

Northwest Atlantic Fisheries Organization



Report of the Fisheries Commission
Intersessional Meeting, 30 April – 07 May 2008
Montreal, Quebec, Canada

NAFO
Dartmouth, N.S., Canada
2008

Report of the Intersessional Meeting of the Fisheries Commission
30 April – 07 May 2008
Montreal, Quebec

Report of the Fisheries Commission.....	3
1. Opening by the FC Chair, Vladimir Shibanov.....	3
2. Election of FC Chair.....	3
3. Appointment of Rapporteur.....	3
4. Adoption of Agenda.....	3
5. Admission of Observers.....	3
<i>Part I – On 3L and 3M Shrimps (agenda items 6-11, 30 April – 02 May)</i>	
6. Introductory Remarks.....	3
7. Review of SC information and recommendations.....	3
8. Review of statistical information on catch.....	4
9. Review of management systems/options for shrimp in Division 3M.....	4
10. Shrimp in Division 3L.....	5
11. Decisions for 2008 and 2009 management measures, TAC and allocations in Divisions 3L and 3M.....	6
<i>Part II – On Vulnerable Marine Ecosystems (agenda items 12-17, 05 – 07 May)</i>	
12. Introductory Remarks.....	7
13. Review of the UNGA Resolution 61/105.....	7
14. Assessment Process for fisheries and vulnerable marine ecosystems in the context of the Regulatory Area.....	7
15. Measures to mitigate significant adverse impacts on vulnerable marine ecosystems.....	7
16. Exploratory Fishing Protocol.....	7
17. Other matters.....	8
18. Adoption of Report.....	9
19. Adjournment.....	9
Annex 1. List of Participants.....	10
Annex 2. Agenda.....	17
Annex 3. Opening Statement by the Representative of Canada.....	18
Annex 4. Opening Remarks by the Representative of Denmark (in respect of Faroe Islands and Greenland).....	19
Annex 5. Catch and Effort Data re 3L and 3M Shrimp (1993-2007).....	21
Annex 6. 3M Shrimp Management Regime – Proposal by Canada.....	31
Annex 7. EC Proposal for a TAC for 2009 and 2010, and a Quota Allocation Scheme, for 3M Shrimp.....	32
Annex 8. 3M Shrimp Management Regime (Proposal by Russian Federation).....	33
Annex 9. Proposal by Norway on a TAC Allocation Scheme for 3M Shrimp.....	34
Annex 10. Proposal by DFG - 3M Shrimp.....	35
Annex 11. Modification to the Conservation and Management Measures Relating to Shrimp in Division 3L (Proposal by the EC).....	36
Annex 12. Fisheries Commission request to the Scientific Council on Shrimp in Division 3L (Proposal by the EC).....	37
Annex 13. Canadian Statement for FC on 3L Shrimp Distribution.....	38
Annex 14. Proposal by Denmark (in respect of the Faroe Islands and Greenland) re allocation of Shrimp in 3L.....	39
Annex 15. Compromise Proposal by Norway on the Allocation of Shrimp in 3L.....	40
Annex 16. Introductory Remarks by Canada.....	41
Annex 17. Introductory Remarks by the U.S.A.....	42
Annex 18. Introductory Remarks by EAC.....	43
Annex 19. Introductory Remarks by SCC.....	44
Annex 20. Introductory Remarks by WWF.....	46
Annex 21. Supplementary Request to Scientific Council.....	47
Annex 22. Joint Proposal by Canada and the European Community for a new Chapter I bis of the NAFO Conservation and Enforcement Measures – Bottom Fisheries in the NAFO Regulatory Area.....	48
Annex 23. Closing Remarks from the WWF.....	53

Report of the
Fisheries Commission Intersessional Meeting
30 April – 07 May 2008
Montreal, Canada

1. Opening by FC Chair, Vladimir Shibanov

The meeting was opened by the Chair, Vladimir Shibanov (Russia) on Wednesday, 30 April 2008. Representatives from all Contracting Parties except Republic of Korea were present. (Annex 1)

2. Election of FC Chair

Vladimir Shibanov (Russia) was re-elected as the Chair of the Fisheries Commission for another term.

3. Appointment of Rapporteur

Ricardo Federizon (Secretariat) was appointed rapporteur.

4. Adoption of Agenda

The agenda as previously circulated was adopted. (Annex 2)

5. Admission of Observers

The Executive Secretary apprised the body of the admission of observers following the Fisheries Commission Rules of Procedure. The South-East Atlantic Fisheries Organisation (SEAFO) was represented by the European Union (EU), the North Atlantic Marine Mammal Commission (NAMMCO) was represented by Norway and the North East Atlantic Fisheries Commission (NEAFC) by Denmark (in respect of Faroe Islands and Greenland). Representatives of the Ecology Action Centre (EAC), the Sierra Club of Canada (SCC), and the World Wildlife Fund–Canada (WWF) were also present as Observers.

Part I – On 3L and 3M Shrimps (agenda item 6 – 11, 30 April – 02 May)

6. Introductory Remarks

Canada made an opening statement welcoming the delegates (Annex 3), which was followed by introductory remarks from Denmark (in respect of the Faroe Islands and Greenland) (Annex 4), EU and Russia.

7. Review of SC information and recommendations

Don Power (SC Chair) presented the scientific advice from the SC which conducted a scientific evaluation on the shrimp stocks of Divs. 3LNO and 3M during 24 October – 1 November 2007. Details of the advice and recommendations can be found in Part C, Section 4 of the 2007 Scientific Council Reports. The highlights are as follows:

On 3LNO shrimp,

- Biomass: Significant increase in the index of total biomass between 1995 and 2001 followed by stability at a high level. Both spring and autumn indices of female biomass (SSB) have been increasing since 1999.
- Recruitment: Autumn survey data indicated that the 2003 year-class was average while the 2004 year-class was the highest in that time series. Spring indices suggest the 2002 and 2003

year-classes were below average and 2004 and 2005 year-classes were the highest in that series.

- Exploitation rate: The index of exploitation has remained below 14%.
- State of the Stock: Total biomass indices have been stable at a high level since 2001. The female biomass (SSB) indices have been increasing since 1999. The stock appears to be well represented by a broad range of size groups; the stock biomass index has not declined at the observed levels of exploitation. The above average recruitment in 2004 is expected to be present in the fishery during 2007 and that from 2005 is expected to enter the fishery in 2008.
- Recommendation: The Scientific Council advises that the most recently implemented TAC at 25 000 t be maintained for 2008 and 2009 in order to monitor the impact on the stock. The inverse variance weighted average fishable biomass from the last four surveys is 184 000 t. A catch of 25 000 t would result in a value of the exploitation index of 13.6%. Scientific Council recommends continuation of the existing regulations that the fishery be restricted to Div. 3L and the use of a mandatory sorting grate with a maximum bar spacing of 22 mm.

On 3M shrimp,

- Commercial CPUE Indices: for both biomass and female biomass showed increasing trends from 1996 to 2007.
- Biomass: RV Index of female biomass increased from 1997 to 1998 and has since fluctuated without trend.
- Recruitment: 2002 year-class appears large, but the 2003-2005 year-classes appear weak.
- Exploitation rate: Relative exploitation rate has been decreasing since 2003 (mostly due to decreasing catches).
- State of the Stock: Indices of biomass are at a relatively high level but there are indications of a decline in recruitment, which may affect the 2008 fishery.
- Recommendation: The Scientific Council noted there is insufficient information on which to base predictions of annual yield potential for this resource and is therefore unable to advise on a specific TAC for 2008 and 2009. Although there is serious concern about the implications to the fishery and future stock production from the poor recruitment estimated for the 2003, 2004 and 2005 year-classes, indices of biomass (standardized CPUE and female biomass (SSB) from surveys) remain stable at their highest observed level. However, in light of the poor prospect for this stock, the Scientific Council recommends that the exploitation level for 2008 and 2009 should not exceed the 2005 and 2006 levels. This corresponds to catches in the range of 17 000 to 32 000 t.

The EU remarked that it could not understand the serious concerns of the Scientific Council with regard to the future status of 3M shrimp in view of the consistently high biomass and the reduction of fishing effort. Regarding 3L shrimp, the SC Chair was asked about the possible implications if the recommended TAC of 25,000 t would be increased to 30,000 t. The SC Chair responded that the impact on the stock by such increased fishery was not possible to predict and that the exploitation would increase from 13.6 to 16.3%.

8. Review of statistical information on catch

Two working papers by the Secretariat (FC WP 08/2 and FC WP 08/3) were discussed and the Secretariat was requested by Contracting Parties to update some of the statistics contained in the tables (FC WP 08/3, Revision 3) (Annex 5).

9. Review of management systems/options for shrimp in Division 3M

a. Current System

Some Contracting Parties, particularly Iceland, expressed concerns that the current effort allocation scheme for 3M shrimp could lead to over-fishing and that they would therefore

prefer that a TAC and quota system be implemented. Others were of the view that the effort allocation is working well and could be maintained if Contracting Parties were unable to find a satisfactory alternative, especially as the current level of fishing effort is not threatening to damage the shrimp stock and an increase in fishing effort appears unlikely in the near future.

b. Possible TAC-based quota allocation systems

The discussion on a quota allocation scheme revealed that Contracting Parties were not in agreement on the extent to which historical fisheries should influence a quota allocation scheme and which reference period should be used. While some were of the opinion that the 3M shrimp fisheries from 1993 to 2007 should form the basis for the quota distribution, others thought that the more recent years should have the greater impact on a new allocation scheme. Canada, EU, Russia tabled a number of proposals that reflected the different views (FC WP 08/7-Revision 1, FC WP 08/12-Revision 1, and FC WP 08/13). (Annexes 6-8).

Norway presented FC WP 08/14 (Annex 9) as a possible compromise solution. The EU and Canada expressed their view that the Norwegian proposal could present a basis for further discussions and urged delegates to continue seeking a compromise solution and not postpone the matter any further. Other Contracting Parties, however, were not able to accept the Norwegian proposal as a way forward. Denmark (in respect of Faroe Islands and Greenland) put forward a proposal (FC WP 08/16) based simply on historical catches in the entire fishing period (1993-2007) (Annex 10). The matter remained unresolved during this meeting and the current allocation scheme will be maintained.

10. Shrimp in Division 3L

a. Management Measures

The EU tabled a proposal to lift the limitation to one vessel per flag State Contracting Party for the shrimp fishery in Division 3L as well as to eliminate the seasonal fishery closure for this stock (FC WP 08-11) (Annex 11). The EU explained that the proposed changes would ensure consistency with the management measures of Canada as the coastal State sharing the resource. Concerns were voiced that the proposed alterations could increase misreporting between Divisions 3L and 3M and have a negative effect on the enforcement of the shrimp management measures; and that STACTIC should review the implications of these measures with respect to compliance. The proposal was not adopted at this time; it was, however, decided to discuss the matter further at the next Annual Meeting in September 2008.

