

Northwest Atlantic Fisheries Organization



Report of the Standing Committee on International Control
(STACTIC)

5-7 May 2009
Saint-Pierre, St. Pierre et Miquelon

NAFO
Dartmouth, N.S., Canada
2009

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**May 5-7, 2009
Saint-Pierre, St. Pierre et Miquelon**

1. Opening by the Chair, Mads Nedergaard (Denmark in respect of the Faroe Islands and Greenland)

The Chair opened the meeting at 10:00 am at the Chamber of Commerce facility, Saint Pierre et Miquelon and welcomed representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre-et-Miquelon), 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

Brent Napier (Canada) was appointed rapporteur.

3. Adoption of Agenda

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

The Representative of the EU proposed the inclusion of an agenda item on issues related to by-catch. The Representative of the United States indicated that he would also like to add an agenda item concerning the transfer of fishing possibilities, pursuant to Article 11 from quota shared by other Contracting Parties such as quota for subarea 2 and Division 1F+3K redfish. The Chair indicated that both items would be added under agenda item 13, Other matters.

The agenda was adopted, as amended (Annex 2).

4. Compilation of fisheries report for compliance review (2004-2008), including review of Apparent Infringements

The Chair introduced the agenda item and asked the NAFO Secretariat to make a presentation on the compilation of fisheries reports and the 2008 annual compliance review process.

The NAFO Secretariat provided a presentation entitled *NAFO 2008 Fisheries Profile and Trends* (Annex 3) that provided a brief background detailing the methodology utilized in the compilation of fisheries reports. This background was followed by an explanation of the graphical representations of key trends, derived from data found in the 2004-2008 compilation of fisheries reports. The NAFO Secretariat provided each Representative with Contracting Party specific vessel tables. This was done to allow for final editing and inclusion of missing data prior to the final dissemination of the compilation tables on or before June 22, 2009, the deadline for the dispatch of the draft provisional Fisheries Commission agenda (Rule 5.1 of the FC Rules of Procedure). The NAFO Secretariat concluded by offering to work with the STACTIC Representatives to further expand the compliance report to include other compliance indicators for such newly adopted measures as the port state control scheme or Greenland halibut additional control measures (Article 8).

The Representative of the EU applauded the work done by the NAFO Secretariat, indicating that the reports had improved considerably and added that, once adopted by Fisheries Commission, elements related to Vulnerable Marine Ecosystem (VME) compliance should also be considered.

The Chair thanked the NAFO Secretariat for its work to date and directed it to continue working closely with the Compliance Report drafting group in preparation for the 2009 NAFO annual meeting.

5. Review and evaluation of NAFO Compliance objectives

The Chair opened the agenda item and requested that the Representative of the EU provides an introduction to the issue. The Representative of the EU reminded Representatives that this issue was raised some time ago and indicated that it was his hope to have a brainstorming session to review the NCEM as they had become, through continuing revisions and changes, incomprehensible and unclear. The Representative of the EU wanted this review to focus on how compliance efforts could be more strategic and efficient, in the context of reduced fishing effort and increased inspection costs.

The Representative of the EU opened the discussion by citing the Observer scheme as a good example of a measure that should be reviewed, given the cost and limited enforcement benefit in the age of electronic logbooks and other, cost effective, enforcement tools. He went on to note that port inspections could possibly employ a more strategic approach that would allow a lower volume of more intensive inspections. These intensive inspections could be complemented with a cross-checking process that would include a review of elements such as VMS, hauls and catch reports.

Regarding the current requirement to have a competent authority present when a Contracting Party has more than fifteen fishing vessels in the Regulatory Area (Article 29.7) the Representative of the EU stated that the EU's current inspection level is unsustainable and should be reviewed in context of fewer fishing vessels, better coordination/planning and new technologies. He added that part of this analysis could look at strategic versus continuous deployment.

The Representative of the EU concluded by indicating that emerging technologies, and/or better utilization of existing technologies, such as electronic logbooks and enhanced VMS usage need to be pursued with the view to a more effective, sustainable deployment with costs that are relative to the benefits. The Representative of Norway agreed in principle with this direction citing an international trend to improving enforcement efficiencies through the employment of technology.

