

Northwest Atlantic Fisheries Organization



Report of the Standing Committee on International Control
(STACTIC)

5-7 June 2007
Gdynia, Poland

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Report of the Standing Committee on International Control (STACTIC)

**5-7 June 2007
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1. Opening of the Meeting (Chair: Mads Nedergaard, DFG)

The Chairman opened the meeting at 9:15 am at the Sea Fisheries Institute, Gdynia, Poland and welcomed representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre-et-Miquelon), Iceland, Japan, Norway, Russia, the United States and the NAFO Secretariat to the STACTIC intersessional Meeting. (Annex 1)

No opening statements were made.

2. Appointment of Rapporteur

Mr. Brent Napier (Canada) was appointed rapporteur.

3. Adoption of Agenda

The Chair introduced the agenda and opened the floor to comments.

The representative of Norway re-introduced an agenda item on Port State Control that had been withdrawn from previous STACTIC agenda for inclusion under agenda item 10.

The representative of Canada proposed the following agenda items:

1. Recording of catch and stowage (Article 20), under agenda item 10 (iv);
2. Obligations of Vessel Masters During Inspections (Article 30), requiring vessel Masters to record tow information related to by-catch under agenda item 10 (iv);
3. Gear Requirements (Article 10), the prohibition of topside chafers as sanctioned gear in the NRA, under agenda item 10 (ii); and
4. An information paper on the retention and landing of vulnerable species of Wolffish (under agenda item 13).

The representative of Denmark (in respect of the Faroe Islands and Greenland) proposed the inclusion of agenda items on boarding ladders, as agenda item 10 (ii) and a definition of transshipment, under agenda item 10 (viii).

The NAFO Secretariat proposed the inclusion of a paper on improvement to data consistency between the catch databases of NAFO and the United Nation Food and Agricultural Organization (FAO) under agenda item 10.

The agenda as attached was adopted. (Annex 2)

4. Update regarding VMS service provider

The NAFO Secretariat introduced STACTIC WP 07/4 which provided a brief history of events and current status of the initiative. The update included information related to the establishment of a parallel NAFO VMS system, scheduled to begin July 1, 2007. The parallel system itself will be in place until the discontinuation of service by the former service provider (Trackwell) on January 1, 2008. The NAFO Secretariat indicated that there were issues requiring resolution prior to the commencement of the new contract, but all have been addressed and the contract with the new service provider (Sirius IT) was signed in April 2007. It is anticipated that the transition will be made as seamlessly as possible and that the only visible changes will be a new HTTP address and encryption protocol.

Representatives were satisfied with the report and the agenda item was closed.

5. Compilation of fisheries reports for compliance review 2005 and 2006

The Chair opened the agenda item by reminding representatives that this important STACTIC function had been postponed over the last two years due to a STACTIC decision to revamp the compliance report process and instruction by Fisheries Commission to focus on NAFO Reform issues. The Chair voiced concern over the lack of progress made by the working group established at the annual meeting in 2005 to reform the compliance review process, and indicated that future working groups on this matter would be best served by meetings of the participants rather than working via the internet.

The Chair indicated that in order to advance progress on this issue, he has worked closely with the NAFO Secretariat on a process, based in part on Canadian proposal 06/6, to develop some compliance data tables and corresponding options for their application.

The representative of the EU suggested that STACTIC clearly establish objectives prior to delving into the process, and also pointed out that the process could be made more effective by focusing on key objectives.

The Chair reinforced the fact that STACTIC was obligated to review compliance as part of its regular work but acknowledged that a modification of the current process was required, especially to monitor and identify issues with the newly adopted measures from the annual meeting in 2006. Accordingly, the Chair suggested the re-establishment of the working group. The Chair suggested that the working group should meet outside of the regular STACTIC meeting to prepare options/recommendations in advance of the 2007 annual meeting.

The representative of Canada agreed with the Chair's assessment that the compliance review was an essential and required part of STACTIC's work and indicated that Canada would be willing to participate in any re-established working group.

The Chair indicated that Denmark (in respect of the Faroe Islands and Greenland) would be prepared to host an extraordinary meeting in an effort to advance this important issue and opened the floor to comments.

The representative of the EU reiterated that succinct objectives should be established and any compliance review process should allow for clear conclusions, on the state of compliance, to be drawn.

It was agreed that the re-established working group will be made up of participants from Canada, the EU, Denmark (in respect of the Faroe Islands and Greenland), and France (in respect of St. Pierre-et-Miquelon) with the support of the NAFO Secretariat.

The NAFO Secretariat circulated draft compliance tables (STACTIC W.P. 07/7) to assist the working group in their work. The Chair directed the working group to refer to Canadian proposal 06/6 in the development of a compliance report that will identify trends and enable comparisons of compliance between years.

It was decided that the group would meet in Copenhagen prior to August 2007 to develop a draft compliance review report and recommendations to be presented to STACTIC at the annual meeting in 2007.

6. Pilot Project Evaluation (formerly Chapter VII – Pilot Project on Observers, Satellite Tracking and Electronic Reporting)

The Chair opened this agenda item and questioned the utility of conducting an evaluation of a pilot project that has already been adopted. As Article 57 of the NAFO Measures called for an evaluation, the Chair indicated that the NAFO Secretariat was asked to prepare supporting documentation.