The EU also submitted a proposal to request the Scientific Council to advise on the current distribution of shrimp in Divisions 3LNO as well as the relative distribution inside and outside the NAFO Regulatory Area (FC WP 08/10) (Annex 12). The Chair of the Scientific Council explained that a recent scientific research document exists that provides up-to date information on the distribution of this stock (SCR 07/91) with the conclusion that the stock distribution appears to be largely unchanged since that which was determined in 1999. After some discussion on this matter (see also Canadian statement, Annex 13), the FC adopted the EU proposal and suggested that the SC provides its advice on the distribution of shrimp in Divisions 3LNO at the Annual Meeting in September 2008.

Agenda items 10b and 10c were not discussed separately and therefore the following text addresses them as a whole.

b. TAC

c. Quotas

Denmark (in respect of the Faroe Islands and Greenland) tabled a proposal to allocate the quotas for shrimp in Division 3L and at the same time to increase the 2008 TAC of this stock

from 25,000 to 30,000 t (FC WP 08/8) (Annex 14). Denmark (in respect of the Faroe Islands and Greenland) underlined that the existing regime was not a genuine allocation and was only adopted as a preliminary measure in 1999, but has been rolled over each year since without consensus on the basis for the division of shares. While some Contracting Parties expressed their support for an increased TAC in view of the positive development of this stock, others were not ready to accept the proposed allocation scheme at this time. A possible new allocation scheme for 3L shrimp was addressed by delegates during bilateral consultations as well as in plenary sessions but remained without conclusion. Norway presented a proposal (FC WP 08/9) (Annex 15) as a possible way forward, however, the DFG could not accept the proposal. After much discussion, the matter remained unresolved.

11. Decisions for 2008 and 2009 management measures, TAC and allocations in Divisions 3L and 3M

The following decisions were reached:

- There are no changes to the current management regime of shrimp in Division 3M in 2008.
- The modification to the seasonal closure and vessel restrictions for shrimp in 3L will be discussed at the Annual Meeting 2008.
- The Scientific Council is requested to provide advice in September 2008 on the current distribution of shrimp in Divisions 3LNO including the relative distribution inside and outside the Canadian EEZ.
- There are no changes to the current TAC and quota allocation for shrimp in 3L in 2008.
- It was noted that Canada would present information to STACTIC and seek advice at the July 2008 Intersessional Meeting with respect to the:
 - possible impact of removing the seasonal closure and vessel limits on compliance; and
 - review of possible misreporting in the current shrimp fisheries in Divisions 3L and 3M.

Several Contracting Parties, including the EU, Canada and Denmark (in respect of the Faroe Islands and Greenland), expressed their disappointment that the NAFO Contracting Parties had been unable to resolve the matters for which this meeting was convened. Canada gave the following statement:

Canada offered to host to this meeting with expectations of progress towards a resolution on both the 3L and 3M shrimp issues.

In our continued effort to strengthen NAFO, despite our disagreements with DFG on their catch history and claim, we opened our ports to DFG and hosted this intersessional meeting in Montreal to try to remove the annual objections on both 3M and 3L shrimp.

Canada was ready to contribute a significant share towards a multilateral arrangement on 3L shrimp as reflected in FC WP 08/9.

We appreciate the efforts of other parties who have travelled long ways, held bilateral consultations and tabled generous proposals towards the resolution of the 3L shrimp issue, Norway in particular.

In the end, we are extremely disappointed that our efforts were not accepted by our colleagues from DFG with regards to 3L shrimp. We are very disappointed in the failure.

DFG gave the following statement:

The delegation of DFG notes that this meeting has represented the first substantial and meaningful treatment of the question of allocation of 3L shrimp and we have welcomed the willingness of all Contracting Parties to discuss the issue in earnest and help resolve it. DFG is equally disappointed that it has not been possible to achieve consensus at this meeting, but we do not share the view of Canada and others that the issue does not warrant further discussion. The proposal put forward by DFG (FC WP 08/8) represents a further concession on the part of DFG compared with similar proposals presented in previous years, and it was tabled as a basis for further negotiation. Although the Norwegian proposal was not acceptable to DFG, it has assisted in clarifying, for the first time, the gap between views on the issue. DFG is therefore surprised that other Parties, not least Canada as the major stakeholder in this stock, are so ready to conclude that the issue is beyond resolution. DFG does not share this conclusion.

Part II – On Vulnerable Marine Ecosystems (agenda item 12 – 17, 05 – 07 May)

12. Introductory Remarks

Canada (Annex 16), European Union, Denmark (in respect of the Faroe Islands and Greenland) (see Annex 4), USA (Annex 17), Iceland, Norway and Ukraine gave opening remarks. The EAC, SCC, and WWF, as well, gave opening statements expressing the importance of this meeting and their expectations (Annexes 18-20).

13. Review of the UNGA Resolution 61/105

The Chair referred to the United Nations General Assembly (UNGA) Resolution 61/105 and highlighted the relevant points of this document, particularly point 83 which calls upon RFMOs to take action to regulate bottom fisheries and adopt and implement measures not later than 31 December 2008. Delegates pointed out that the FAO Draft International Guidelines for the Management of Deep-sea Fisheries in the High Seas from February 2008 are relevant with regard to the development of measures for the protection of Vulnerable Marine Ecosystems (VMEs) in the NRA.

Agenda items 14 to 16 were not discussed separately and therefore the following text addresses them as a whole.

14. Assessment Processes for fisheries and vulnerable marine ecosystems in the context of the Regulatory Area

15. Measures to mitigate significant adverse impacts on vulnerable marine ecosystems

16. Exploratory Fishing Protocol

Canada and EU presented their proposals (FC WP 08/4- Revision 1 and FC WP 08/5) and the USA presented its discussion paper (FC WP 08/6). Many Contracting Parties expressed their general support to the ideas contained in the proposals and discussion paper. It was agreed to identify and discuss the major elements addressed in either one or both of the proposals as follows:

- a) Definitions
- b) Prohibition of bottom fisheries

- c) Identification of fishing areas(Mapping)
- d) Fishing activities in new fishing grounds (Exploratory fishing)
- e) Assessment of bottom fishing by the Scientific Council
- f) Encounters with VMEs
- g) Review Procedure
- h) Establishment of a Working Group Fishery Managers and Scientists on Vulnerable Marine Ecosystems
- i) Formulation of Request to the Scientific Council
- j) Interim Measures.

Concerns were voiced that it might not be realistic for NAFO to undertake an assessment and adopt measures by the end of 2008. However, in view of the deadline specified in the UNGA Resolution, participants agreed that every effort should be made to start the process including a preliminary assessment and adoption of resulting measures in 2008.

USA suggested that in “fine-tuning” the tabled proposals, the definition of terms should be consistent with the FAO definitions and the language with the UNGA Resolution 61/105 and of the FAO draft guidelines, e.g. definitions of habitats and species.

Delegates agreed to Canada’s suggestion to establish an *Ad Hoc* Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems with the objective to make recommendations to the Fisheries Commission on the effective implementation of measures to prevent significant adverse impacts on VMEs. This FC Working Group will complement the already existing Scientific Council Working Group on Ecosystem Approach to Fisheries Management that will meet for the first time in May 2008, just before the Scientific Council meeting in June. This SC Working Group will address the 2007 FC request for scientific advice on identification of VMEs, impact of bottom fishing on VMEs and development of scientific methods for the longer term monitoring of the health of VMEs. The FC felt that it was necessary to clarify the 2007 request for scientific advice with language consistent with the FAO draft guidelines and **adopted** FC WP 08/18, Revision 2, as a supplement to the 2007 request for scientific advice (Annex 21).

Canada and the EU drafted a joint proposal which served as a basis for discussion and was revised several times taking into consideration the deliberations by Heads of Delegation. The joint proposal was **adopted** by the Fisheries Commission at the end of the meeting (FC WP 08/19, Revision 3, Annex 22). The adopted proposal consists of a new chapter with six articles for the 2008 NAFO Conservation and Enforcement Measures (Chapter I bis – Bottom Fisheries in the NAFO Regulatory Area) including an annex specifying the terms of reference and objectives of the FC *Ad Hoc* Working Group. An important part of the new joint working group’s task to establish operational guidance for the encounter provision should be to specify types of VMEs likely to be encountered in the NAFO Regulatory Area.

It was decided that Contracting Parties can send a maximum of three participants (at least one scientist and one fishery manager) to this Working Group with the exception of Denmark (with respect to the Faroe Islands and Greenland) that can send up to four participants. The Fisheries Commission also agreed that the first meeting of the *Ad Hoc* Working Group will be hosted by Canada and take place from 8 – 12 September 2008 in Montreal. The Fisheries Commission will consider the recommendations of the Working Group for adoption at the next NAFO Annual Meeting in September 2008.

17. Other matters

There were no other matters discussed.

18. Adoption of Report

The report will be circulated and adopted by electronic mail.

19. Adjournment

The EU, Canada, and USA expressed their satisfaction that NAFO Contracting Parties have made significant progress with regard to the protection of vulnerable marine ecosystems and thanked all Contracting Parties for their cooperation and constructive contributions to this end. During recent years, NAFO has already taken vital steps to protect the marine ecosystems in the Northwest Atlantic by closing large areas comprising seamounts and corals to bottom fishing and this meeting showed the continuous commitment of NAFO Contracting Parties to safeguard marine ecosystems. The WWF also presented a closing statement (Annex 23).

The meeting was adjourned 07 May 2008.

Annex 1. List of Participants

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Annex 2. Agenda

Shrimp Management in Divisions 3L and 3M of the Regulatory Area Wednesday, April 30 to Friday, May 2, 2008

1. Opening by FC Chair, Vladimir Shibanov
2. Election of FC Chair
3. Appointment of Rapporteur
4. Adoption of Agenda
5. Admission of Observers
6. Introductory Remarks
7. Review of Scientific Council information and recommendations
8. Review of statistical information on catch
9. Shrimp in Division 3M
 - a. Review of management systems/options for Division 3M
 - i. Current System
 - ii. Possible TAC-based quota allocation systems
10. Shrimp in Division 3L
 - a. Management Measures
 - b. TAC
 - c. Quotas
11. Decisions for 2008 and 2009 management measures, TAC, and allocations in Divisions 3L and 3M

Protection of Vulnerable Marine Ecosystems from Significant Adverse Impacts Monday, May 5 to Wednesday, May 7, 2008

12. Introductory Remarks
13. Review of UNGA Resolution
14. Assessment processes for fisheries and vulnerable marine ecosystems in the context of the Regulatory Area
15. Measures to mitigate significant adverse impacts on vulnerable marine ecosystems
16. Exploratory Fishing Protocol
17. Other matters
18. Adoption of Report
19. Adjournment

Annex 3. Opening Statement by the Representative of Canada

I would like to welcome you all to Montreal. For some of you, it might have been the first time looking at Mount Royal and the Oratory from the plane upon descending, for others, recognizing these landmarks may have brought back pleasant memories. This time of year is beautiful in this part of Canada (Alberta still had -10 C and snow last week!) and I hope the weather will be just perfect for the weekend so you can truly enjoy this magnificent city.

