain a low probability that a stock, measured to be at the buffer reference point, may actually be at or beyond the limit reference point, the Scientific Council should explain the assumptions made about the uncertainty with which the stock is measured.
 - d) Wherever possible, short and medium term consequences should be identified for various exploitation rates (including no fishing) in terms of yield, stability in yield from year to year, and the risk or probability of maintaining the stock within, or moving it to, the Safe Zone. Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the trends in biomass (or spawning biomass), the risks of stock collapse and recruitment overfishing, as well as the risks of growth overfishing, and the consequences in terms of both short and long term yields.
 - e) When providing risk estimates, it is very important that the time horizon be clearly spelled out. By way of consequence, risks should be expressed in timeframes of 5, 10 and 15 years (or more), or in terms of other appropriate year ranges depending on stock specific dynamics. Furthermore, in order to provide the Fisheries Commission with the information necessary to consider the balance between risks and yield levels, each harvesting strategy or risk scenario should include, for the selected year ranges, the risks and yields associated with various harvesting options in relation to Blim, and Flim and target F reference points selected by managers.

9. Many of the stocks in the NAFO Regulatory Area are well below any reasonable level of Blim or Bbuf. For these stocks, the most important task for the Scientific Council is to inform on how to rebuild the stocks. In this context and building on previous work of the Scientific Council in this area, the Scientific Council is requested to evaluate various scenarios corresponding to recovery plans with timeframes of 5 to 10 years, or longer as appropriate. This evaluation should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, including information on the consequences and risks of no action at all.
 - a) information on the research and monitoring required to more fully evaluate and refine the reference points described in paragraphs 1 and 3 of Annex II of the Agreement; these research requirements should be set out in the order of priority considered appropriate by the Scientific Council;
 - b) any other aspect of Article 6 and Annex II of the Agreement which the Scientific Council considers useful for implementation of the Agreement's provisions regarding the precautionary approach to capture fisheries; and
 - c) propose criteria and harvest strategies for new and developing fisheries so as to ensure they are maintained within the Safe Zone.
10. 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.
11. Regarding redfish in Divisions 3L, 3N and 3O, Scientific Council is requested to review all available information and provide advice regarding whether the current management units (3LN and 3O) or any alternative may be the most appropriate.

PART II

Report of the Standing Committee on International Control (STACTIC)

**26th Annual Meeting, 13-17 September, 2004
Dartmouth, Nova Scotia, Canada**

1. Opening of Meeting

The Chairman, Martin Newman (EU), opened the meeting and welcomed delegates on September 13, 2004 at 10:10 am. There were no opening statements.

2. Appointment of Rapporteur

Mr. Robert Fagan (Canada) was appointed rapporteur.

3. Adoption of Agenda

The Agenda was adopted as modified (Annex 1). It was agreed, as proposed by the USA, to add an agenda item re SCS Doc. 00/23 (FC Doc. 03/18) – Consideration of Possible Options to Provide Observer Data to the Scientific Council.

Chair advised that Fisheries Commission (FC) has requested STACTIC provide clarification on interpretation of rules governing charter arrangements.

4. Review of Annual Returns of Infringements including review of disposition of outstanding infringements by Contracting Parties FC Doc 04/5 (Revised); STACTIC W.P. 04/9

The Secretariat introduced NAFO FC Doc. 04/5 (revised).

5. Review of Surveillance and Inspection Reports

Two papers were distributed under this agenda item - STACTIC W.P. 04/23, the Canadian report on surveillance activities and inspections in the NRA and STACTIC W.P. 04/12, the annual return of surveillance and enforcement.

6. Review of Operation of Automated Hail/VMS System

STACTIC W.P 04/20, prepared by the Secretariat, was circulated to delegates and detailed the status of messages submitted to the Secretariat either manually or automatically for the period January-August 2004. W.P. 04/20 appeared self-explanatory and the small gaps in data were noted including:

- missing Canadian Catch on Exit (COX) report
- missing entry (ENT) and exit (EXI) report for EU/Germany
- missing ENT and EXI report for EU/Portugal

The EU stated that Germany did not fish in the area in this period and would gather details on the remaining other data gaps. Canada noted it would also investigate the missing Canadian report.

7. Review of Compliance

The review was undertaken in accordance with the terms of reference outlined in W.P.02/14. The thirteen tables that had been compiled by the Secretariat formed the basis of the Compliance Review.

Canada made supplementary presentation on compliance in 2003, including recommendations to address non-compliance. (see details in STACTIC W.P.04/32 Revised 2)

The EU also made a supplementary presentation on compliance (STACTIC W.P. 04/22) which provided an overview of citations for infringements issued each year from 1994-2003. The EU presentation also included information on inspections conducted by Canada on EU vessels in 2004 and noted that most infringements issued were not confirmed by EU inspectors.