The NAFO Secretariat introduced STACTIC WP 07/5 (Revised) and indicated that information was compiled to assist STACTIC with the evaluation in accordance with the five elements identified in Article 57 of the NAFO Measures.

The representative of the EU shared the Chair's view that this requirement had been overtaken by events and reminded parties that the entire scheme was subject to an ongoing evaluation, as part of STACTIC's regular

business and there was no need to single out individual elements, such as the adopted observer measures, for special evaluation.

The representative of Norway agreed with the assessment of the representative of the EU and also questioned the relevance of Article 53 (5), which calls for a balanced application of the measures, in light of the adoption of pilot project.

The representative of the EU recalled that Article 53 (5) was established to ensure a balanced application of the pilot project by participants between fisheries (e.g. groundfish and shrimp). The representative of the EU further elaborated by saying that this provision did not affect Contracting Parties involved in only one fishery.

The representative of Canada understood the representative of Norway's comment but pointed out that the intention of Article 53 (5) was still valid in the newly adopted measures, even if it did not apply in the case of all Contracting Parties.

The representative of the United States voiced the opinion that the elements called for within Article 57 should be revised to reflect the adoption of the new measures or eliminated from the NAFO Measures, to avoid confusion. The representative of the EU agreed with the appraisal of the situation made by the United States.

The representative of Iceland acknowledged, as drafters of the proposal called for the adoption of the pilot project, that given the circumstances surrounding the adoption of their proposals changes were required in the existing text.

The representative of Canada volunteered to redraft Article 57 in view of the issues with the existing text. The representative of Iceland indicated that they would collaborate with Canada on the re-draft. The representative of Canada presented the second draft. Suggestions from the EU and the United States were noted and Canada and Iceland committed to collaborating on a re-drafted proposal of STACTIC WP 07/17 to be discussed at the annual meeting.

7. Review of STACFAC's former mandate with regards to STACTIC's new role and responsibilities

The representative of the United States, as former Chair of STACFAC, provided some insight into the issues related to STACFAC's former mandate and informed STACTIC members that the primary duty in this regard was the review of Non-Contracting Party (NCP) activity and development of appropriate measures to address this activity. The representative of the United States went on to indicate that this duty could create workload issues and questioned whether a working group should be established to deal with former STACFAC items during times of enhanced NCP activity or if STACTIC's agenda's did not permit for full attention to STACFAC's former mandate. The representative of Iceland was in agreement and offered that a joint NAFO-NEAFC initiative, given shared membership, could be an option.

The Chair noted that NCP activity has diminished and indicated that the NEAFC Permanent Committee on Control and Enforcement (PECCOE) did not encounter workload issues while tackling both regular compliance and NCP issues. The representative of Norway added that tracking NCP activity is a preoccupation of most Contracting Parties anyway and STACTIC's work would be building on this ongoing activity.

The representative of Iceland, recognizing the 30 day objection period, questioned the significant delay between the placement of a vessel on the NEAFC IUU list in late 2006 and NAFO's inclusion of the vessel on its IUU list in 2007. The NAFO Secretariat indicated that, due in part to a new process and the fact that the measures, calling for harmonized NAFO-NEAFC IUU lists, did not come into affect until late 2006, the update to the NAFO list was delayed. The representative of Iceland remarked that unnecessary delays must be avoided as they reduce the effectiveness of the measures. The EU agreed with Iceland's assessment and indicated that the harmonization should be automatic.

The representative of the EU noted that STACTIC should have two main tasks with regards to NCP activity: maintain the IUU list and evaluate the implementation of the scheme. In addition, the representative of the EU suggested that it may be appropriate to consider a review of Chapter VI of the NAFO Measures to determine if amendments are necessary as recent occurrences, such as flag state inaction regarding a vessel on the IUU list, have

highlighted some shortcomings in the NCP schemes. As a further example of oversights in the NCP scheme the representative of the EU pointed to the lack of provisions to remove vessels from the IUU list that have been scrapped or sunk. The representative of the United States supported these comments. The Chair noted that there should be a way to remove vessels from the IUU list when proof of scrapping is received.

The Chair recommended that the mandate identified in the rules of procedure be refined and incorporated into the STACTIC mandate. The representative of the United States committed to providing a draft at the NAFO annual meeting.

8. Review of current IUU list pursuant to NAFO CEM Article 49.3

The Chair introduced the subject and indicated that as part of the new duties of STACTIC a review of the current IUU list was required. The Chair introduced STACTIC WP 07/6 prepared by the NAFO Secretariat.

The representative of the United States questioned whether there were NCP vessels identified in the NRA in 2007 and what, if any, vessels were currently on the provisional list. The Chair indicated that there were no vessels currently on the provisional list.

The item was closed, to be reviewed again at the NAFO annual meeting in 2007.

9. Report by Secretariat on feasibility and advantages of obtaining access to the Lloyd's Registry

The Chair opened the agenda item and requested that the NAFO Secretariat present STACTIC WP 07/8.

The NAFO Secretariat provided some background and outlined the various options available for obtaining access to Lloyd's Registry of vessels.

The representative of Norway indicated that Lloyd's had evolved from its early days as simply an insurance tool and was now useful for obtaining information and tracking vessels of interest. In addition, the representative of Norway indicated that Lloyd's information would be useful in assisting with the identification of vessels sunk or scraped and ultimately the updating of the NAFO IUU list should flag states fail to provide information.