I am looking forward to a constructive meeting. We have a lot of work ahead both on the 3L and 3M shrimp management, and again next week on Vulnerable Marine Ecosystems. Challenges exist but I believe we can achieve tangible results over the course of our deliberations.

Over the past two years, we have accomplished a great deal. We successfully reformed NAFO, including negotiations on such difficult issues as guiding principles, voting system and dispute settlement. These very ambitious and significant results were carried out in a relatively short time frame and have transformed our Organization into a strong, modernized RFMO. We are committed to continuing this modernization effort by moving forward with ecosystem-based management approaches to protect vulnerable marine ecosystems. Our future approaches should build on our recent success to protect seamounts and coral concentrations on the Grand Banks.

This week, our first objective is to consider management options related to 3L and 3M shrimp. Previous attempts by this organization to move forward on harmonization were not successful, however, we are confident that progress on this important issue can be achieved this week.

Secondly, we hope to make progress on a long-standing issue related to the 3L shrimp fishery. Canada is committed to reaching a reasonable and multi-lateral solution that is permanent and satisfactory to all.

Finally, we must meet our international commitments regarding vulnerable marine ecosystems and continue the work that has been underway since 2006 to protect such ecosystems. We have already closed areas where we know seamounts are present and established a Coral Protection Zone. We must now focus on implementing the remaining components of the United Nations General Assembly resolution, particularly those related to the assessment of fisheries. The UN Food and Agricultural Organization has not yet finalized its work on the Guidelines for the Management of Deep Sea Fisheries in the High Seas, so our discussions will truly be groundbreaking next week. I look forward to our exchanges, including the participation of ENGOs in this process.

I am looking forward to a good and productive six days and am confident that at the end of the meeting, we will have achieved another milestone in modernizing NAFO.

Thank you.

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

The Faroe Islands & Greenland are pleased to be attending this extraordinary meeting of the Fisheries Commission and we would like to thank Canada for hosting the meeting. Our constructive cooperation over the past two years to reform the NAFO Convention has shown us the importance and value of setting dedicated time aside to deal with substantive issues that are difficult to address in full during the busy week of an annual meeting.

NAFO shrimp management

We welcome the opportunity to return to the issue of shrimp management in depth at this meeting, as issue of great importance for our delegation. Our views on the existing NAFO management of 3L shrimp are well known. The present system is not an allocation, but was adopted as a preliminary measure that was supposed to be fully reviewed in 2001. A review was attempted then but not successful, and the system has been rolled over from one year to the next ever since.

The aim in opening up the fishery in 2000 in a very limited way was the gradual development of the fishery. The fact that the fishery was proven to be a viable one has been in large part due to the efforts of Faroese fishing activities. In the years from 1994 to 1999 the Faroes made major contributions to research on this stock and exploratory catches showed clearly that this was a resource worth utilising under careful management.

Our delegation has tried to use the opportunity on two previous occasions when the TAC has been increased (2001 and 2005), to engage other Contracting Parties on alternative proposals, without this having generated any meaningful discussion. Other NAFO Parties have been content with rolling over the system since 1999, to which we have been forced to object.

As a provisional arrangement rather than a permanent allocation, it was not the intention to create a trading system through the transfer of small and economically unviable 3L shrimp shares. We have consistently abstained from voting on transfers due to our fundamental view that the arrangement for 3L shrimp does not represent a legitimate allocation, and should therefore not create an assumption that unused shares should remain at present levels or benefit from any further increases in the TAC.

But the TAC for 3L shrimp has been gradually increased to a level that makes the evenly divided shares under the preliminary measure start to look like fishable quantities. Despite this reality, we are not prepared to accept a solution that does not take fully into account the historical development and real interest in the fishery since its beginning.

The 3L shrimp stock is in very good shape and continues to grow. This gives us once more an opportunity to use a further increase in the TAC as mechanism through which we can once again try to resolve the outstanding issue of allocation. Hopefully this can provide us all with the flexibility to reach a consensus on this issue.

With regard to the issue of days versus quotas for 3M shrimp, we do not see this matter as an urgent conservation issue, given present patterns of fishery. But the present situation may indeed be the very reason that now is a good time to explore alternative management arrangements which can achieve consensus among all Parties. Reference periods and other parameters for translating days into quotas are the difficult issues in this regard, but we will be looking for a simple and transparent way forward.

Our delegation is participating at this meeting in order to negotiate and find solutions. We are highly motivated to do so, and we would in particular like to see the long-standing imbalance in 3L shrimp redressed. We therefore look forward to discussing constructively and in more detail with all other delegations over the next three days

Vulnerable Marine Ecosystems

Consideration of NAFO's implementation of UNGA resolution 105/61 at this meeting is well timed in relation to other on-going processes, not least the FAO technical consultations on Guidelines for the Management of Deep Sea Fisheries in which the Faroes now participate as newly admitted Assoc Member of FAO

Ecosystem-based fisheries management and protection of biodiversity are not new to us in NAFO, even though the mandate for addressing fisheries in the ecosystem has not yet been formally ratified through our reformed Convention. We have already established a coral protection zone which has closed a certain area to bottom contact gear and which requires Parties to incorporate coral monitoring into research programmes.

Our delegation feels very strongly that we must take a realistic and common sense approach to protecting VME's from significant adverse impacts from fisheries, and not put the cart before the horse. We need to focus on establishing a process that is appropriate to NAFO in both scale and detail. And we need to start by assessing the extent of the risk so we are all quite clear about the basis for our work in this area. We need to develop response mechanisms that can be implemented, where they are necessary, in a transparent manner based on the best available scientific knowledge.

This is why we can support a number of elements in both the EU and Canadian proposals, both in terms of mapping the footprint as well as setting up a more dedicated body of some kind to develop criteria and procedures and make recommendations for specific measures. We know from experience that it is difficult to deal with a lot of technical detail during an annual meeting. We also must take care to ensure full transparency in how such measures are proposed and implemented and a process in which all Parties feel able to participate in a meaningful way. This can take time, and UN deadlines are not always feasible when the rhetoric is translated into practical measures.

We must also acknowledge that the fishermen and skippers themselves are the best source of information on gear interaction, and their cooperation both on mapping impacts and assessing appropriate mitigation responses should of course be sought and encouraged.

We see a potential for greater collaboration with NEAFC. Although North Atlantic fisheries are quite different from west to east, many of the broader issues could benefit from a more active exchange, such as through joint Working Groups to examine the details of principle, process and procedure.

Finally, Mr Chair, our delegation would like to stress, that this it is extremely important for NAFO to set clear objectives on these questions with a firm basis in our own agreed objectives as a regional fisheries management organisation. It is here in the Northwest Atlantic, where our fisheries take place and where the voices of relevant stakeholders can be heard, that we must agree on objectives and measures for how best to implement ecosystem-based fisheries management.

Annex 5. Catch and Effort Data re 3L and 3M Shrimp (1993-2007)
(FC WP 08/3, Revision 3-compiled by the Secretariat)

The Secretariat has compiled the following background information concerning 3L and 3M shrimp stocks to assist Contracting Parties in their deliberations:

- Table 1 – NAFO catches of shrimps (mt) in Divisions 3L and 3M for 1993-2007 (Primary source: STATLANT 21)
- Table 2 – Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007)
- Table 3 – Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007)

Table 1. NAFO catches of shrimps (mt) in Divisions 3L and 3M 1996-2006 (as of 24 Apr 2008)

Primary Source: STATLANT 21 (see explanatory notes below)

Division 3L

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007*	Grand Total
CAN-M	2						28	458	421	567		716	707	1,332		4,231
CAN-N						82	50	3,921	4,589	4,835	9,953	9,597	10,788	16,664		60,479
CAN															16,863	16,863
CUB									46	70	81		136	239	245	817
EU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,662	1,662
E/ESP				4			11	40			151	140	154	251		751
E/EST								64	55	16	117	144	281	485		1,162
E/LTU								67	67	67	142	144	216	486		1,189
E/LVA								64	67	59	144	143	144	244		865
E/POL								40	54		145	144	129	245		757
FRA-SP								67	67	36	144	106	147	245	245	1,057
FRO	1,789	1,865		171	485	544	706	42	157	122	25	1,050	1,055	1,809	1,730	11,550
GRL								34			672	294	302	451	450	2,203
ISL								99		54	133	104	140	85	0	615
NOR							77			1	67		74	245	246	710
RUS			70					67	67			141	146	248	111	917
UKR									57		144	145		121	0	467
USA									66	57	144		136	245	245	893
Grand Total	1,791	1,865	70	175	485	626	795	5,040	5,713	5,951	12,062	12,868	14,555	23,395	21,797	107,188

Division 3M

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007*	Total
CAN-M	1,062	37	98	166		28	91									1,482
CAN-N	2,129	1,005	870	742	784	435	383	104	295	8				10		6,765
CAN															0	0
CUB							120	46	1,037	1,537	1,462	969	964	1,126	0	7,261
EU															9,458	9,458
E/DNK	514	245	190			430	236		93	359						2,067
E/ESP	240	187	280	198	423	912	1,020	1,347	855	674	857	1,134	1,384	877		10,388
E/EST		1,051	2,380	1,973	3,239	5,533	10,835	12,143	9,851	13,681	12,851	13,444	12,009	5,651		104,641
E/GBR											547					547
E/LTU		863	980	1,585	1,785	3,107	3,370	3,529	2,701	3,321	3,744	4,802	3,652	1,246		34,685
E/LVA		324	679	1,253	997	1,191	3,080	3,105	2,961	1,892	3,533	3,059	2,212	1,330		25,616
E/POL						148	894	1,692	209			1,158	458	224		4,783
E/PRT			17		170	203	227	289	420	16		50				1,392
FRA-SP								138	337	161		423	487	183	741	2,470
FRO	7,076	4,998	5,815	8,429	7,386	9,271	9,086	7,207	11,871	7,680	12,648	4,952	2,457	1,150	2,313	102,339
GRL	3,788	2,275	2,400	1,107	104	866	576	1,734		644	888		10	793	0	15,185
ISL	2,195	2,355	7,481	20,680	7,197	6,572	9,148	8,736	5,063	5,754	4,715	3,567	4,014	2,099	0	89,576
JPN								114	130	100	117				0	461
NOR	7,075	8,625	9,534	5,747	1,831	1,339	2,975	2,588	12,972	11,833	21,238	11,738	223	461	1,982	100,161
RUS	54	350	3,327	4,444	1,090		1,103	7,070	5,687	1,176	3	654	266	46	76	25,346
UKR									348		237	315		282	0	1,182
USA								629	758	96	762	952	1,235	1,258	1,287	6,977
Total	24,133	22,315	34,051	46,324	25,006	30,035	43,144	50,471	55,588	48,932	63,602	47,217	29,371	16,736	15,857	552,782

Explanatory Notes: Numbers in italics come from other sources.