The Representative of Canada thanked the Representative of the EU for raising this issue and acknowledged that evolution of the NAFO fishery warranted a review of the measures in place to enforce compliance. He went on to indicate that it was clear that years of amendments to address specific issues had left some parts of the NCEM difficult to interpret. He also acknowledged that economic concerns regarding fuel and other costs associated with enforcement continue to mount however noted that future fishing vessel effort was a function of markets/profit and therefore subject to change. Regarding Observers, while accepting some of the issues identified with the NAFO Observer Scheme, the Representative of Canada indicated that Canadian experiences with the domestic Observer program have seen a greater degree of effectiveness and suggested that, while the Observer concept was sound, the practical execution/implementation in NAFO had some obvious shortcomings. The Representative of Canada advised Representatives any discussion on the level of Observer coverage would need to take into account political considerations. He noted that Canada would continue to be a strong proponent of maintaining a dedicated enforcement presence to responsibly manage international fisheries. In conclusion, the Representative of Canada noted his willingness to participate in discussions related to examining how a more effective/strategic approach could be taken that would include exploring new technologies that could be exploited in the NAFO context to promote compliance.

The Representative of Denmark (in respect of the Faroe Islands and Greenland) saw two distinct issues: the first was the need for a historical/editorial clean-up as proposed by the NAFO Secretariat under agenda item 9 (ii) and the second was a technical review of the measures in line with what the EU had proposed.

The Representative of France (in respect of Saint Pierre et Miquelon) agreed that the current NAFO Observer scheme had limited enforcement value and the use of VMS and electronic logbooks would be a better way to monitor activity.

The Representative of the United States thanked the EU for the provocative debate and echoed the sentiment that it would be desirable to improve/maintain compliance in a cost effective way but suggested "fixing" key elements instead of eliminating them as options all together. He noted that a reduction of Observer coverage was already permitted under Article 61.4 in the context of adopting electronic reporting and effective enforcement should be balanced with cost effectiveness.

For the purposes of focusing the discussion, the Representative of Canada presented a discussion paper (STACTIC WP 09/8) (Annex 4) which identified possible discussion topics. The Chair welcomed the paper and the remainder of the discussion was structured under the following format:

(a) Electronic/Satellite/Remote Monitoring

The Chair indicated that betterments suggested in STACTIC WP 09/6 (Annex 5), such as 3L daily catch reports, would fall under this topic heading. The Representative of Canada agreed that the elements in this working paper were consistent with establishing a more cost effective compliance scheme and indicated that enhanced VMS reporting, that would call for more frequent reporting intervals (1hour instead of the current 2 hours) and the addition of course and speed, would be another avenue to pursue. The Representative of Norway supported this position and indicated that e-monitoring was an area where much could be gained with relatively little cost. The Representative of the EU noted that an increased VMS reporting interval was close at hand, especially in light of impending VME provisions, and that other enhancements, such as automatic warning in cases of non-transmitting vessels, could also be explored.

The Representative of Russia remarked that extra reporting was not required, considering VMS and NAFO patrols and was concerned about the potential workload issues associated with extra reporting obligations. The Chair responded by indicating that heavy message volume in NEAFC is managed under an automated electronic system that doesn't create demanding workload issues. Furthermore it was noted by the EU that the reporting obligations should be harmonized and based on a weekly reporting system instead of the current five day system for Greenland halibut. The Representative of the EU noted that electronic reporting tools, when utilized in combination in a cross checking capacity, were an important and cost effective approach to enforcement that could allow for reductions in more costly traditional enforcement methods. The Representative of Denmark (in respect of the Faroe Islands and Greenland) added that other electronic tools, such as AIS and electronic logbooks create other effective cross-checking tools.

The Chair also noted that some Contracting Parties were beginning to experiment with remote sensing technologies and, although the full range of capabilities are not well known, it is another avenue worth pursuing. The Representative of Canada indicated that Canada was testing satellite surveillance applications in both the Atlantic and Pacific, and while not currently employed in the NRA the employment in more remote areas, such as NAFO Division 1F, could be explored.

Denmark (in respect of the Faroe Islands and Greenland) agreed to redraft, in collaboration with Iceland, STACTIC WP 09/6 for the NAFO annual meeting to reflect the discussion on this issue.