The representative of the EU indicated that, as was the case for many Contracting Parties, the EU currently utilizes the Lloyd's registry and has most found it useful as a source of information.

The representative of the United States questioned whether this would be available, via the internet, to all Contracting Parties and indicated that, if funding was available, access to this registry could be a welcome source of additional information. The NAFO Secretariat indicated that the identified options only included single source access.

The representative of Iceland indicated that this was more of a NAFO management issue and, as many Contracting Parties have access and find value in the system, NAFO should likely have access as well. The representative of Norway supported Iceland's position.

The representative of Canada indicated that, although NAFO's exact need for access to the registry is unclear, it may be useful to acquire access on a temporary basis to evaluate its usefulness over the period of one year. The representative of the EU also questioned the NAFO Secretariat's need and whether a free trial was available. The NAFO Secretariat responded that the information would be relayed to Contracting Parties and also be used to update the website with pertinent information related to vessels on the IUU list.

Given the comments the Chair suggested the NAFO Secretariat obtain access for a temporary period of one year to assess the usefulness of the registry and return to the next STACTIC intersessional with a report on its experiences. There was consensus among representatives on this approach and the item was closed.

10. Possible Amendments to the Conservation and Enforcement Measures

i. Product labelling by species/stock area

The Chair introduced the agenda item and indicated that this issue revolved around Article 19 and elements discussed in STACTIC WP 05/33 and FC Doc 06/12.

The representative of the EU indicated that this issue had been partially addressed in measures adopted at the 2006 annual meeting and that there existed an interpretational concern that needed to be addressed. The representative of the EU brought attention to the fact that Article 19 required a review to correct such items as the reference to Greenland halibut in 3KLMNO, when the actual divisions listed in annex 1.A. are 3LMNO.

STACTIC WP 07/13 (Annex 3) was presented and briefly explained by the representative of the EU. The representative of Iceland questioned why production dates were not included in the proposal and the representative of the EU indicated that this would be difficult for vessels to apply and unnecessary as the fish was frozen and other indicators acceptable to industry, such as week or month, were utilized.

The representative of Canada indicated that there were many positive elements in the EU proposal, however cautioned that it could be seen as a step backwards, as the proposal called for an amendment to a newly adopted measure. Given the circumstance the representative of Canada recommended that the proposal be conditionally accepted and evaluated after one year. The representative of Iceland concurred with this position.

The representative of the EU indicated that, given the logistical impact on the fishing industry, a reasonable transition period should be provided. The representative of Canada suggested that the proposed measures commence July 1, 2008.

The conditional proposal was accepted by STACTIC and will be tabled at the Fisheries Commission during the annual meeting in 2007 for consideration.

ii. Strengthening ropes, bags, topside chafers

The Chair provided a quick update of the issue and asked Canada to present STACTIC WP 07/11.

The representative of Canada provided a synopsis of its proposal to modernize the NAFO measures by prohibiting the use of topside chafers. As explained by Canada the use of stronger, more buoyant man-made net materials coupled with changes in fishing practices, specifically the move away from side trawling, has effectively eliminated the need for topside chafers. The representative of Canada elaborated by saying these devices currently authorized within the NRA may limit escapement possibilities for juvenile fish and other restricted catch.

The Chair acknowledged that the authorized gear types referred to in the NAFO Measures originated in the former ICNAF measures and that the circumstance within the NRA have changed since those measures were originally adopted.

The proposal was supported by the representatives of Japan and the United States. The representative of Norway noted that situations may differ in the domestic fisheries.

The representative of the EU welcomed the Canadian proposal and to further illustrate the problem provided the example of certain types of gear creating a blinder effect, however indicated that due to the nature of the proposal, industry would need to be consulted prior to proceeding on this matter. Both the Russian and Icelandic representatives agreed with this suggestion.

The Chair remarked that other more selective gear, such as escapement panels and mesh configuration, should also be given future consideration.

Given the need for industry consultations it was agreed to defer this item to the 2007 NAFO annual meeting.

iii. Notification and catch reporting requirements in 3L and 3M shrimp fisheries

The Chair opened the agenda item by informing representatives that this issue had been referred to the Advisory Group on Data Communication to see if enhanced electronic reporting in the NAFO Division 3LM shrimp fishery was feasible

The representative of Iceland, as Chair of the Advisory Group on Data Communication, indicated this issue had been reviewed, most recently during the Advisory Group's April 2006 meeting in Bergen. The Advisory Group's opinion was that it was technically feasible and would recommend dealing with the reporting requirement in a pure catch reporting format, not as a COE/COX report. The representative of Iceland went on to say that Iceland had some experience with similar reporting requirements in the NEAFC Regulatory Area that had proved successful but that there was no existing format for the desired reports available in the NAFO context.

The Chair voiced concern that the added reports would be confusing for the NAFO Secretariat to interpret, however the representative of Iceland assured him that the reports were quite clear and the different areas and quantities would allow for easy interpretation. Although the required data elements were already in the system the representative of Iceland advised that a template would need to be developed.

The representative of Iceland agreed to develop a proposal on this issue for presentation at the next meeting of STACTIC.

iv. Accurate catch reporting

a. Automated COE/COX Comparison between NAFO and NEAFC Reports

The Chair explained that the first item revolved around misreporting of catch between species in NAFO and NEAFC and a possible automated procedure to compare COE/COX reports when vessels crossed between the two regulatory areas.