The EU also stated that 70% of the citations for infringements issued to their vessels in 2004 had resulted from port inspections.

The Contracting Parties agreed that STACTIC W.P. 04/32 (Revised 2) be presented to Fisheries Commission.

8. Harmonization of Reports **STACTIC W.P.04/3 (Rev.2); STACTIC W.P. 04/13; STACTIC W.P. 04/14**

At the Copenhagen meeting in June, 2004, the delegate of Iceland presented a proposal developed jointly with Denmark (in respect of the Faeroe Islands and Greenland) and Norway to harmonize the VMS message format and reports by fishing vessels consistent with the formats used in NEAFC. Following a number of small amendments, it was agreed to recommend the proposal to the Fisheries Commission for adoption. (STACTIC Working Paper 04/3-Revised 3). The Secretariat provided cost implications of this recommendation (STACTIC W.P. 4/13) which have been forwarded to STACFAD.

It was noted that the NAFO and NEAFC Secretariats had agreed to jointly create a new public website on the North Atlantic format. The Secretariats will continue discussions on developing this site to ensure harmonization. STACTIC recommends that a joint NAFO/NEAFC group of experts be appointed to oversee the North Atlantic format. A similar recommendation has been made by the control group of NEAFC (PECCOE).

Concerning their proposal (STACTIC W.P. 04/14), Norway proposed that discussion be deferred at present to allow for technical discussion at NEAFC.

9. Update Regarding Participation in Pilot Project **STACTIC W.P. Paper 04/15, STACTIC W.P. Paper 04/17** **STACTIC W.P. Paper 04/21 STACTIC W.P. Paper 04/26**

The Secretariat provided further update (STACTIC W.P. Paper 04/15) as requested by STACTIC in June. Tables were included to provide details and ongoing progress of project. Norway provided details of its participation in pilot project and noted they will place priority on analyzing reports received next year.

Iceland presented their review of the pilot project (STACTIC W.P. 04/21) and noted the challenge presented by a fishery that occurs in multiple Regulatory areas and suggested that some flexibility in requirements is needed. It is difficult to ensure 50% observer coverage at any one time but can be done over a period of time.

Iceland stated that with regard to testing of communications, it was not necessary to test communication from each vessel. These are already tested and testing is required in the beginning of the project for communication between the Fisheries Monitoring Centre to the Secretariat and from the Secretariat to Contracting Parties.

A discussion on testing requirements concluded that, in practice, the experience has been positive. Several Contracting Parties acknowledged that the focus should be on the technical component and that the pilot project had only been in operation for a few months and it was too early to draw firm conclusions at this time.

10. Possible Amendments of Conservation and Enforcement Measures

A number of proposals were introduced for consideration.

- Norway introduced STACTIC W.P. 04/16 which proposed changes to Article 22 NCEM regarding rules for transshipment of fish. Some Contracting Parties expressed concerns about certain aspects of the text. Several Contracting Parties noted that compatibility with NEAFC rules is important. Norway informed the meeting that it had already sent a similar proposal to NEAFC for consideration. The Secretariat was asked to make inquiries with regard to the cost implications. Further discussion on proposal was deferred.
- Canada proposed amendments to Articles 13, 22 and 23 of the NCEM (authorization to fish, communication of catches and observer program (STACTIC W.P.04/28) which followed STACTIC W.P. 04/4. The paper presented a number of areas where no consensus had been possible or further clarification was required. Changes were proposed in some instances and in others differing opinions were expressed. Canada agreed to modify the proposal based on comments received and bring the paper forward for re-consideration by STACTIC. The EU recalled its position that the increase in catch reporting frequency by masters of vessels should be seen as a package with reduced observer coverage.
- Canada presented a discussion paper on the criteria for reduced observer coverage levels (STACTIC W.P. 04/29). Canada noted that the criteria were risk-based and proposed the establishment of a base level of coverage in accordance with the conservation risk in specific fisheries. This base level would then be adjusted according to the compliance levels on a fleet basis. The paper was intended to generate discussion by Contracting Parties. Other Contracting parties required additional time to consider the guidelines which were seen as complicated.
- Canada introduced a proposal for improvements to the existing NAFO port inspection program (STACTIC W.P. 04/27). A presentation was provided that explained the proposal called for enhanced port inspection procedures to focus on non compliant vessels in the NAFO Regulatory Area. Some Contracting Parties questioned if change was necessary as present scheme was working in a satisfactory manner and procedures seem to become more complicated and that they would take time to consider. EU provided updated information on non-compliance detected during port inspections. Russia inquired about permitted discrepancy between log and catch. EU stated logbook tolerance was 20% for most species but was under review. A number of Contracting Parties expressed concern about two-tiered inspections and the potential complications that may arise for resultant legal proceedings. Canada expressed its continuing concern for the inconsistencies between at sea inspections, observer/VMS reports and port inspections and suggested that a mechanism should be found to reconcile these differences.
- STACTIC W.P. 04/25, there was agreement by all Contracting Parties that the proposed provisions in regards to toggle chains should be presented to Fisheries Commission for adoption.
- STACTIC W.P. 04/30 Revised 3 - Denmark introduced a proposal for modifications to the NCEM in order to ensure more effective inspection of fishing vessels at sea and in port by extending provisions regarding labeling and requiring that fishing masters keep stowage plans of the catch stored on board.