- FRO 2006 3L and 3M Source: Monthly Provisional Catches

- GRL 2005-2006 3L and 3M Source: Monthly Provisional Catches

- FRA-SP 2004 - 2005 3L and 3M Source: Monthly Provisional Catches . Charter catches

- FRA-SP 2006 3L and 3M . Charter catches, as reported by EU/Estonia.

- USA 2000 3M . Charter catches, as reported by Estonia.

- USA 2001-2006 3L and 3M. Charter catches as reported by USA

*2007 values from Monthly Provisional Catches, except USA figure which was reported separately as charter catch.

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007)

Contracting Party	1996			1997			1998					
	Actual Effort (fishing days) ¹	Allocation (Fishing Days) ¹	Actual # of vessels	Allocation (Fishing Days) ¹	Actual # of vessels	Allocated # of fishing vessels ²	Actual Effort (fishing days) ¹	Allocation (Fishing Days) ¹	Actual # of vessels	Allocation (Fishing Days) ¹	Actual # of vessels	Allocated # of fishing vessels ²
Canada	311	492	16	443	156	16	82	443	82	443	16	16
Cuba	-	100	1	100	-	1	-	100	-	100	1	1
Estonia	990	1852	6	1217	1254	6	1454	1217	1454	1217	N/A	N/A
EU	-	508	13	457	63	13	105	457	105	457	13	13
Faroes	1831	1785	11	1606	1250	11	1292	1606	1292	1606	11	11
France (SPM)	-	100		100	22	1	-	100	-	100	3	3
Greenland	202	572	15	515	31	15	113	515	113	515	15	15
Iceland	5256	N/A	N/A	N/A	1327	24	980	N/A	980	N/A	N/A	N/A
Japan	-	100	-	100	-	N/A	-	100	-	100	N/A	N/A
Korea	-	100	N/A	100	-	N/A	-	100	-	100	N/A	N/A
Latvia	504	544	4	490	439	4	402	490	402	490	4	4
Lithuania	918	638	7	579	611	7	866	579	866	579	7	7
Norway	1549	2206	32	1985	329	32	211	1985	211	1985	32	32
Poland	-	100	N/A	100	100	1	40	100	40	100	N/A	N/A
Russia	2458	N/A	17	2600	807	18	-	2600	-	2600	15	15
Ukraine	-	100	N/A	100	-	1	-	100	-	100	1	1
USA	-	100	N/A	100	-	1	-	100	-	100	1	1
Grand Total	14019	9197	122	10492	6389	150	5545	10492	5545	10492	118	118

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table. Annex 1.B of the CEM

⁵ Source: VMS reports

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007) - cont.

Contracting Party	1999			2000			2001					
	Actual Effort (fishing days) ¹	Allocation (Fishing Days) ¹	Actual # of vessels	Allocated # of fishing vessels ²	Actual Effort (fishing days) ³	Allocation (Fishing Days) ²	Actual # of vessels	Allocated # of fishing vessels ²	Actual Effort (fishing days) ³	Allocation (Fishing Days) ²	Actual # of vessels	Allocated # of fishing vessels ²
Canada	79	456		16	261	456		16	-	380		16
Cuba	33	100		1	22	100		1	72	100		1
Estonia	1651	1667		8	1663	1667		8	1180	1389		8
EU	268	457		13	252	457		13	-	400		13
Faroes	1051	1606		8	972	1606		8	-	1606		8
France (SPM)	-	100		1	-	100		1	70	100		1
Greenland	65	515		14	223	515		14	-	515		14
Iceland	1222	N/A		32	1094	N/A		N/A	-	N/A		N/A
Japan	-	100		1	69	100		1	61	100		1
Korea	-	100		1	-	100		1	-	100		1
Latvia	438	490		3	489	490		3	485	490		4
Lithuania	620	579		7	581	579		7	550	579		7
Norway	394	1985		32	399	1985		32	1559	1654		32
Poland	104	100		1	43	100		1	9	100		1
Russia	417	2100		15	1411	2100		15	948	1750		N/A
Ukraine	-	100		1	-	100		1	68	100		1
USA	-	100		1	-	100		1	35	100		1
Grand Total	6342	10455		154	7479	10555		123	5037	9463		109

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table. Annex 1.B of the CEM

⁵ Source: VMS reports

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007) - cont.

Contracting Party	2002			2003			2004					
	Actual Effort (fishing days) ³	Allocation (Fishing Days) ²	Actual # of vessels	Allocated # of fishing vessels ²	Actual Effort (fishing days) ³	Allocation (Fishing Days) ²	Actual # of vessels	Allocated # of fishing vessels ²	Actual Effort (fishing days) ³	Allocation (Fishing Days) ⁴	Actual # of vessels ⁵	Allocated # of fishing vessels ⁴
Canada	-	400	16	16	-	456	16	16	0	456	16	16
Cuba	12	100	1	1	10	100	1	1	100	100	1	1
Estonia	1594	1667	8	8	1458	1667	8	8	1625	1667	8	8
EU	151	400	13	13	21	457	13	13	16	457	17	13
Faroes	-	1606	8	8	1410	1606	8	8	600	1606	6	8
France (SPM)	40	100	1	1	-	100	1	1	58	100	0	1
Greenland	65	515	14	14	73	515	14	14	0	515	0	14
Iceland	-	N/A	N/A	N/A	-	N/A	N/A	N/A	0	N/A	1	N/A
Japan	38	100	1	1	54	100	1	1	0	100	1	1
Korea	-	100	1	1	-	100	1	1	-	100	1	1
Latvia	277	490	4	4	431	490	4	4	361	490	4	4
Lithuania	415	579	7	7	495	579	7	7	578	579	7	7
Norway	1240	1985	32	32	1774	1985	32	32	978	1985	7	32
Poland	-	100	1	1	-	100	1	1	98	100	1	1
Russia	196	2100	N/A	N/A	-	2100	N/A	N/A	62	2100	1	N/A
Ukraine	-	100	1	1	41	100	1	1	42	100	1	1
USA	10	100	1	1	97	100	1	1	101	100	1	1
Grand Total	4038	10442	109	109	5864	10555	109	109	4619	10555	32	109

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table. Annex 1.B of the CEM

⁵ Source: VMS reports

Table 2. Effort Allocation Scheme for 3M Shrimp Fishery (1996-2007) - cont.

Contracting Party	2005			2006			2007					
	Actual Effort (fishing days) ³	Allocation (Fishing Days) ⁴	Actual # of vessels ⁵ fishing	Allocated # of vessels ⁴	Actual Effort (fishing days) ³	Allocation (Fishing Days) ⁴	Actual # of vessels ⁵ fishing	Allocated # of vessels ⁴	Actual Effort (fishing days) ³	Allocation (Fishing Days) ⁴	Actual # of vessels ⁵ fishing	Allocated # of vessels ⁴
Canada	0	456	16	16	3	456	1	16	0	456	-	16
Cuba	100	100	1	1	-	100	-	1	-	100	-	1
Estonia	-	-	-	-	-	-	-	-	-	-	-	-
EU	1866	3293	16	33	908	3293	9	33	1171	3293	8	33
Faroese	217	1606	6	8	108	1606	3	8	144	1606	3	8
France (SPM)	45	100	1	1	17	100	-	1	65	100	-	1
Greenland	2	515	0	14	63	515	4	14	0	515	-	14
Iceland	0	N/A	1	N/A	0	N/A	1	N/A	0	N/A	-	N/A
Japan	0	100	1	1	0	100	-	1	0	100	-	1
Korea	-	100	1	1	-	100	-	1	-	100	-	1
Latvia	-	-	-	-	-	-	-	-	-	-	-	-
Lithuania	-	-	-	-	-	-	-	-	-	-	-	-
Norway	13	1985	2	32	32	1985	1	32	104	1985	2	32
Poland	-	-	-	-	-	-	-	-	-	-	-	-
Russia	59	2100	N/A	N/A	6	2100	-	N/A	13	2100	-	N/A
Ukraine	-	100	1	1	31	100	1	1	-	100	-	1
USA	99	100	1	1	-	100	-	1	-	100	-	1
Grand Total	2401	10555	25	109	1168	10555	20	109	1497	10555	13	109

¹ Source: Meeting Report on Shrimp Stocks in the Reg. Area, 27-30 March 2000, Washington DC. Table 2 of Annex 10.

² Source: Effort Allocation Scheme Letters.

³ Source: Month Provisional Catch Reports

⁴ Source: Quota Table. Annex 1.B of the CEM

⁵ Source: VMS reports

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007)

Contracting Party	1996				1997				1998					
	3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M	3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Allocated fishing Days in 3M	3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M
Canada			166	492	443	608		442	443			442	443	443
Cuba			-	100	100	-		-	100			-	100	100
Estonia			1614	1852	1217	3166		4803	1217			4803	1217	1217
EU			199	508	457	569		1482	457			1482	457	457
Faroes			8767	1785	1606	7335	485	9179	1606	344		9179	1606	1606
France (SPM)			-	100	100	-		-	100			-	100	100
Greenland			1099	572	515	100		861	515			861	515	515
Iceland			21077	N/A	N/A	5671		5437	N/A			5437	N/A	N/A
Japan			-	100	100	-		-	100			-	100	100
Korea			-	100	100	-		-	100			-	100	100
Latvia			1253	544	490	956		1190	490			1190	490	490
Lithuania			1567	638	579	1708		3106	579			3106	579	579
Norway			5853	2206	1985	1974		1315	1985			1315	1985	1985
Poland			-	100	100	288		-	100			-	100	100
Russia			4443	N/A	2600	1067		-	2600			-	2600	2600
Ukraine			-	100	100	-		-	100			-	100	100
USA			-	100	100	-		-	100			-	100	100
Grand Total			46038	9197	10492	23442	485	27815	10492	344		27815	10492	10592

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007) - cont.