The representative of Iceland commented that, at present the desired process (further discussed in 06/23) was not feasible due to systemic issues between NEAFC's database and NAFO's database. The representative of Iceland advised that the quality of the catch reports would need to be improved and a more thorough analysis of the quality of information within the two databases would need to be conducted.

The Chair expressed the wish to further address this issue and suggested that Iceland could undertake the review and develop recommendations.

The representative of Iceland agreed to further review the issue with a view to tabling a working paper at the next meeting of STACTIC.

b. Stowage Plans Requirements - Amendment to Article 20

The representative of Canada explained that the rationale for STACTIC WP 07/16 was to ensure that vessel masters were given minimum standards to adhere to with regards to stowage plans in order to avoid the wide variance in quality observed in the NRA.

The representative of the EU provided some history of the development of the stowage plan issue and indicated that the initiative to adopt the language found in the current version of the NAFO Measures was a huge success and that there wasn't a need to develop standards as a stowage plan was either acceptable or not. In the case of an unacceptable stowage plan, the representative of the EU indicated that this would constitute an infringement and the master would be cited. The representative of the EU explained that masters should not be burdened with unnecessary requirements as, if there is a problem with the stowage plan, the port inspections would catch the problem. In addition, the representative of the EU explained that the technical level of masters varied from vessel to vessel and creating unrealistic standards and making them accountable to manage something outside of their control is unreasonable.

The representative of Norway recommended more time for reflection on this issue given the sensitivity.

The representative of Canada acknowledged the comments and committed to reviewing the proposal with the view to possibly returning with an amended version.

c. Record of Start/End Coordinates for Fishing Activity - Amendment to Article 20

The representative of Canada presented STACTIC WP 07/15 and indicated that it was desirable to have measures requiring vessel masters to maintain, and report if requested, on start and end coordinates of fishing activity. This would facilitate the inspectors work when attempting to determine compliance, especially in relation to by-catch provision and area closures.

The representative of the EU, while appreciating the effort, considered that there could be many implications to this proposal which would have to be examined. He questioned the requirement as closed areas could be monitored via VMS and that this information was already being provided by masters to protect themselves. The representative of the EU also noted that the concept of fixed gear was included in the proposal and suggested that other Articles, in particular Article 9, be reviewed in the context of non-trawl gear. Further more the proposal is not in conformity with the present rules which provide for the log book to be completed on a daily basis.

The representative of Iceland encouraged Contracting Parties to provide examples of their respective log books.

The representative of Norway commented that, domestically in Norway some of the requirements presented in the proposal were already fulfilled in the log book. The representative of Denmark (in respect of the Faroe Islands and Greenland) also indicated that this was addressed domestically in the log books and suggested that the Canadian proposal, originally calling for added obligations under Article 30, address the concern under Article 20. The representatives of Russia and Iceland supported Norway's and Denmark's (in respect of the Faroe Islands and Greenland) positions.

Based on these comments Canada submitted a revised proposal (STACTIC W.P. 07/18) for amendments to Article 20. After some discussion it was agreed to defer this issue to the NAFO annual meeting to provide time for further reflection.

v. Clarification re Article 15.2

The Chair noted that STACTIC WP 06/34 had been developed to create added flexibility in the case of chartering arrangements where vessels were not able to complete the charter, as in an instance of required repairs. The Chair added that this proposal originally had no objection at STACTIC, however was withdrawn from Fisheries Commission in advance of its adoption at the annual meeting in 2006.

The representative of the United States noted that the actual text in the proposal seems to contradict the original intention by actually reducing flexibility.

The representative of Canada recalled that the language originally discussed at STACTIC reflected one fishing vessel at any one time and not the limiting language that exists in the current proposal.

The representative of the EU suggested that there was also a need to review Article 15.6 and come to consensus on whether, in an instance when a charter is halted, there is flexibility to return to the charter for the balance of the six months.

The Chair advised that the issues under Article 15 should be reviewed and a new proposal be drafted to address the issues. The representative of the EU agreed to undertake the review and re-draft.

vi. Vessel monitoring system (Article 22.1)

The representative of Canada provided a summary of STACTIC WP 07/10, which called for a consistent one hour VMS reporting interval in the NRA, and highlighted some relative benefits of this approach.

The representative of Iceland expressed full support and agreed that having two different VMS reporting intervals within one scheme was not ideal and noted that there was merit in adopting the hourly reporting, especially in the context of airborne patrols. The representatives of the United States, Norway and Denmark (in respect of the Faroe Islands and Greenland) supported the Canadian proposal.

The representative of the EU indicated that they could support the initiative, however questioned the actual advantages of one hour reporting given: the potential cost increase, need to manage higher data volumes and actual utility of the increased frequency. The representative of the EU offered that a “polling” provision, similar to one that exists with the EU that allows for “as and when required” VMS reporting, may be more appropriate.

The representative of Japan indicated that he would need to look into the domestic systemic implications of the change and would return at the annual meeting prepared to provide Japan’s position on the issue.

The item was deferred to the annual meeting in 2007 to provide sufficient time for parties to reflect on the proposal.

vii. Transshipment Definition

The representative of Denmark (in respect of the Faroe Islands and Greenland) introduced STACTIC WP 07/3 and informed representatives that, at the 2006 working group on NAFO reform meeting, it was decided that a definition for transshipment would be best placed with the NAFO Measures. It was further decided that, in the interest of harmonization, the NEAFC definition should be considered. Accordingly, Denmark (in respect of the Faroe Islands and Greenland) proposed the NEAFC definition of transshipment for inclusion into Article 2 of the NAFO Measures.