(b) In-Port/Land based Monitoring

The Representative of Canada remarked that it would be desirable to have a more uniform NAFO approach to port inspections, possibly achieved through the creation of an inspection checklist, which would minimize interpretational issues and allow for better data comparisons. The Representative of the EU supported the checklist concept, however highlighted that it would need to be comprehensive to ensure it was not limiting. The Representative of the EU also suggested that perhaps a movement away from current port inspection levels could be obtained if a quality versus quantity approach was employed. This approach would entail the use of a "full" inspection process that would need to be defined but that would include a robust checklist of items, such as catch weighing provisions.

The Representative of the EU agreed to draft a port inspection checklist proposal and reflect on other related port inspection issues in advance of the NAFO annual meeting.

(c) At-Sea Monitoring

The Representative of the EU identified this as the primary issue in this exercise given the cost and, in the EU's view, questionable effectiveness. The Representative of the EU added that the shift to electronic monitoring would reduce the need for at-sea inspection, especially in the context of decreasing fishing effort and increased inspection rates and reiterated his concerns over NCEM Article 29.7. He concluded that the alternatives as provided for in this article were not practical and asked Representatives to reflect on this issue given the EU view that the existing practice was not sustainable in the long term.

The Representative of the United States noted that Canada and the United States continue to participate in joint patrols, under NCEM Article 29.5, and that this might be a possible option for certain Contracting Parties which are obliged to maintain an enforcement presence in the NRA. The Representative of the United States continued by indicating that this concept could also be expanded to include larger joint inspection teams, noting that this would likely necessitate changes to NCEM provisions. The Representative of the EU indicated that the EU had also had positive experience with joint patrols, however major issues such as command and control and communication issues need to be clarified.

The Representative of Canada observed that there was nothing in the measures that explicitly required Contracting Parties to maintain a patrol vessel and that Canada has engaged in joint patrol operations with several Contracting Parties (i.e. United States, EU, Russia). He acknowledged that there were issues related to joint inspections but noted that these could be mitigated through the development of some form of operation protocol or procedural guide and changes to the NCEM that would allow for longer inspection periods and additional inspectors (e.g. up to 3 inspectors instead of 2 and a trainee). The Chair noted that STACTIC had previously discussed the use of contracted vessels, crewed by Contracting Party NAFO inspectors, in a scenario where all Contracting Parties would contribute to the cost, however indicated further reflection was required on this issue.

The Representative of Canada also had several suggestions for issues to consider under this agenda item, which included: the need to review net inspection protocols and measuring tool standards, the development of acceptable parameters for protective netting over the codend utilized in the shrimp fishery that are not currently defined in the NCEM, the possibility of enhanced labelling provisions calling for larger font sizes to facilitate the inspection process, extension of the 30 minute net retrieval delay provisions under NCEM Article 33.3, augmented master obligations under NCEM Article 34.1.b) requiring further assistance/co-operation with inspectors given the limited time frame for at-sea inspections and finally a requirement for masters to maintain and provide to inspectors their authorization to fish.

The Representative of Canada stated that reduction of patrol vessels would further impair the ability to inspect vessels in outlying areas (e.g. Division 1F).

The Representative of the EU reiterated earlier comments that the NAFO Observer scheme was ineffective and consideration should be given as to the future of this costly measure.

The Representatives of Canada agreed to develop a proposal on joint inspection procedures for presentation at the NAFO annual meeting.

(d) Aerial Surveillance

The Representative of Canada included this element given the extent to which Canada employs fixed-wing aerial surveillance in the NRA and that there may be some merit in exploring other aerial surveillance tools, such as helicopters. The Chair indicated that extensive provisions did previously exist within the NCEM for helicopter assisted inspections, however it was removed as this method was not employed in NAFO.

It was agreed that Representatives would reflect further on this issue, the agenda item was deferred to the NAFO annual meeting.

6. Review of IUU List pursuant to NAFO CEM Article 57.3

The Chair opened the agenda item and asked the NAFO Secretariat to speak on STACTIC WP 09/4. The NAFO Secretariat presented the working paper and highlighted the changes to the list since its last formal review. The NAFO Secretariat also advised that a review of SEAFO's IUU vessel list had been conducted and it was found that the organization did not currently maintain its own list of IUU vessels, but instead it provided links to other organizations, such as NAFO/NEAFC and CCAMLR that did maintain IUU lists. The NAFO Secretariat requested that, in light of the cancellation of its Lloyd's registry subscription, Contracting Parties provide any information they may obtain regarding changes to vessels on the NAFO IUU list.