1999				2000				2001						
3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M	3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M	3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M
385				456	364	5000	105	261	456	4990	5000	294	-	380
119				100	0	67	46	22	100	46	67	797	72	100
10846				1667	64	67	12196	1663	1667	70	67	9638	1180	1389
1265				457	0	67	1617	252	457	29	67	756	-	400
9199				1606	36	67	7745	972	1606	71	67	12280	-	1606
-				100	-	67	-	-	100	67	67	408	70	100
576				515	34	67	1638	223	515	0	67	0	-	515
7643				N/A	0	67	7731	1094	N/A	14	67	5301	-	N/A
-				100	0	67	114	69	100	0	67	130	61	100
-				100	-	67	-	-	100	-	67	-	-	100
2765				490	67	67	3102	489	490	67	67	2984	485	490
3370				579	67	67	3528	581	579	67	67	2702	550	579
2976				1985	67	67	2633	399	1985	31	67	13255	1559	1654
707				100	58	67	316	43	100	64	67	196	9	100
1126				2100	67	67	7078	1411	2100	67	67	5687	948	1750
-				100	-	67	-	-	100	57	67	348	68	100
-				100	-	67	-	-	100	66	67	411	35	100
40977				10455	824	6072	47849	7479	10555	5706	6072	55187	5037	9463

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007) - cont.

2002						2003						2004					
3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M		3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M		3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M	
5188	5000	8	-	400		9102	10833	0	-	456		9944	10977*	0	0	456	
70	67	153	12	100		146	144	81	10	100		145	144	969	100	100	
16	67	13674	1594	1667		152	144	12732	1458	1667		144	144	13455	1625	1667	
0	67	1045	151	400		117	144	161	21	457		159	144	2724	16	457	
19	67	8509	-	1606		0	144	12622	1410	1606		1013	144	4932	600	1606	
36	67	161	40	100		-	144	-	-	100		106	144	423	58	100	
0	67	680	65	515		147	144	873	40	515		294	144	0	0	515	
39	67	5351	-	N/A		102	144	4588	-	N/A		142	144	3519	0	N/A	
0	67	100	38	100		0	144	116	54	100		0	144	0	0	100	
	67	-	-	100		-	144	-	-	100		-	144	-	-	100	
59	67	1885	277	490		144	144	3453	431	490		119	144	2332	361	490	
67	67	3321	415	579		142	144	3744	495	579		144	144	4802	578	579	
67	67	11225	1240	1985		145	144	22874	1774	1985		148	144	10743	978	1985	
0	67	-	-	100		-	144	-	-	100		144	144	1124	98	100	
67	67	1145	196	2100		0	144	3	-	2100		141	144	654	62	2100	
	67	-	-	100		144	144	238	41	100		144	144	314	42	100	
69	67	96	10	100		144	144	628	97	100		0	0**	952	101	100	
5697	6072	47353	4038	10442		10485	13137	62113	5831	10555		12787	13137	46943	4619	10555	

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Table 3. Catch and Effort Statistics on Shrimps in 3L and 3M from Monthly Provisional Catch Reports (1996-2007) - cont.

3L Catches (mt)	2005					2006					2007				
	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M	3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M	3L Catches (mt)	3L Quota (mt)	3M Catches (mt)	Reported fishing days in 3M	Allocated fishing Days in 3M	
11277	10833	0	0	456	17937	18325	10	3	456	16863	18570**	0	0	456	
136	144	1043	100	100	-	245	-	-	100	245*	245	-	-	100	
999	1008*	-	1866	3293	1687	1715*	-	908	3293	1662	1715	9458	1171	3293	
1044	144	2341	217	1606	1809	245	1150	108	1606	1730	245	2313	144	1606	
147	144	487	45	100	245	245	183	17	100	245*	245	741	65	100	
302	144	10	2	515	451	245	793	63	515	450	245	0	0	515	
71	144	4073	0	N/A	85	245	2099	0	N/A	0	245	0	0	N/A	
0	0**	0	0	100	0	0**	0	0	100	0	0**	0	0	100	
-	144	-	-	100	-	0**	-	-	100	0	0**	0	0	100	
144	144	184	13	1985	239	245	433	32	1985	246	245	1982	104	1985	
144	144	268	59	2100	248	245	46	6	2100	111	245	76	13	2100	
-	0**	-	-	100	119	245	277	31	100	245*	0**	0	0	100	
137	144	1188	99	100	245	245	245	31	100	245*	245	245	0	100	
14401	13137	9594	2401	10555	22820	22245	4991	1168	10555	21797	22245	14570	1497	10555	

Footnotes:

* Reported as Charter catches.

** Adjusted Quota due to Quota Transfer.

Annex 6. 3M Shrimp Management Regime – Proposal by Canada
(FC WP 08/7, Revision 1)

This represents a modification to Canadian proposal related to 3M shrimp management.

- The proposal considers the current allocation key for effort days (including a proxy value for Iceland) as well as two history periods (1993-2006 and 2001-2006) to provide a blended percentage key
- The catch values have been updated and reflect those calculated by the Executive Secretary
- Each of the three sharing components were given equal weight (1/3-1/3-1/3)
- In addition, a base level of 320t was incorporated into the final key

Contracting Party	Current Effort Key		History 1 1993-2006	History 2 2001-2006	Blend (1/3- 1/3-1/3)	Quota at blend	Top-up to 320t Base Level	Blend (1/3-1/3-1/3) with Adjustment for Base level Participation of 320t	
	Allocated Days	%	%	%	%	t		Quota	%
Canada	456	3.69	1.54	0.12	1.78	855		847	1.76
Cuba	100	0.81	1.35	2.71	1.63	780		772	1.61
Greenland	515	4.17	2.83	0.89	2.63	1262		1250	2.60
Faroe Islands	1606	13.00	18.63	15.59	15.74	7555		7479	15.58
European Union	3293	26.65	34.29	42.55	34.50	16560		16393	34.15
France (SPM)	100	0.81	0.32	0.61	0.58	278	43	320	0.67
Iceland	1800	14.57	16.68	9.64	13.63	6543		6477	13.49
Japan	100	0.81	0.09	0.13	0.34	164	157	320	0.67
Korea	100	0.81	0.00	0.00	0.27	130	192	320	0.67
Norway	1985	16.07	18.29	22.36	18.90	9074		8983	18.71
Russian Federation	2100	17.00	4.71	3.00	8.23	3952		3912	8.15
Ukraine	100	0.81	0.22	0.45	0.49	237	84	320	0.67
USA	100	0.81	1.06	1.94	1.27	609		603	1.26
TOTALS	12355	100	100	100	100.00	48000	476	47995	100

Annex 7. EC Proposal for a TAC for 2009 and 2010, and a Quota Allocation Scheme, for 3M Shrimp
(FC WP 08/12, Revision 1)

Party	2000	2001	2002	2003	2004	2005	2006	2007	Total	Average %	Science Contribution 3%	97% Allocation	TOTAL	Adjusted Total Allocation
												46,560	48,000	
Canada	104	295	8	0	0	0	10	0	417	0.13%		59	59	400
Cuba	46	1,037	1,537	1,462	969	964	1,126	0	7,141	2.18%		1,014	1,014	1,021
EC	22,105	17,090	19,943	21,532	23,647	19,715	9,328	9,458	142,818	43.57%	1,440	20,287	21,727	21,789
FR (SPM)	138	337	161	0	423	487	183	741	2,470	0.75%		351	351	400
FI	7,207	11,871	7,680	12,648	4,952	2,457	1,150	2,313	50,278	15.34%		7,142	7,142	7,192
G'land	1,734	0	644	888	0	10	793	0	4,069	1.24%		578	578	580
Iceland	8,736	5,063	5,754	4,715	3,567	4,014	2,099	0	33,948	10.36%		4,822	4,822	4,856
Japan	114	130	100	117	0	0	0	0	461	0.14%		65	65	400
Norway	2,588	12,972	11,833	21,238	11,738	223	461	1,982	63,035	19.23%		8,954	8,954	9,017
Russia	7,070	5,687	1,176	3	654	266	46	76	14,978	4.57%		2,128	2,128	2,142
Korea														400
Ukraine	0	348	0	237	315	0	282	0	1,182	0.36%		168	168	400
USA	629	758	96	762	952	1,235	1,258	1,287	6,977	2.13%		991	991	991
TOTAL	50,471	55,588	48,932	63,602	47,217	29,371	16,736	15,857	327,774	100.00%	1,440	46,560	48,000	49,588

Annex 8. 3M Shrimp Management Regime (Proposal by Russian Federation)
(FC WP 08/13)

This proposal represents a 3M shrimp TAC and sharing key based on the following components:

- The current allocation key for effort days as well as two history periods (1993-2006 and 2001-2006) to provide a blended percentage key
- Three sharing components were weighted (50:25:25)
 - Current effort key – 50%
 - History 1 (1993-2006) – 25%
 - History 2 (2001-2006) – 25%
- The catch values have been updated and reflect those calculated by the Executive Secretary

Contracting Party	Current effort key			History 1		History 2		Combined quota	
	Allocated days	%	MT	%	MT	%	MT	%	MT
Canada	456	3.75	898.89	1.54	184.80	0.12	14.40	2.29	1098.09
Cuba	100	0.82	197.13	1.35	162.00	2.71	325.20	1.43	684.33
Greenland	515	4.23	1015.20	2.83	339.60	0.89	106.80	3.04	1461.60
Faroe Islands	1606	13.19	3165.83	18.63	2235.60	15.59	1870.80	15.15	7272.23
European Union	3293	27.05	6491.33	34.29	4114.80	42.55	5106.00	32.73	15712.13
France (SPM)	100	0.82	197.13	0.32	38.40	0.61	73.20	0.64	308.73
Iceland	1620	13.31	3193.43	16.68	2001.60	9.64	1156.80	13.23	6351.83
Japan	100	0.82	197.13	0.09	10.80	0.13	15.60	0.47	223.53
Korea	100	0.82	197.13	0.00	0.00	0.00	0.00	0.41	197.13
Norway	1985	16.30	3912.94	18.29	2194.80	22.36	2683.20	18.31	8790.94
Russian Federation	2100	17.25	4139.63	4.71	565.20	3.00	360.00	10.55	5064.83
Ukraine	100	0.82	197.13	0.22	26.40	0.45	54.00	0.58	277.53
USA	100	0.82	197.13	1.06	127.20	1.94	232.80	1.16	557.13
TOTALS	12175	100.00	24000.00	100.01	12001.20	99.99	11998.80	100.00	48000.00

Annex 9. Proposal by Norway on a TAC Allocation Scheme for 3M Shrimp
(FC WP 08/14)

Principles

The allocation scheme (Table 1) is based on both the current allocation (effort days) and on the realized fishing pattern 1996-2007 (catches). It weighs the effort allocation by 1/3 and the recent fishing pattern by 2/3. The realized fishing pattern is determined from the 1996-2007 catch history by giving increasing weights to the most recent years (see Fig. 1).

Table 1. Current effort allocation, weighted realized catch allocation and the weighted mean allocation (1/3effort:2/3weighted catch history).