The representative of the EU supported the proposal, specifically in the interest of harmonization with NEAFC and provided information related to the development of the definition in the NEAFC context.

The representative of the United States supported the concept but suggested some text changes intended to better define transshipment in the NAFO context.

Denmark (in respect of the Faroe Islands and Greenland) revised the proposal, based on comments, and re-introduced the proposal as STACTIC WP 07/3 (Revised) (Annex 4). The proposal was accepted by STACTIC and will be forwarded to the Fisheries Commission for consideration at the annual meeting in September 2007.

viii. Boarding Ladders

The representative of Denmark (in respect of the Faroe Islands and Greenland) re-introduced the subject of boarding ladders based on further review of the issue in a legal and safety context and presented STACTIC WP 07/2 (Annex 5). After a brief background, where an account of the origin and history of the proposal was presented, the representative of Denmark (in respect of the Faroe Islands and Greenland) added that the provisions were consistent with those adopted by the Maritime Pilots Association and the suggestions coming out of the NAFO inspector’s workshop in Brussels (January 2005).

The representative of Canada supported the proposal and indicated that, despite being incorporated by reference (IMO standards) the provisions outlined in the WP were important enough that they should be explicit in the NAFO Measures. The representatives of the EU, Iceland, Japan and France (in respect of St. Pierre-et-Miquelon), concurred with Canada’s opinion.

The proposal was accepted and will be provided to the Fisheries Commission for consideration at the NAFO annual meeting in 2007.

ix. Port State Measures

Norway provided an overview of STACTIC WP 07/1 and elaborated on the proposal that was based on principles from the FAO scheme and modeled after the newly adopted NEAFC Port State Control scheme. The representative of Norway explained that this proposal was intended to stimulate discussion and advance this initiative in NAFO.

The representative of Japan lauded Norway for its efforts but expressed the desire to have added flexibility regarding the prior notification requirements built in, given the burden it could create on certain Contracting Parties. The representative of Japan also noted that some of the measures, specifically elements of Article 44 dealing with fish confiscation, appeared severe.

The representative of the EU thanked Norway for its work on this initiative but indicated that it needed to be given careful consideration, as NAFO already had existing port state controls incorporated into the NAFO Measures that includes 100% inspection requirements. The EU delegation also pointed out in the measures adopted by NEAFC only 15% of landings are subject to a full inspection. This has to be seen in the wider context where other requirements, such as the prior notification of catch onboard, form part of the overall system. In addition, the representative of the EU informed the representatives that the FAO was in the process of developing world wide standards for port state measures that would need to be considered in any related NAFO exercise.

The representative of Iceland supported the proposal but indicated that lessons should be learned from the NEAFC experiences.

The representative of Russian expressed support in principle for the concept but stressed that port state schemes can create heavy workload issues for certain Contracting Parties, example being Russia in the NEAFC context given the size of its fishing fleet.

It was decided to monitor the progress of the FAO port state measures initiative and take note of NEAFC's experiences with its new Scheme to garner valuable information that could be used to develop similar initiatives in the NAFO context.

The representative of Canada congratulated Norway for their efforts in this regard and expressed an interest to engage on this issue at the annual meeting. The representative of Canada also committed to working with Norway to address questions that had been raised in Canada regarding the proposal, and encouraged other parties to do the same.

The agenda item was deferred to the 2007 NAFO annual meeting.

11. Transshipment Issue

The Chair introduced the agenda item and provided a brief account of the issue. The Ukraine had engaged an NCP Vessel to transship and had indicated their willingness to discuss this issue at STACTIC.

The representative from Iceland indicated that the activities highlighted were not consistent with the NAFO Measures.

As the representative of the Ukraine was not present to address STACTIC and the issue had already been deferred from a previous meeting the item was closed.

12. Omega Mesh Gauge

The Chair began the discussion by requesting that Contracting Parties with experience in the use of the Omega mesh gauge provide a brief synopsis of their respective experiences.

The representative of the EU informed the representatives that the EU had experimented with the Omega gauge in the NRA and found that the experience was generally positive, however did note that the gauge itself was relatively expensive, calibration was an issue and some inspectors found it to be somewhat heavy and awkward to handle. The

representative of the EU indicated that the gauge was being considered for more widespread use, especially in the domestic setting, however mesh was not currently a problem within the NRA and this issue should be prioritized accordingly.

The representative of Canada, having also tested the Omega gauge, shared similar observations as those from the EU representative, however added that timing, durability and practicality were also an issue.

The Chair concluded that ongoing testing would be conducted, when convenient, to see if the Omega gauge was practical in a scientific/enforcement capacity within the NRA, however noted that this was not a priority for NAFO at this stage.

13. Other Matters

i. Improved Data Consistency between NAFO and FAO

The Chair remarked that, after a review of NAFO Secretariat's paper STACTIC WP 07/9 on data consistency improvements, he was hesitant to accept the proposal.

The representative of the EU echoed the Chair's concern over the application of this proposal, given that FAO and NAFO figures came from two different sources, and voiced concerns over performing ad hoc and potential arbitrary changes to data. The representative of Denmark (in respect of the Faroe Islands and Greenland) shared the EU's position while the representative of Canada indicated that there were implications to making the suggested changes that would need to be analyzed before a decision could be made on this proposal.