The Representative of Norway noted that the NEAFC Secretariat had made a similar request to Contracting Parties regarding provision of supplementary information on IUU vessels and that it was appropriate in the NAFO context as well. He also advised that the vessel *Aquamarine II* had been the subject of a NEAFC mail vote and as a consequence will be removed from the NEAFC IUU list.

The Chair noted that NEAFC was currently discussing the de-listing of vessels that had been scrapped or sunk and what evidence was required to facilitate vessel removals of this type. The Chair remarked that there was a need to develop a de-listing process to address this issue in NAFO.

The Representative of Russia agreed with the Chair and cited the example of the *Dolphin*, a vessel currently on the IUU list but that was apparently out of service and being used for parts.

The Representative of the EU noted that the IUU list has been extremely effective in combating IUU activity, particularly in NEAFC but did note the procedure for being listed was more straightforward than the delisting process.

The Representative of the United States noted that any de-listing process, in cases of vessel scraping/sinking, would likely require an amendment to the current NCEM (Article 57). The Chair noted the NEAFC was currently evaluating this issue and NAFO should monitor its progress in this regard.

The Representative of Canada indicated his willingness to continue to provide information on vessels on the IUU list and remarked that other sources existed for IUU vessels that could be explored with the objective of having more comprehensive coverage given the global nature of the IUU problem and the possibility of vessels on IUU lists of other organizations entering the NRA or Contracting Party ports. The Representative of the EU acknowledged the trend of organizations sharing lists but cautioned that quality control/rigor must be maintained when determining which vessels to list on the NAFO IUU list given the consequences.

The Representative of Norway echoed the Representative of the EU's point concerning the effectiveness of IUU lists and noted that two important elements to the ongoing effectiveness of the IUU listing process are: quality of information (in and out) and the merger of relevant RFMO IUU lists.

The Representative of Canada remarked that the current IUU focus is on vessels and that in the future some thought should be given to a possible broadening of this initiative to include other elements, such as Masters and Owners.

It was agreed that: Contracting Parties would continue to provide available updates to the NAFO Secretariat on information related to vessels contained on the IUU list, the NAFO Secretariat would make arrangements to remove the vessel Aquamarine II from the NAFO IUU list and the issue relating to the de-listing of vessels rendered permanently inoperable would be deferred to the annual meeting.

7. Shrimp Fisheries Management Measures (Shrimp in Division 3M and in Divisions 3LNO)

The Chair introduced the agenda item and provided some background on the issue and asked the NAFO Secretariat to present STACTIC WP 09/2 and STACTIC WP 09/5.

The NAFO Secretariat advised that STACTIC WP 09/2 was an extract of applicable 3L and 3M shrimp fisheries measures within the NCEM and that STACTIC WP 09/5 was aggregated catch and quota information that would serve as useful background concerning 3L and 3M shrimp stocks to assist Representatives in their deliberations.

The Chair referred to STACTIC WP 09/6 and highlighted elements that related to shrimp reporting that could be useful. He also provided a demonstration on the current Greenlandic data analysis system and process. The Chair added that daily catch reports for 3L shrimp are not currently in the electronic North Atlantic Format (NAF), however could easily be incorporated to facilitate electronic transfer to inspection authorities. The Chair also introduced a presentation on the measures taken in NEAFC (NEAFC document SCH 09/20) in the Redfish (Irving Sea) fishery citing compliance parallels that could be explored in the NAFO shrimp fishery.

The Representative of Norway supported the Chair's suggestions for electronic reporting indicating that elements such as daily and weekly (7 day) reporting of catch was adopted in NEAFC and may be appropriate in the NAFO context as well. The Representative of Canada also supported exploring additional reporting as it would prove beneficial to enforcement authorities. The Representative of the EU questioned whether, given the shrimp stock health in 3L, daily reporting was warranted. The Representative of Norway indicated that based on the Fisheries Commission direction and the presence of two different but adjacent management schemes, that there was a need to tighten the reporting system.