Contracting Parties discussed of number of concerns with the proposal including:

- practical difficulties with sorting and stowage requirements
- potential impact on vessel stability
- recognized need for clearer definition of “clearly separated”

After discussion, a revised proposal was agreed for presentation to Fisheries Commission for adoption.

Denmark noted their reluctance to remove reference to product category as there was a lack of a standard definition for production logbook but did not wish to obstruct the process. Denmark proposed that the application of the measure be reviewed over time.

- STACTIC Working Paper 04/31 (Revised 2)
Iceland presented a proposal which aimed to clarify the rules with regard to inspectors remaining on board a vessel following an inspection where serious infringement was cited.

Contacting Parties agreed proposal be presented to Fisheries Commission for adoption.

- Russia proposed that there should be a discussion to clarify the time of prior notice of at-sea inspection. It was decided to discuss this matter at the intersessional meeting of STACTIC.

11. Review Increase of Inspection Presence in NAFO Regulatory Area including consideration of Article 36 of CEM

It was noted this item was discussed at STACTIC meeting in June. EU stated that improved co-operation and co-ordination was needed. EU suggested that there may be benefits derived from a workshop for inspectors from all Contracting Parties to discuss procedures currently in use for at-sea and in port inspections and examine ways to improve co-operation. All Contracting Parties supported the suggestion of a workshop for inspectors and EU agreed to host and co-ordinate and requested input from other Contracting Parties in preparing the Agenda for the workshop.

12. Continuation of intersessional discussion on Elaboration of a Scheme for Contracting Parties with content similar to that of Scheme for NCPs

It was noted this item was delayed pending outcome of work being conducted by STACFAC and the situation remained much the same as discussed in June, 2004. It was agreed that it would be difficult to proceed without a clearer mandate from Fisheries Commission.

13. Request Concerning SCS Doc. 00/23 (FC Doc. 03/18) – Consideration of Possible Options to Provide Observer Data to the Scientific Council.

Contracting Parties reviewed conclusion reached at STACTIC Meeting, June, 2004. The United States expressed some concern about postponement of this item pending the adoption of a revised observer scheme. After contact with Chair of Scientific Council (SC), the Chair reported that SC would appreciate the provision of data that should include catch and effort data for each haul, location (longitude and latitude), depth, time of net on bottom, catch composition and discards but that an electronic format was required. It was agreed to propose to Fisheries Commission that Contracting Parties be requested to submit such data to the Secretariat in an electronic format where possible.

14. Request from Fisheries Commission for Clarification on Interpretation of Time Period for Charter Arrangements.

It was noted that when 2004 NCEM came into force, notice of charter arrangement was required to be forwarded to the Secretariat. The request for clarification was centered on the six month time limit for charter arrangements. It was agreed that as the license to fish required a start date and end date, the intent of the regulation was clear. The consensus of the Contracting Parties confirmed the interpretation of the Secretariat that it was meant to indicate six consecutive months.

15. Time and Place of Next Meeting

Iceland stated they would be pleased to host the next Intersessional Meeting in Reykjavik, Iceland with date to be determined (April/May, 2005)

16. Adoption of Report

The Committee adopted the report.

17. Adjournment

Meeting adjourned at 4:00 pm on Thursday, September 16, 2004.

Annex 1. Agenda

1. Opening by the Chairman, M. Newman (EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Returns of Infringements including 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. Review of Compliance
8. Harmonization of Reports
9. Update regarding participation in Pilot Project
10. Possible amendments of Conservation and Enforcement Measures
11. Review increase of inspection presence in NAFO Regulatory Area including consideration of Article 36 of CEM
12. Continuation of intersessional discussion on Elaboration of a Scheme for Contracting Parties with content similar to that of Scheme for NCPs
13. Request Concerning SCS Doc. 00/23 (FC Doc. 03/18) – Consideration of Possible Options to Provide Observer Data to the Scientific Council
14. Request from Fisheries Commission for Clarification on Interpretation of Time Period for Charter Arrangements
15. Time and Place of Next Meeting
16. Adoption of Report
17. Adjournment