The Chair concluded that it was not practical to attempt to harmonize two different reporting systems that gather information differently. He further elaborated by indicating that this exercise was useful in that it identified potential discrepancies in the NAFO data that need to be addressed and Contracting Parties were encouraged to work with the NAFO Secretariat to ensure accurate data.

ii. Canadian Information Paper on Wolffish

The representative of Canada provided STACTIC representatives with information regarding Canada's intention to prohibiting the possession of certain species of Wolffish, protected under domestic law, in Canadian waters effective January 1, 2008. It was explained that these measures were adopted to discourage the retention of Wolffish in the NRA and is considered, by Canada, as a first step towards other possible actions that could be taken, both domestically and within NAFO to protect vulnerable Wolffish species.

iii. Correction of Annex XX (c) – Missing Product Forms

The representative of Russia brought to the attention of STACTIC representatives that there was a discrepancy in Annex XX (c) between the 2006 and 2007 versions of the NAFO Measures.

After a review of the issue and comments made by the representative of Iceland that the Product Codes would need to be amended, to ensure they reflected the NEAFC's codes, the NAFO Secretariat made the necessary correction and documented the changes in STACTIC WP 07/19 (Annex 6). This will be corrected in the next version of the NCEM.

iv. Clarification of Article 10.1(e) – Gear Requirements and Annex I.A. – Annual Quota Table

The representative of Russia drew attention to a possible inconsistency in the NAFO measures, where Article 10 paragraph 1(e) references *Sebastes mentella* (oceanic redfish) and the Annual Quota table reflects only the species name redfish. The Russian representative, in the interest of clarity, recommended that the reference to *Sebastes mentella* be stricken and only the term redfish be utilized.

The Chair recommended that the Russian representative outline his argument in a proposal to be addressed at the 2007 annual meeting. The item was deferred to the annual meeting.

v. Electronic Observer Report Template

The NAFO Secretariat reminded representatives that a template for electronic observer reports was circulated for comment and requested that comment and recommendations be forwarded to facilitate work on this initiative.

The representation of Iceland indicated that they had received the template and their first impression was that the template was too complicated for practical application at sea.

The Chair encouraged STACTIC representatives to review the template and provide comments to the Secretariat.

vi. Port Inspection Report

The representative of the EU introduced STACTIC WP 07/14 (Annex 7) and explained that on the existing template there was no space provided for information pertaining to infringements or discrepancies found by inspectors during port inspections. The aim of the proposal was to create greater transparency and provide a clearer basis for evaluating follow-up and level of compliance.

The representative of Canada voiced support for the proposal, indicating that the proposal added value to the form and would be advantageous for the compilation of data by the Secretariat and to assist with compliance reviews. The representative of Iceland shared Canada's sentiments.

The proposal was approved by consensus and will be provided to the Fisheries Commission for consideration at the NAFO annual meeting in 2007. The EU delegation undertook to develop a revised port inspection form template for the annual meeting.

14. Election of Vice-Chair

The Chair introduced item 14 and expressed his wish that this important role, long vacant, could be filled. The representative of Canada suggested that, based on former experience as both a STACTIC and STACFAC Chair, and after consultation with other Contracting Parties, Gene S. Martin, Jr. of the United States be nominated for Vice-Chair.

Mr. Martin accepted the nomination and was unanimously elected Vice-Chair by the STACTIC representatives.

15. Adoption of Report

The report was adopted by the delegates.

16. Adjournment

The meeting adjourned at 11:00 AM on Thursday, June 7, 2007.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening by the Chair, Mads Nedergaard (DFG)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Update regarding VMS service provider
5. Compilation of fisheries reports for compliance review 2005 and 2006
6. Pilot Project Evaluation
7. Review of STACFAC's former mandate with regards to STACTIC's new role and responsibilities
8. Review of current IUU list pursuant to NAFO CEM Article 49.3
9. Report by Secretariat on feasibility and advantages of obtaining access to the Lloyds Registry
10. Possible Amendments of Conservation and Enforcement Measures
 - i. product labelling by species/stock area
 - ii. strengthening ropes, bags, topside chafers
 - iii. notification and catch reporting requirements in 3L and 3M shrimp fisheries
 - iv. accurate catch reporting
 - a. automated COE/COX comparison between NAFO and NEAFC reports
 - b. stowage plan requirements – amendment to Article 20
 - c. record of start/end coordinates for fishing activity – amendment to Article 20
 - v. clarification re Article 15.2
 - vi. vessel monitoring system (Article 22.1)
 - vii. transshipment definition
 - viii. boarding ladders
 - ix. port state measures
11. Transshipment Issue
12. Omega Mesh Gauge
13. Other Matters
14. Election of Vice-Chair
15. Adoption of Report
16. Adjournment

Annex 3. Product Labelling Requirements (STACTIC WP 07/13-proposal by EU)

Background:

The FC Doc 06/12, new Management Measures for Shrimp in Divisions 3L and 3M, was adopted at the 2006 Annual Meeting.

The objective of this proposal, as specified in its title and explanatory memorandum, was to enhance the control tools in order to prevent misreporting of shrimps catches between Divisions 3L and 3M.

The European Community fully shared that objective and supported this proposal.