The Chair also noted that there was an advantage to having similar reporting schemes in NEAFC and NAFO as it would reduce confusion to managers and the fishing industry that operate in both jurisdictions.

Denmark (in respect of the Faroe Islands and Greenland) agreed, under agenda item 5A), to develop a proposal that would contain elements relevant to this agenda item.

8. Half-year review of the implementation of the new Port State Control Measures

The Chair opened the agenda item and requested that the NAFO Secretariat brief Representatives on the implementation issues experienced to date. The NAFO Secretariat presented STACTIC WP 09/3 and provided a summary of experience with the newly adopted port control scheme. After the presentation, the NAFO Secretariat sought clarification as to the port inspection and report submission requirements. The Chair advised that reports pertaining to shrimp and Greenland halibut were required and that a reminder notification of this obligation should be circulated to Contracting Parties.

The Representative of Norway explained that the intent of the NAFO port state control measures was to control foreign landings, except in the case of shrimp for the pre-notification delay and species under a Fisheries Commission recovery plan (i.e. Greenland halibut). He elaborated that, given the nature of the NAFO fishery, the objective of the port state control scheme was to address the key fisheries, the remaining fisheries represented a low compliance risk (i.e. redfish) and landings by domestic vessels would be handled via domestic regulations.

The Representative of Russia sought clarification as to whether vessels operating in the Exclusive Economic Zone (EEZ) of another Contracting Party would be required to complete a PSC 1/PSC 2 form. The Chair indicated that while it was not expressly required, for the purposes of control it would be desirable. The Representative of Norway supported this position and indicated that the forms contain a section relation to catch from "other areas" to account for the full catch onboard in the case of mixed fishing jurisdictions.

The Representative of the EU requested clarification on the pre-notification period called for in the port state control scheme that calls for 3 days and how this applies to shrimp from NAFO Division 3L where there is a 24 hour pre-notification period (Article 6). The Chair indicated that this was determined by the Port State and that irrespective of the agreed pre-notification period there would still be a requirement for the flag State to provide an authorization. The Representative of the EU noted that the port State could still allow landing, by way of derogation, of the fish (Article 46.7) so long as it was kept in the control of the competent authority, pending flag State authorization. The Representative of Canada added that this was at the discretion of the port State and in the Canadian context the vessel may be permitted to enter port but would likely not be permitted to discharge given existing port entry license conditions.

The Representative of the EU sought clarification on the subject of tolerance levels, given the submission of catch estimates could be many days in advance of landing and fishing activity during that time would have likely continued. The Chair indicated that NEAFC was attempting to address this very issue via correction/cancellation forms. The Representative of Norway indicated that the issue was left in the hands of Contracting Parties to find a

workable solution based on past practices. The Representative of Canada indicated that this was also an issue domestically and that a “common sense” approach was employed in these cases.

The Chair instructed the NAFO Secretariat to send out a reminder notification that reports of shrimp and Greenland halibut landings were still required to be submitted to the NAFO Secretariat. The item was deferred to the annual meeting to allow for further reflection.

9. Possible Amendments to Conservation and Enforcement Measures

(i) Automated COE/COX comparison between NAFO and NEAFC reports

The Chair opened the agenda and indicated that due to the absence of the Representative of Iceland, whose ongoing contribution to this issue was integral, the item would be deferred to the next meeting.

The agenda item was deferred to the next STACTIC meeting.

(ii) Editorial Changes to the NCEM

The Chair provided a background on the development of STACTIC WP 08/14 and the NAFO Secretariat provided a rationale for the proposed changes. The Chair suggested the creation of a drafting group to work with the NAFO Secretariat on this issue. The Representative of Canada and Denmark (in respect of the Faroe Islands and Greenland) supported the creation of a drafting committee. The Representative of Denmark (in respect of the Faroe Islands and Greenland) reported that vessel Masters had voiced concerns over the lack of clarity in the NCEM. The Chair indicated that this is one of the issues the drafting committee could address. The Chair suggested that the drafting committee should remain relatively small to ensure effectiveness. The Representatives of Canada, EU and the United States agreed to participate in the drafting committee.

It was agreed that STACTIC would recommend to the Fisheries Commission that a drafting committee be established with the objective of reviewing the NCEM and proposing changes for its improvement.