Contracting Party	Effort		Catch (weighted)		Combined %
	Days	Share	1996-2007 Tons	Share	
		%		%	
Canada	456	3.75 %	590	0.23 %	1.40 %
Cuba	100	0.82 %	5744	2.21 %	1.74 %
Faroese	1606	13.19 %	41098	15.78 %	14.91 %
Greenland	515	4.23 %	3363	1.29 %	2.27 %
European Union	3293	27.05 %	118332	45.43 %	39.30 %
France (SPM)	100	0.82 %	1390	0.53 %	0.63 %
Iceland*	1620	13.31 %	28877	11.09 %	11.82 %
Japan	100	0.82 %	276	0.11 %	0.34 %
Korea	100	0.82 %	0	0.00 %	0.27 %
Norway	1985	16.30 %	46602	17.89 %	17.36 %
Russian Federation	2100	17.25 %	8509	3.27 %	7.92 %
Ukraine	100	0.82 %	949	0.36 %	0.52 %
USA	100	0.82 %	4726	1.81 %	1.48 %
TOTALS	12175	100 %	260456	100 %	100 %

*Adjusted to 90% effort allocation as for other countries.

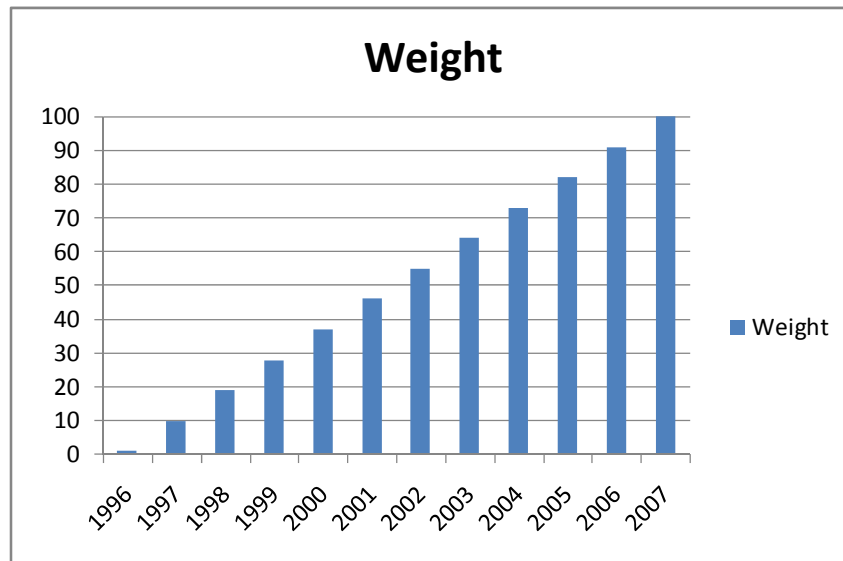


Figure 1. The catch weighting function: recent years are weighted higher than earlier years.

Annex 10. Proposal by DFG - 3M Shrimp
(FC WP 08/16)

Allocation is based on the catches 1993-2007.

The catch figure used for Iceland in 1996 has been adjusted to take into account that Iceland had no regulation for its fishery in that year.

Contracting Party	Allocation	
	tonnes	%
Canada	706	1,5%
Cuba	630	1,3%
Faroe Islands	9.117	19,0%
Greenland	1.333	2,8%
EU	16.862	35,1%
France (SP)	400	0,8%
Iceland	6.380	13,3%
Japan	400	0,8%
Korea	400	0,8%
Norway	8.675	18,1%
Russia	2.201	4,6%
Ukraine	400	0,8%
USA	494	1,0%
	48.000	

**Annex 11. Modification to the Conservation and Management Measures
Relating to Shrimp in Division 3L (Proposal by the EC)**
(FC WP 08/11)

1. The provision in the Conservation and Enforcement Measures, Article 14 - Area and Time Restrictions, point 1, in relation to the fishing prohibition period in Area 3L, is hereby deleted.
2. The provision in the Conservation and Enforcement Measures, Article 14 - Area and Time Restrictions, point 2, relating to the limitation of "...at any one time to one vessel per each flag state Contracting Party's allocation", is hereby deleted.

**Annex 12. Fisheries Commission request to the Scientific Council
on Shrimp in Division 3L (Proposal by the EC)**
(FC WP 08/10)

The Fisheries Commission, with the concurrence of the Coastal State, hereby requests that the Scientific Council provide updated information on the distribution on shrimp in Divisions 3L, 3N and 3O, as well as describe the relative distribution inside and outside the NAFO Regulatory Area.

Annex 13. Canadian Statement for FC on 3L Shrimp Distribution

Noting the information presented to Scientific Council in October 2007 in Scientific Council Research Document 07/091, it is obvious that there has not been a change in the distribution of shrimp in Division 3L with respect to the proportion in NAFO Regulatory Area (NRA).

When SC first provided advice to Fisheries Commission on 3L shrimp distribution, in 1999, available data from autumn surveys in 1995-1998 showed that 17.6% of the shrimp biomass in Div. 3L, on average, was located in the NAFO Regulatory Area (NRA). The data presented to SC in SCR 07/091 shows that the average percentage of biomass in the NRA in Div. 3L, from the full time series of autumn surveys (1995-2006), was identical at 17.6%.

The data presented to SC in SCR 07/091, using improved methodology for biomass calculation, show that the average percentage of biomass in the NRA in Div. 3L, from the full time series of autumn surveys (1995-2006), was 16.1%. Using the new methodology on the data from 1995-1998 results in an average of 15.1%.

Data from spring surveys in Div. 3L, from 1999-2007, showed that, on average, 21.3% of shrimp biomass in Div. 3L was in the NRA. When data from all available spring and autumn surveys are examined together, they indicate that, on average, 18.4% of shrimp biomass in Div. 3L was in the NRA.

Data from both spring and autumn time series show variation, but no long-term trends in the percentage of shrimp biomass in the NRA in Div. 3L.

**Annex 14. Proposal by Denmark (in respect of the Faroe Islands and Greenland) re
Allocation of Shrimp in 3L
(FC WP 08/8)**

Allocation of shrimp in 3L	2008	2008
		Proposal
Canada	20.824	23.259
Cuba	278	294
DFG	[278]	2.625
EU	1.392	1.470
France-SP & Miquelon	278	294
Iceland	278	294
Japan	278	294
Korea	278	294
Norway	278	294
Russia	278	294
Ukraine	278	294
USA	278	294
TAC	25.000	30.000

Annex 15. Compromise Proposal by Norway on the Allocation of Shrimp in 3L
(FC WP 08/9)

Allocation of shrimp in 3L	2008
	Proposal
Canada	20.824
Cuba	278
DFG	1.278
EU	1.392
France-SP & Mi	278
Iceland	278
Japan	278
Korea	278
Norway	278
Russia	278
Ukraine	278
USA	278
TAC	26.000

Annex 16. Introductory Remarks by Canada

Canada welcomed all participants to intersessional.

Canada emphasized the need for this meeting to complete unfinished business on VMEs, having already made progress in the last two years on seamounts and corals.

Canada believes that it is essential that we make real progress as we have already lost half year of implementation against commitments for the end of 2008, for not having adopted measures in Lisbon on outstanding aspects of the Resolution.

If we cannot agree to elements to be adopted here, we will be in a very difficult position to meet commitments by the end of the year. If we do not have anything to report to the United Nations General Assembly (UNGA) for the 2009 Review, the credibility of NAFO will be at stake.

We have negotiated the Resolution in good faith and would expect NAFO to be compliant.

At this meeting, we need to:

- * Adopt obligations in the NCEM text;
- * Establish terms of reference for any new bodies;
- * Decide on special requests for advice or work to the Scientific Council that is needed by September or the end of the year, starting with the June meeting of the Scientific council, and;
- * Set in train a process to establish a template and procedures for assessment of current fisheries.

Annex 17. Introductory Remarks by USA

We would like to thank the Government of Canada for hosting this intersessional and the NAFO Secretariat for their preparatory work.

At the highest levels of our Government, the United States has made it a priority to address the protection of vulnerable marine ecosystems, both within and beyond national jurisdiction, from fishing practices that have significant adverse impacts on those habitats. The United States has a new law, the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 that reflects this priority.

We therefore strongly support the provisions of UNGA Resolution 61/105 on the management of deep seas fisheries and the protection of VMEs, and the implementation of these measures by States and RFMOs by December 31, 2008. Without adoption and implementation of such measures, after December 31, 2008, bottom fishing activities on the high seas, including NAFO Convention waters, must cease.

The 2006 UNGA Resolution provisions encompass a range of elements that are not currently reflected in NAFO's conservation and management measures. The following are key elements, in our view, to be included in a revised or new NAFO conservation measure to address this important issue:

1. Elaboration of a process to assess whether bottom fishing would have significant adverse impacts on VMEs, and subsequent adoption of CEM to prevent significant adverse impacts.
2. Area closures where VMEs are known to occur or are likely to occur, unless conservation and management measures are adopted to prevent significant adverse impacts.
3. Elaboration of an encounter clause – e.g., ceasing bottom fishing if a VME is encountered until conservation and management measures are adopted for the site to prevent significant adverse impacts..
4. Provisions for cooperation to identify VMEs, and collect and share data.

We recognize the challenges associated with implementing these measures within a NAFO context. However, it is our shared responsibility here at this meeting to develop and agree to measures that reflect the requirements of 61/105. To not do so will send a message of failure not only to our stakeholders who are closely watching our progress but also to those regional bodies that will follow us.

We believe that the text on VMEs, SAI and assessment processes as developed and agreed at the FAO Technical Consultations earlier this year will provide necessary guidance to our discussions here.

We thank Canada and the EC for their helpful proposals to begin our discussions here today. It is clear to the US that while the proposals differ there is a fundamental commonality - the protection of vulnerable marine ecosystems from bottom fishing activities. We look forward to working with our colleagues around the table to operationalize this shared goal here in Montreal. The sooner we roll up our sleeves and put these proposals together the sooner we will be able to make real progress on this issue.

Annex 18. Introductory Remarks by EAC

Mr. Chairman, Contracting Parties,

On behalf of the Ecology Action Centre, based in Halifax, Nova Scotia, we are honored to be observers at this meeting. As part of the Deep Sea Conservation Coalition, an organization of over 60 groups across the globe, we encourage NAFO and its Contracting Parties to take a strong decision this week to implement the UNGA Sustainable Fisheries Resolution, 61/105.

At the time of its adoption, the UNGA Resolution was considered a compromise, and many of you here today, hoped for a stronger Resolution in New York in 2006. Because of this, we see no obstacle to implementing the Resolution in full.

We are encouraged by this meeting, and to hear the statements of Contracting Parties that clearly indicate an understanding of the importance of protecting the corals, sponges, and vulnerable fish species and ecosystems in the NAFO regulatory area from destructive fishing practices.