Scope:

The consolidated changes, in particular in relation to the Article 19, which read in isolation could give impression that boxes of not only shrimps but all other species should be marked with the date of capture can create new obligations for other fisheries than the shrimps fishery.

The EC cannot share that view.

PROPOSAL:

Article 19 – Product Labelling Requirements

When processed all fish harvested in the Regulatory Area shall be clearly marked as having been caught in the Regulatory Area and be labelled in such a way that each species and product category is identifiable using the 3-Alpha Code in Annex II.

The species mentioned in Annex I.A. shall be marked with the Division or stock area in accordance with the fishing possibilities mentioned in the Annex I.A.

Furthermore, in the case of shrimps, the date of capture shall also be identifiable and shrimps harvested in Division 3L and 3M shall be marked accordingly with the Division.

Annex 4. Definition of Transshipment
(STACTIC WP 07/3, Revised-proposal by DFG)

Background:

In 2006 the working group on the Reform of NAFO expressed a wish to define the concept of transshipment, but considered that this definition should appear in the NCEM and not in the Convention (Reform WG WP 06/16). STACTIC then determined that the definition should be incorporated into the NCEM. It was decided that, in the interest of harmonization, the NEAFC definition should be considered.

Proposal:

Denmark (in respect of Greenland and the Faeroe Islands) proposes an addition to the NAFO CEM Article 2 – Definitions regarding transshipment.

“Transshipment” means the transfer, over the side, of any quantity of fisheries resources or products thereof retained on board, from one fishing vessel to another.

Annex 5. Boarding Ladders
(STACTIC WP 07/2-proposal by DFG)

Background:

At the NAFO Inspectors Workshop held in Brussels during 25th to 27th January 2005, the inspectors expressed a need for a reinstatement of provisions concerning the construction and use of boarding ladders into the then present NAFO CEM (FC Doc. 04/1). Following the STACTIC meeting in Reykjavik in April 2005, Denmark (in respect of Greenland and Faeroe Islands) took the task of looking into this issue.

A proposal regarding boarding ladders (STACTIC W.P. 05/22) was tabled at the STACTIC annual meeting in Tallin, September 2005. The proposal was turned down as the mandate to effect these changes was questioned. Greenland has reconsidered the proposal and has found no legal implications. A similar proposal has been adopted by NEAFC in 2006 and is included as Annex 14 in NEAFC scheme of control and enforcement.

In the present CEM only one sentence describes boarding ladders:

Article 30 – Obligations of Vessel Masters During Inspection

1. *The master of a fishing vessel shall:*

- c) *provide a boarding ladder which is in conformity with recommendations concerning pilot ladders adopted by the International Maritime Organisation*

In the International Maritime Organisation (IMO), Torremolinos protocol of 1993 the following recommendations are stated concerning pilot ladders:

Chapter VI - Protection of the crew
(7) Embarkation ladders

- (a) *Handholds shall be provided to ensure a safe passage from the deck to the head of the ladder and vice versa.*
- (b) *The steps of the ladder shall be:*
 - (i) *made of hardwood, free from knots or other irregularities, smoothly machined and free from sharp edges and splinters, or of suitable material of equivalent properties;*
 - (ii) *provided with an effective non-slip surface either by longitudinal grooving or by the application of an approved non-slip coating*
 - (iii) *not less than 480 mm long, 115 mm wide and 25 mm in depth, excluding any non-slip surface or coating;*
 - (iv) *equally spaced not less than 300 mm or more than 380 mm apart and secured in such a manner that they will remain horizontal.*
- (c) *The side ropes of the ladder shall consist of two uncovered manila ropes not less than 65 mm in circumference on each side. Each rope shall be continuous with no joints below the top step. Other materials may be used provided the dimensions, breaking strain, weathering, stretching and gripping properties are at least equivalent to those manila rope. All rope ends shall be secured to prevent unravelling.*

The above-mentioned recommendations from the IMO are scarce compared to the provisions in the NAFO CEM (FC/DOC. 02/9). The IMO provisions have been designed with a near port boarding in mind, and are not intended for boarding vessels at high seas. The provisions in the IMO lack descriptions of ladder efficiency, purpose, maintenance, replacement of steps, batten requirements, gateway passage, lighting of ladder, lifebuoy, ladder placement and rigging supervision.

Provisions regarding mechanical pilot hoists are not included in the CEM. Since the usages of mechanical pilot hoists are becoming more frequent on larger vessels, Denmark (in respect of Greenland and the Faeroe Islands) believes that the CEM should include provisions regarding the usage of such a device. The European Maritime Pilots' Association (EMPA) has some recommendations concerning mechanical pilot hoists. Denmark (in respect of Greenland and the Faeroe Islands) therefore suggests that the CEM being amended accordingly.

Proposal:

To ensure safe boarding of the inspectors it would be most adequate if detailed provisions are reinstated in the CEM carried onboard the inspection vessels. Denmark (in respect of Greenland and the Faeroe Islands) suggests an amendment of the boarding ladder provisions stated in the CEM. It is recommended to incorporate the enclosed annex, an amended version of the boarding ladder provisions in the previous CEM. This will in addition necessitate an amendment of Article 30, paragraph 1 (c). Furthermore an implementation of provisions regarding mechanical pilot hoists will require an additional section (Article 30, 1. (d)). Following these recommendations Article 30 will be altered as following:

Article 30 – Obligations of Vessel Masters During Inspection

1. The master of a fishing vessel shall:
 - c) provide a boarding ladder constructed and used as described in **Annex nn**.
 - d) if a mechanical pilot hoist is provided, ensure that its ancillary equipment are of a type approved by the national administration. It shall be of such design and construction as to ensure that the pilot can be embarked and disembarked in a safe manner including a safe access from the hoist to the deck and vice versa. A pilot ladder complying with the provisions of paragraph 1.c of this article shall be kept on deck adjacent to the hoist and available for immediate use.