10. Use of NAFO VMS information for search and rescue

The Chair reminded Representatives that the Representative of Iceland, in coordination with the Representatives of the United States and Canada were to develop a proposal on this matter.

The Representatives of the EU and Norway voiced support for this concept. The Representative of Canada and France (in respect of Saint Pierre et Miquelon) noted that current provisions for this existed within their respective domestic legislation and practices.

The Representative of Norway noted that Iceland had submitted an information paper at NEAFC that described the situation and indicated that STACTIC was addressing the issue. The Representatives of United States presented STACTIC WP 09/7, a joint United States/Canada proposal based on the Icelandic discussion paper at NEAFC. It was agreed that STACTIC WP 09/7 would be revised for submission to Fisheries Commission for adoption.

It was agreed that STACTIC WP 09/7(Rev.) (Annex 6) would be submitted to Fisheries Commission for its consideration at the NAFO annual meeting.

11. Omega mesh gauge

The Chair opened the agenda item and asked the Representative of the EU to present STACTIC WP 09/1. The Representative of the EU noted that this paper was provided to elaborate on previous discussions and that it was intended to be taken as information only at this time.

The Representative of Denmark (in respect of the Faroe Islands and Greenland) remarked that they had purchased a unit for testing but had not begun the evaluation. She also noted that the unit was quite expensive. The Representative of Canada remarked that there were some concerns during initial testing of the older model but committed to purchasing the new Omega gauges for further evaluation. The Representative of Norway noted that

testing had been conducted and that there were some issues in the context of real control situations. The Representative of the EU remarked that this gauge was widely accepted and provides an accurate and consistent measurement that is required for legal procedures.

The Chair questioned the EU on the status of this gauge within the EU, particularly whether the old methods had been replaced and whether there was a transitional period. The Representative of the EU advised that the new gauge would be the standard and that the transitional period had almost concluded.

The Chair noted that this subject could be revisited at a later date.

12. Issues arising from the March 2009 meeting of the Working Group of Fishery Managers and Scientists (WGFMS) in Vigo, Spain

The Chair opened this informational agenda item and the NAFO Secretariat provided a briefing on the outcomes of the Working Group meeting outlined in NAFO/FC Doc. 09/2. The Representatives were advised that this initiative would likely generate items for STACTIC's considerations.

The Chair noted that this subject could be revisited at a later date.

13. Other matters

(i) By-Catch Issues

The Representative of the EU voiced concerns over the unclear nature of some of the by-catch provisions within the NCEM, particularly footnote (22) of the Annex I.A. – Annual Quota Table. The Representative of the EU also remarked that the by-catch thresholds set by Fisheries Commission should be subject to a review or a request to Scientific Council to ensure they are still valid in the context of observed changes in relative abundance of certain species.

The Representative of Canada, while supporting the notion of clarifications in the NCEM related to by-catch, noted that the setting of by-catch thresholds was contentious and could be problematic to pursue. The Representative of Russia also supported the review and clarification of the by-catch provisions to avoid possible misunderstandings. The Representative of Norway agreed with Canada that the by-catch thresholds was a contentious issue and noted that the by-catch thresholds were not provided by science but negotiated by Contracting Parties at the Fisheries Commission.

The Representative of the EU suggested that the issue of clarifying the by-catch measures could be addressed by the proposed NCEM drafting group. On the issue of by-catch levels the Representative of the EU suggested that STACTIC make a request to the Scientific Council via the Fisheries Commission to conduct a review of the established levels.

The Representative of Norway provided a rationale for the variance in thresholds identified in footnote 22, however the Representative of the EU indicated that clarification should still be sought from the Fisheries Commission on this issue.

It was agreed that the Fisheries Commission would be consulted regarding the by-catch concerns raised by the Representative of the EU.

(ii) Transfer of fishing possibilities from quota allocations shared by other Contracting Parties

The Representative of the United States voiced concerns over a recent transfer of fishing possibilities between Contracting Parties of shared quota from subarea 2 + 1F3K redfish and questioned whether this type of transfer was permissible under NCEM Article 11. The Representative of the United States elaborated that this practice would have practical consequences that could undermine the intent of the shared quota. The Representative of Norway shared these concerns. The Representative of Canada acknowledged the issue and supported the need for further clarification.