As one of the most established RFMOs, NAFO has the opportunity to be a leader in establishing a process to protect vulnerable marine ecosystems (VMEs) on the high seas.

We look forward to an agreed framework at the end of this meeting that sets the stage for the future of the Northwest Atlantic, in keeping with the UNGA resolution, and meets the deadlines that have been established. By December 31, 2008, we hope that NAFO brings into regulation protection of VMEs and destructive fishing practices.

Annex 19. Introductory Remarks by SCC

Introduction

After many years of attempting to manage fisheries with the focus on the sustainability of fish stocks, it appears that other factors associated with ocean environment, habitats, and ecosystems require more attention. Similarly, the invasive capacity of modern fishing technologies has come under considerable scrutiny over the past few decades especially with the recent scientific evidence on the destructive nature of some technologies and fishing practices. This proposal is presented as a response to this situation and offers some recommendations to facilitate the change to a healthy ocean strategy. The areas of focus include identifying and establishing zones to protect cold water corals and sensitive diverse deep-water areas, promoting gear conversion /buy back/retirement programs as a mechanism to make the transition to less intrusive fishing technologies, and promoting marine safety among fishing fleets and crews.

Protecting Cold Water Corals

One of the responses to the aforementioned situation has been the identification of highly-diverse, productive, and sensitive deep-water marine environments. In some jurisdictions efforts have been made to restrict human activity in such areas through the establishment of marine reserves or marine protected areas to provide the opportunity for the recovery of highly productive and diverse marine environments. By protecting umbrella species such as corals, this has provided shelter for other commercial and non-commercial fish species and is recognized by leading researchers in the scientific community to contribute to improving the health of the planet's oceans.

Over the past few years our organization has consulted with various independent university based scientists. Through these collaborations, discussions and shared research various sensitive, diverse, deep water areas off the coasts of Newfoundland and Labrador have been identified. Enclosed with this proposal are a series of charts which outline some of the significant cold water coral beds and sensitive, diverse deep-water areas. The decision to target these particular locations comes as a result of lengthy consultations with Dr Evan Edinger, Oceanographer, Memorial University whose area of research interest is cold water corals and Dr. Richard Haedrich, fish habitat biologist, Memorial University. Dr. Haedrich's area of interest is fish abundance and diversity. In 2007 they, along with Vonda Wareham, co-authored a scientific paper, "Patterns of groundfish diversity and abundance in relation to deep-sea corals distributions in Newfoundland and Labrador." (See Conservation and adaptive management of seamount and deep-sea coral ecosystems, George, R.Y. and S.D. Cairns, eds., 2007. The paper analyzed the association between groundfish and corals in Newfoundland and Labrador waters. The research findings indicated that when establishing closed areas for corals, the corals act as an umbrella species or flagship species and thus protect the capacity for abundance and diversity among other apparently unrelated fish species. The zones designated on the enclosed charts reflect those findings. It is our recommendation based on the best scientific information available that the zones as designated be closed.

Gear Conversion/Licence Buyback/Retirement Programs

It is a further recommendation of the Sierra Club of Canada that based on the evidence of the destruction wrought on the marine environment from bottom trawling the Northwest Atlantic Fisheries Organization encourage member states to adopt gear conversion/buyback/retirement programs to change how fishing is conducted in the North-west Atlantic. Adopting less intrusive, more benign fishing technologies will permit recovery within the natural habitats of the ocean floor and with it rejuvenation of commercial and non-commercial fish stocks. Establishing the closed areas mentioned above will require adjustments and transitions as part of the process to re-establish healthy ocean habitats within the Northwest Atlantic marine environment. To facilitate this process the Sierra Club of Canada recommends the Northwest Atlantic Fisheries Organization encourage its members to adopt licence buyback and retirement programs for those displaced through the closure of these sensitive abundant diverse deep-water areas.

Marine Safety

Finally, fishing technologies such as longlining for groundfish have been shown to have minimal effects on the ocean floor outside coral areas. From a work safety perspective, such technology is far safer than bottom trawling as the tasks of setting and retrieving the longline gear - a single line of thousands of baited hooks - is completed inside the ship. This work process contrasts with bottom or mid-water trawling which involves working outside on deck, handling very heavy nets, cables, and trawl doors; usually swinging from a large steel A-frame, situated above a ramp, located on the stern of the ship.

Summary

We propose three recommendations to foster the re-establishment of a healthy ocean environment in the Northwest Atlantic:

- Closing sensitive, diverse, abundant cold water coral areas as outlined in the enclosed charts.
- Encouraging member countries to establish gear conversion/licence buyback/retirement programs.
- Encouraging the use of benign fishing technologies to promote marine safety.

Annex 20. Introductory Remarks by WWF

WWF's *Measures of Success* for the May 2008 NAFO Intersessional Meeting

WWF is committed to working with NAFO and its Contracting Parties to restore ecosystem health, rebuild depleted fish stocks, and ensure fisheries are sustainable in the NAFO Regulatory Area (NRA). The protection of coldwater corals and other vulnerable marine ecosystems (VMEs) is an important step toward realizing this vision for the NRA and the broader Grand Banks region.

The 2006 United Nations General Assembly (UNGA) Resolution on Sustainable Fisheries (61/105) calls on regional fisheries management organizations – such as NAFO – to assess the impacts of bottom fishing and identify and protect VMEs by December 31, 2008. NAFO has taken some initial steps in this direction over the last two years by adopting measures to protect seamounts and corals in parts of the regulatory area.

The May 5-7th Intersessional Meeting in Montreal will be a success if the NAFO Fisheries Commission adopts a regulatory framework that ensures all components of Paragraph 83(a-d) of the UNGA Resolution are implemented by December 31, 2008 in a manner consistent with the FAO Guidelines for the Management of Deep-sea Fisheries in the High Seas.

The regulatory framework must:

- Mandate the Scientific Council to identify VMEs in the NRA by September 2008 through the systematic assessment and mapping of the best available species and habitat information; and
- Ensure that measures are in place by December 2008 to prevent any significant adverse impacts to VMEs from all fisheries in the NRA. These measures, must include, at a minimum:
 - The closure of all areas known or likely to contain VMEs to bottom fishing, and
 - Provisions that require vessels to immediately cease fishing and move away from areas where coldwater corals, sponges and other components of VMEs are encountered in the NRA.

The lack of detailed information on VMEs highlights the need to apply the precautionary approach, a principle that is specified in both the UNGA Resolution and the reformed NAFO Convention Text. Given the challenges of meeting the December 2008 deadline, WWF feels that interim measures would be appropriate to protect areas known or likely to contain VMEs until better information is available.

WWF is eager to work with NAFO, including the Scientific Council and all Contracting Parties, toward meaningful protection for VMEs. We have considerable expertise in regional-scale mapping of species and habitats for the identification of priority areas for conservation, and in developing practical conservation strategies.

Annex 21. Supplementary Request to Scientific Council
(FC WP 08/18, Revision 2 now FC Doc. 08/2)

At the 2007 Annual Meeting, Fisheries Commission requested Scientific Council advice as follows:

10. Recognizing the initiatives on vulnerable marine ecosystems (VME) Fisheries Commission requests the Scientific Council to:
- a) Develop initial methodologies for the identification of VME and assessment of individual fishing activities, drawing on relevant international information and objective standards and guidelines as may have been developed, as deemed appropriate for this work;
 - b) Assess, at least on a preliminary basis, using the best available scientific information and assessment methodology, whether individual bottom fishing activities would have significant adverse impacts on identified vulnerable marine ecosystems, with a view to reporting these findings to the Fisheries Commission and ensuring that additional conservation and management measures, where required, are recommended, through a Working Group of Fishery Managers and Scientists on Ecosystems Management, to the Fisheries Commission at its September 2008 meeting;
 - c) Develop appropriate scientific methods for the longer term monitoring of the health of VME.

Fisheries Commission further requests the Scientific Council to provide supplementary advice with respect to commitments related to UNGA Resolution 61/105 by:

For the NAFO Regulatory Area and using existing information:

1. Identifying vulnerable species and habitat-forming species that are documented/considered sensitive and likely vulnerable to deep-sea fisheries.
2. Identifying areas (mega-habitats) which are topographical, hydro-physical or geological features (including fragile geologic structures) known to support vulnerable species, communities, or habitats.
3. This identification process should draw on relevant international information as may have been developed and as deemed appropriate for this work.
4. Mapping locations of vulnerable marine ecosystems, if any, as well bottom substrate features contained therein.

Additionally, the following VME Data Collection Protocol is referred to Scientific Council for review and advice. Completion of this work is requested by September 2008 to facilitate a meeting of the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems.

Vulnerable Marine Ecosystem (VME) Data Collection Protocol

1.0 Observers on fishing vessels in the NAFO Regulatory Area who are deployed pursuant to Chapter III, Article 24 shall:

- i. Monitor any set for evidence of VME and the presence of vulnerable marine species.
- ii. For VME generally, record Species Code, Trip#, Set#, Vessel Name, Gear Type, Latitude/Longitude, Depth, Date and Name of Observer on datasheets, if possible,
 - Live animals should be measured and released, dead animals measured and sexed
 - Samples may be collected and frozen (eg: gonads from dead specimens), when requested by Scientific Council or the scientific authority in a Contracting Party
- iii. For deep-sea coral species, also collect as many samples as practicable for use in confirmation of species identification, genetic and geochemistry composition:
 - Collect a small (~5 cm) piece of each coral species and freeze in plastic bag, with a pre-printed waterproof label indicating Species Code, Trip#, Set#, Vessel Name, Gear Type, Latitude/Longitude, Depth, Date and Name of Observer.
 - For species with large skeletons (*Primnoa*, *Paragorgia*, *Paramuricea*, *Bathypathes*), collect as large a piece of the coral as possible, label with total weight and sub-sample weight, and freeze.
- iv. Samples should be provided to the scientific authority in a Contracting Party at the end of the fishing trip.

Observer and masters should refer to the NAFO Coral Species Identification Guide and other material provided by Scientific Council.

**Annex 22. Joint Proposal by Canada and the European Community for a new
Chapter I bis of the NAFO Conservation and Enforcement Measures
Bottom Fisheries in the NAFO Regulatory Area**
(FC WP 08/19, Revision 3 – now FC Doc. 08/3)

Article 1. Purpose and definitions

1. The purpose of this chapter is to ensure the implementation by NAFO of effective measures to prevent significant adverse impacts of bottom fishing activities on vulnerable marine ecosystems known to occur or likely to occur in the Regulatory Area based on the best available scientific information. For the purposes of this Chapter, NAFO will take into account the guidance provided by the FAO in the framework of the Code of Conduct for Responsible Fisheries and any other internationally agreed standards, as appropriate.
2. The term 'bottom fishing activities' means bottom fishing activities where the fishing gear is likely to contact the seafloor during the normal course of fishing operations.
3. The term "existing bottom fishing areas" initially means areas where VMS data and/or other available geo-reference data indicating bottom fishing activities have been conducted at least in two years within a reference period of 1987 to 2007. This shall be revised regularly in accordance with Article 2.4.
4. The term "new bottom fishing areas" means all other areas within the Regulatory Area which are not defined as existing bottom fishing areas, including waters deeper than 2000 metres.