ANNEX nn**CONSTRUCTION AND USE OF BOARDING LADDERS**

1. A boarding ladder shall be provided which shall be efficient for the purpose of enabling inspectors to embark and disembark safely at sea. The boarding ladder shall be kept clean and in good order.
2. The ladder shall be positioned and secured so that:
 - (a) it is clear of any possible discharges from the vessel;
 - (b) it is clear of the finer lines and as far as practicable in the midlength of the vessel;
 - (c) each step rests firmly against the vessel's side.
3. The steps of the boarding ladder shall:
 - (a) be of hardwood or other material of equivalent properties, made in one piece free of knots; the four lowest steps may be made of rubber of sufficient strength and stiffness, or of other suitable material of equivalent characteristics;
 - (b) have an efficient non-slip surface;
 - (c) be not less than 480 mm long, 115 mm wide, and 23 mm in thickness, excluding any non-slip device or grooving;
 - (d) be equally spaced not less than 300 mm or more than 380 mm apart;
 - (e) be secured in such a manner that they will remain horizontal.
4. No boarding ladder shall have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder and any steps so secured shall be replaced, as soon as reasonably practicable, by steps secured in position by the method used in the original construction of the ladder. When any replacement step is secured to the side ropes of the boarding ladder by means of grooves in the side of the step, such grooves shall be in the longer sides of the steps.
5. The side ropes of the ladder shall consist of two uncovered manila or equivalent ropes not less than 60 mm in circumference on each side; each rope shall be left uncovered by any other material and be continuous with no

joints below the top step; two main ropes, properly secured to the vessel and not less than 65 mm in circumference, and a safety line shall be kept at hand ready for use if required.

6. Battens made of hardwood, or other material of equivalent properties, in one piece, free of knots and between 1,8 and 2 m long, shall be provided at such intervals as will prevent the boarding ladder from twisting. The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed nine steps.
7. Means shall be provided to ensure safe and convenient passage for inspectors embarking on or disembarking from the vessel between the head of the boarding ladder or of any accommodation ladder or other appliance provided. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where such passage is by means of a bulwark ladder, such ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the vessel not less than 0,70 m or more than 0,80 m apart. Each stanchion shall be rigidly secured to the vessel's structure at or near its base and also at a higher point, shall be not less than 40 mm in diameter, and shall extend not less than 1,20 m above the top of the bulwark.
8. Lighting shall be provided at night so that both the boarding ladder overside and also the position where the inspector boards the vessel shall be adequately lit. A lifebuoy equipped with a self-igniting light shall be kept at hand ready for use. A heaving line shall be kept at hand ready for use if required.
9. Means shall be provided to enable the boarding ladder to be used on either side of the vessel. The inspector in charge may indicate which side he would like the boarding ladder to be positioned.
10. The rigging of the ladder and the embarkation and disembarkation of an inspector shall be supervised by a responsible officer of the vessel. The responsible officer shall be in radio contact with the bridge.
11. Where on any vessel constructional features such as rubbing bands would prevent the implementation of any of these provisions, special arrangements shall be made to ensure that inspectors are able to embark and disembark safely.

Annex 6. Annex XX (C) Product Form Codes
(STACTIC WP 07/19-proposal by Russia)

In order to harmonize the Product Form Codes with NEAFC Product Form Code, it is proposed to revise Annex XX (C) of the Conservation and Enforcement Measures from:

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)

to:

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 -Bone in - Frozen
G	Skinless Fillets - Boneless - Frozen
H	Skin on Fillets - Bone in - Frozen
I	Skin on Fillets - Boneless - Frozen
J	Salted Fish
K	Pickled Fish
L	Canned Products
M	Oil
N	Meal Produced from Round Fish
O	Meal Produced from Offal
P	Other (Specify)

Annex 7. Annex XIII - Port Inspection Report
(STACTIC WP 07/14-proposal by EU)

Scope:

The present Annex XIII does not show in part **A.** and/or in part **B.** in any place, where the infringements or discrepancies found by the inspectors during the Port Inspection can be mentioned.

The EC, defending the principle of transparency, consider that when apparent infringements or discrepancies that have been found at sea and confirmed later during the port inspection or when new or different infringements have been found during the unloading operation the Port Inspection Report form shall indicate the final results concerning the violation of the NAFO CEM that are going to be used as support when the legal action and appropriated follow-up is going to be taken against the captain and or the owner of the vessel.

PROPOSAL:**B. INFORMATION TO BE INSERTED IN THE REPORT**

1.
2.
3.

4. RESULTS OF INSPECTION ON DISCHARGE**4.1 General information****4.2 Information on infringements**

a) Apparent Infringements found during inspections at sea and confirmed during the inspection in port.

Comments:

b) Apparent infringements found at sea and not possible to be confirmed during the inspection in port.

Comments:

c) New infringements found during the inspection in port

Comments