The Representative of the EU noted that this was an allocation issue and therefore was a Fisheries Commission matter. The Representative of Russia supported this statement and indicated that this was not a control issue. He also noted that Contracting Parties, particularly those with shared quota, had not objected to this transfer when the notification was circulated by the NAFO Secretariat.

The Representative of the United States remarked that this item was brought forward to raise awareness and seek input on the issue. While recognizing that the quota transfer issue itself may not be a STACTIC concern, the Representative of the United States did note that ancillary issues, such as reporting obligations, would fall within STACTIC's mandate and indicated that the United States delegation may pursue the issue of transferring shared quota at Fisheries Commission.

The item was deferred to the NAFO annual meeting, further discussion pending possible Fisheries Commission discussion.

14. Time and Place of next meeting

The next meeting of STACTIC will take place at the 31st NAFO Annual Meeting, September 21-25, 2009 in Bergen, Norway.

15. Adoption of Report

The report was adopted by the representatives.

16. Adjournment

The meeting adjourned at 12:10pm on Thursday, May 7th, 2009.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening by the Chair, Mads Nedergaard (Denmark in respect of the Faroe Islands and Greenland)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compilation of fisheries reports for compliance review (2004-2008), including review of Apparent Infringements.
5. Review and evaluation of NAFO Compliance objectives
6. Review of IUU List pursuant to NAFO CEM Article 57.3
7. Shrimp Fisheries Management Measures (Shrimp in Division 3M and in Divisions 3LNO)
8. Half-year review of the implementation of the new Port State Control Measures
9. Possible Amendments to Conservation and Enforcement Measures
 - i) Automated COE/COX comparison between NAFO and NEAFC reports
 - ii) Editorial Changes to the NCEM
10. Use of NAFO VMS information for search and rescue
11. Omega mesh gauge
12. Issues arising from the March 2009 meeting of the Working Group of Fishery Managers and Scientists (WGFMS) in Vigo, Spain
13. Other matters
 - i) By-Catch Issues
 - ii) Transfer of fishing possibilities from quota allocations shared by other Contracting Parties
14. Time and Place of next meeting
15. Adoption of Report
16. Adjournment

Annex 3. NAFO 2008 Fisheries Profile and Trends
(presented by the Secretariat)

**NAFO 2008 FISHERIES
PROFILE and TRENDS**
(from the Compilation of NAFO
Fishing Reports for STACTIC
Compliance Review)

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INTRODUCTION

NAFO Rules of Procedure - Rule 5.1e :

STACTIC shall produce an annual report on compliance by all Contracting Parties for the preceding calendar year. The report shall be based on a comprehensive provisional compilation by the Executive Secretary of relevant reports submitted by Contracting Parties and any other information available to the Executive Secretary.

STACTIC Working Paper 02/14 requires the Executive Secretary:

- to compile reports and information submitted by Contracting Parties regarding fishing activities and fish catch
- to compile information regarding Apparent Infringements (AIs)

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Objectives

- To enable the data “to speak for themselves”
- To facilitate comparison and cross-verification of information from different sources
- To facilitate identification of data gaps and missing reports

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Main Sources of Information

- VMS Hail and Position Reports (COE, ENT, COX, EXI, POS, etc.)
- Port Inspection Reports
- Observer Summary Reports
- NAFO at-sea inspection reports

Additional Sources

- Reports on Inspection and Surveillance Activities (CAN and EU)
- Communications and statements regarding AIs and their disposition
- Monthly Provisional Catches

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Fishing periods and trips

- VMS – Hails and Position reports
- Port Inspection Reports
- Observer Summary Reports

Apparent Infringements

- At-sea inspection reports
- Port Inspection Reports
- Reports on Inspection and Surveillance Activities (CAN and EU)
- Communications and statements regarding AIs and their disposition

Catches

- VMS Hails (COX-COE)
- Port landings (adjusted by TRA, POR)
- Observer Reports (adjusted by OBR-CAX)
- Monthly Provisional Catches (YTD catches in December)

“fishing trip”

the time beginning when the vessels enters the Regulatory Area and ending when the vessel leaves the Regulatory Area and all catch on board from the Regulatory Area is unloaded or transhipped. (CEM Article 2. 5)

In the compilation,

- a "fishing trip" was determined through the examination of the dates of COE (or ENT) and COX (or EXI) VMS hail report, corroborated by the POS and Port Inspection and Observer Reports.