Article 2. Identification of existing bottom fishing areas (footprint)

1. In 2008, NAFO shall proceed to map existing bottom fishing areas within the Regulatory Area for bottom fishing activities. Mapping of trawling activity shall be given priority.
2. Contracting Parties with vessels involved in bottom fishing activities in the period of 1987-2007 shall, for the purpose of paragraph 1, submit during 2008 comprehensive maps of existing fishing areas to the Executive Secretary. Maps shall be based on VMS data and/or other available geo-reference data and expressed in as precise spatial and temporal resolution as possible. Contracting Parties may, in the future, consider the possibility of refining these maps on the basis of haul by haul information, if available.
3. The Executive Secretary shall compile maps submitted by Contracting Parties pursuant to paragraph 2. The Executive Secretary shall on that basis, as well as on any data available to it, produce a comprehensive map of existing fishing areas. The Executive Secretary shall forward this map to the Scientific Council for review and comment at its meeting in September 2008 and thereafter to the Fisheries Commission.
4. The comprehensive map of existing bottom fishing areas referred to in paragraph 3 shall be revised regularly to incorporate any new relevant information.

Article 3. Bottom fishing activities in new fishing areas

1. From 1 January 2009, all bottom fishing activities in new fishing areas or with bottom gear not previously used in the area concerned, shall be considered as exploratory fisheries and shall be conducted in accordance with an exploratory fisheries protocol to be adopted by the Fisheries Commission in 2008.
2. The exploratory bottom fishing shall be subject to the assessment procedure set forth in Article 4, with the understanding that particular care will be taken in the evaluation of risks of the significant adverse impact on vulnerable marine ecosystems, in line with the precautionary approach.
3. Contracting Parties shall communicate the exploratory fisheries protocol referred to in paragraph 1 to the Executive Secretary for forwarding to the Scientific Council for review and to all Contracting Parties for information, together with the information or preliminary impact assessment referred to in Article 4, paragraph 3 (i), below.
4. Contracting Parties shall provide promptly a report of the results of such activities to the Executive Secretary for circulation to the Scientific Council and all Contracting Parties.
5. Prior to commencing new bottom fishing activities based upon the results of exploratory fisheries conducted in the prior two years, the Fisheries Commission shall review the assessments undertaken in

accordance with Article 4 below and the results of the fishing protocols implemented by the participating fleets, and shall:

- i. establish conservation and management measures to prevent significant adverse impacts on vulnerable marine ecosystems from individual fishing activities and to ensure the long-term sustainability of deep sea fish stocks, or
 - ii. not authorize these fishing activities to proceed.
6. Contracting Parties shall ensure that vessels flying their flag conducting exploratory fisheries are equipped with a satellite monitoring device and have an observer on board.

Article 4. Assessment of bottom fishing

1. The Scientific Council, with the co-operation of Contracting Parties, shall identify, on the basis of best available scientific information, vulnerable marine ecosystems in the Regulatory Area and map sites where these vulnerable marine ecosystem are known to occur or likely to occur and provide such data and information to the Executive Secretary for circulation to all Contracting Parties
2. Proposed bottom fishing activities in the Regulatory Area for 2009 shall be subject to assessment by the Scientific Council in 2008, based on the best available scientific information, to determine if such activities, taking account of the history of bottom fishing in the areas proposed, would have significant adverse impacts on vulnerable marine ecosystems.
3. Thereafter, assessments shall follow the procedures below:
 - (i) Each Contracting Party proposing to participate in bottom fishing shall submit to the Executive Secretary information and an initial assessment, where possible, of the known and anticipated impacts of its bottom fishing activities on vulnerable marine ecosystems, in advance of the next meeting of the Scientific Council. These submissions shall also include the mitigation measures proposed by the Contracting Party to prevent such impacts. The Executive Secretary shall promptly forward these submissions to the Scientific Council and the Fisheries Commission.
 - (ii) The submission of such information shall be carried out in accordance with guidance developed by the Scientific Council, or, in the absence of such guidance, to the best of the Contracting Party's ability.
 - (iii) The Scientific Council shall undertake an assessment, according to procedures and standards it develops, and provide advice to the Fisheries Commission as to whether the proposed bottom fishing activity would have significant adverse impacts on vulnerable marine ecosystems and, if so, whether mitigation measures would prevent such impacts. The Scientific Council may use in its assessment additional information available to it, including information from other fisheries in the region or similar fisheries elsewhere.
4. The *ad hoc* Working Group of managers and scientists on VMEs, the terms of reference of which are attached, shall examine the advice of the Scientific Council and shall make recommendations to the Fisheries Commission in accordance with its mandate.
5. The Fisheries Commission shall, taking account of advice and recommendations provided by the Scientific Council and the *ad hoc* Working Group of scientists and managers, concerning bottom fishing activities, including data and information arising from reports pursuant to Article 5 adopt conservation and management measures to prevent significant adverse impacts on vulnerable marine ecosystems, that may include:
 - (a) allowing, prohibiting or restricting bottom fishing activities;
 - (b) requiring specific mitigation measures for bottom fishing activities;
 - (c) allowing, prohibiting or restricting bottom fishing with certain gear types, or changes in gear design and/or deployment; and/or
 - (d) any other relevant requirements or restrictions to prevent significant adverse impacts to vulnerable marine ecosystems.
6. Fisheries Commission will periodically ask Scientific Council and the *ad hoc* working group of managers and scientists on vulnerable marine ecosystems to provide advice to Fisheries Commission on the timing and requirement for assessment of a previously assessed bottom fishery.

Article 5. Encounters with vulnerable marine ecosystems

Contracting Parties shall require that vessels flying their flag cease bottom fishing activities in any site in the Regulatory Area where, in the course of fishing operations, evidence of vulnerable marine ecosystems is encountered, and report the encounter, including the location, and the type of ecosystem in question, to the Executive Secretary so that appropriate measures can be adopted in respect of the relevant site. Such sites will then be treated in accordance with Article 4, paragraph 5.

The *ad hoc* Working Group of managers and scientists shall develop, during 2008, operational procedures relating to these encounters, in accordance with its mandate.

Article 6. Review

The provisions of this chapter shall be reviewed by the Fisheries Commission at its Annual Meeting in 2011. The Commission shall biannually thereafter examine the effectiveness of these provisions in protecting vulnerable marine ecosystems from significant adverse impacts.

Terms of Reference

Ad Hoc Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems

Structure:

An ad hoc Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems is established in 2008 which reports to the Fisheries Commission, consults with Scientific Council, and provides recommendations to Fisheries Commission.

The Working Group shall be comprised of fishery managers and scientists from Contracting Parties supported by advisors, as required, up to a maximum of three participants per Contracting Party. The Chair/Vice-chair shall be selected from participating fishery managers and scientists with both a fishery manager and a scientist represented in the two positions.

Consideration shall be given by the Fisheries Commission in 2010 to the continuation or dissolution of the working group.

Objective:

The main objective of the Working Group is to make recommendations to Fisheries Commission on the effective implementation of measures to prevent significant adverse impacts on vulnerable marine ecosystems.

Specific Duties:

The Working Group shall:

1. In examining the advice of Scientific Council to Fisheries Commission, evaluate risk and make recommendations on mitigation strategies and measures to avoid significant adverse impacts on vulnerable marine ecosystems, drawing on relevant international information¹.
2. Develop operational procedures in 2008 in relation to encounters of vulnerable marine ecosystems to prevent significant adverse impacts.
3. Review and finalize the attached Exploratory Fishery Protocol for new fishing areas including the development of templates for elements of the protocol for adoption by the Fisheries Commission in 2008.

Meetings:

The Working Group will meet at least once annually between the Meeting of Scientific Council and the Annual Meeting of NAFO and shall communicate regularly through teleconferences and electronically, as required.

¹ Including but not limited to the pending FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas

Exploratory Protocol for New Fishing Areas

The Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems will make recommendations on an Exploratory Fishery Protocol for New Fishing Areas. Until Fisheries Commission adopts a new protocol, the following protocol will apply.

The Exploratory Fishery Protocol for New Fishing Areas shall include:

- A harvesting plan which outlines target species, dates and areas. Area and effort restrictions should be considered to ensure fisheries occur on a gradual basis in a limited geographical area.
- A mitigation plan including measures to prevent significant adverse impact to vulnerable marine ecosystems that may be encountered during the fishery.
- A catch monitoring plan that includes recording/reporting of all species caught, 100% satellite tracking and 100% observer coverage. The recording/reporting of catch should be sufficiently detailed to conduct an assessment of activity, if required.
- A data collection plan to facilitate the identification of vulnerable marine ecosystems/species in the area fished.

Exploratory fisheries shall not commence until this information has been provided to the Executive Secretary and forwarded to all Contracting Parties and the Scientific Council for information.

Annex 23. Closing Remarks by WWF

Coming into this meeting WWF wanted to see a regulatory framework adopted that would ensure all components of Paragraph 83 of the UNGA Resolution were implemented before the deadline of December 31, 2008.

We feel the adopted framework will allow for full implementation of the UNGA Resolution. WWF recognizes this as an important step toward assessing the impacts of bottom fishing in the NAFO Regulatory Area (NRA), protecting vulnerable marine ecosystems (VMEs), and implementing the ecosystem approach.

We were pleased to see that the timelines in the framework are consistent with those put forth in the UNGA Resolution. We also like the supplementary request to Scientific Council, which gives this important advisory body a clear mandate for identifying VMEs before the Annual Meeting in September. Overall, the framework puts NAFO in a position to take decisive *on the water* action to protect VMEs in the NRA before the end of this calendar year.

We do, however, have a few concerns with the framework. For instance, we feel the idea of allowing exploratory fishing in previously un-fished areas is not consistent with the precautionary approach. We would prefer to see less intrusive research methods used in these areas.

Looking ahead, NAFO – in particular the SC – has a lot of work to do over the next few months to identify VMEs and contribute to fisheries assessments. These tasks will require a focused effort. We encourage all Contracting Parties to work together and to devote the necessary resources to addressing this challenge. As always, WWF is eager to contribute to these processes.

In summary, WWF supports the adopted regulatory framework and we encourage NAFO and its Contracting Parties to take a pragmatic but decisive approach in its implementation.