

Northwest Atlantic



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Annual Compliance Review - 2004

1. Introduction

In accordance with the terms of reference outlined in STACTIC W.P. 02/14 a review was undertaken by STACTIC in 2005 on compliance with the Conservation and Enforcement Measures (CEM) in 2004. It was acknowledged by delegations that the review process was valuable but would need to be developed with measurable parameters and improved upon in the light of discussions of the contracting parties.

Following the request from Contracting Parties at the intersessional STACTIC Meeting in Reykjavik in April 2005 for the Secretariat to provide more concise tables and analysis, data tables were prepared by the Secretariat and circulated to STACTIC participants (correspondence GF/05-222). These tables (STACTIC Working Paper 05/14), 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.

2. Preliminary Analysis of 2004 Compliance Data

The NAFO Secretariat provided a detailed explanation of the methodology for compilation during a presentation to the STACTIC working group. Furthermore, a written document (STACTIC Working Paper 05/24 – Revised) was provided outlining the Secretariat's Preliminary Analysis of Compliance Data from 2004. The analysis primarily focused on the administrative obligations of the Contracting Parties with some components and tables focusing on vessel compliance. Contracting Parties acknowledged the valuable work of the Secretariat in the data compilation and noted continuing improvement. The preliminary analysis provided by the Secretariat was presented in three parts. Firstly, a report on the obligations of the Contracting Parties; secondly, the catch and effort information from different sources were compared; and finally, information on the apparent infringements issued to individual vessels was presented.

The Secretariat encountered the following difficulties and problems during the compilation:

1. Data/Information from the Contracting Parties was not always available prior to the analysis date of July 31st, 2005
2. Inconsistency in the content of hail reports (cumulative versus non-cumulative catches)
3. Reports in a language other than English.

According to an analysis of the Infringement tables, it was noted that there were recurring incidents of citations issued at-sea for infringements in 2004 for the following:

- Gear requirements (mesh size/liners) (8)
- Vessel requirements (capacity plans and fish holds) (4)
- At-Sea Inspection Protocol (2)
- Directed fishing for moratorium species (2)
- VMS requirements (2)

Additionally there was single citations issued at-sea for:

- Misreporting catches
- Unauthorized fishing
- Quota Requirements
- By-catch provisions
- Product Labeling
- Observer requirements

Areas of apparent infringements issued* by port authorities included:

- Misreporting of catches (6)
- Gear Requirements (mesh size/liner) (3)
- Unauthorized fishing (1)
- By-catch Requirements (1)

(*Note: Some of these may have already been included also in the infringements detected at-sea (i.e. in port follow-up by the flag CP)

The Annual Compliance Review from 2003 indicated, with respect to vessel compliance, that there were recurring incidents of citations for the following:

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

It is noteworthy that several of the key areas for 2004 non-compliance were the same as those noted in 2003. Furthermore, there were recurring incidences noted in 2004 for violations related to the “at-sea inspection protocol” and the “vessel requirements”.

3. Additional Information

In addition to the presentation by the Secretariat, Canada provided a short presentation on compliance activities and observations in the NRA. Improvements in compliance in 2004 were noted in some areas. Notwithstanding these improvements, several areas of non-compliance were still a concern particularly the issue of misreporting (primarily GHL and lesser extent 3L Shrimp) especially in light of the Scientific Council’s statements pertaining to the significant overrun of the GHL quota in 2004 and the impact on the GHL rebuilding plan.

EU proposed that we move away from individual presentations and move forward with a constructive approach to an overall compliance review. The EU stressed the need to have a measurable and objective way to assess compliance.

Denmark (in respect of Faroe Islands and Greenland) stated that with the current data analysis it was difficult to determine if we were making progress with respect to vessel compliance. It was suggested that future compliance reports should be comprised of two parts. One part focusing on the requirements of Contracting Parties to provide reports and statistical information and the second component to focus on the aspect of vessel compliance with the NCEM both at sea and in port.

Norway indicated that when a Contracting Party had taken action concerning an infringement based on an observer report it should be reflected in the annual compliance report.

Contracting Parties discussed the need to determine the compliance of fishing vessels with the NCEM and to have a standardized methodology to do comparison with respect to relative compliance from year to year and the focus areas. The current data analysis does not focus enough on the areas of vessel non-compliance. Such an analysis would help Contracting Parties to develop control strategies. There is a requirement to develop methodologies that would permit broader application of data analysis to target vessel compliance in addition to the administrative reporting requirements. In this context the annual compliance report should contain both current and historic data such that trends can be observed.

4. Conclusions

Misreporting of catches and violation of gear requirements were the most prevalent forms of non-compliance observed in 2004. In this regard Contracting Parties took note of the statement by the Scientific Council that the Greenland Halibut quota was significantly overrun in 2004.

5. Recommendations

Contracting Parties must be diligent in ensuring that all reports are provided in a timely manner. In order for the Secretariat to provide meaningful preliminary data analysis for STACTIC members to review, they must have the data. Missing reports weaken the validity of any analysis. (The Secretariat indicated that if they receive all the necessary information by the end of January they can analyze the data and prepare tables prior to a June intersessional meeting of STACTIC).

STACTIC should adopt a standardized report format whereby the compliance report is composed of two parts, Part I being a report on Contracting Party administrative requirements and Part II being a report on vessel (master) compliance with the NCEM's.

STACTIC should provide clear direction to the Secretariat on how they wish the data analyzed and presented. This would ensure that the analysis is meaningful for the STACTIC committee and that the data/analysis can be compared from year to year.

STACTIC should determine measurable criteria for vessel compliance that can be utilized in a consistent manner and permit comparative analysis from year to year.

STACTIC should identify a peer group to assist the Secretariat with a preliminary review of the data analysis in advance of distribution of the final product. (It was decided that representatives from EU/CAN/DFG would comprise a working group).

STACTIC should adopt a system of incident numbering to avoid the double counting of Infringements when multiple inspecting parties issue citations for the same incident (e.g. Cdn – EU inspector's response to at-sea incidents). STACTIC requested that the Secretariat look into this type of system.

STACTIC should endeavour to carry out the annual compliance review at its intersessional meetings when Contracting Parties would have more time to focus on this exercise.