- the concept of "fishing period" was introduced. Fishing periods are determined by the date interval between the COE and COX dates. A "fishing period" is not corroborated by Port Inspection or Observer Reports, but catches were reported during this period.

- "fishing periods" are included in the compilation, e.g. determination of catch and effort.

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Criteria for inclusion in the 2008 compilation

• VMS, Port Inspection and Observers Reports

Fishing trips or periods that end in 2008, i.e. trips or periods that cover 2007-2008 are INCLUDED, and trips or periods that cover 2008-2009 are EXCLUDED

• At-sea inspection reports

All at-sea inspection reports dated 2008 (i.e., at time of inspection), regardless of the date of the trip or period in which the fishing vessel was inspected.

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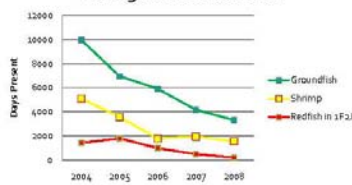
8

TRENDS 2004-2008

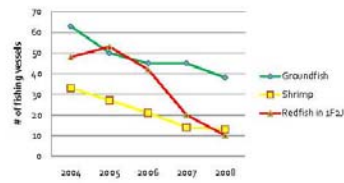
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Fishing Effort in the NRA

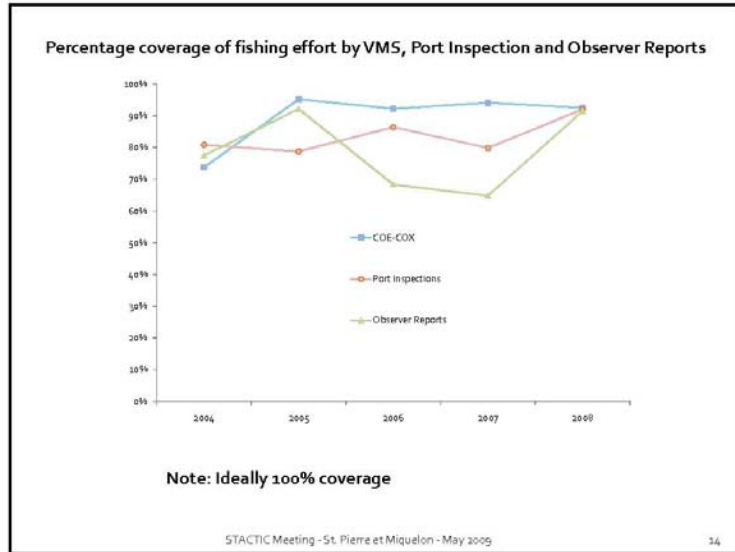
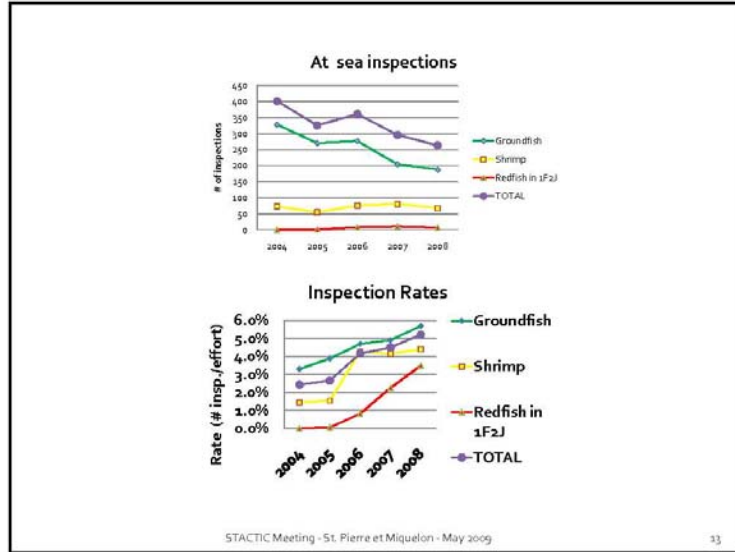


Active vessels in the NRA



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Apparent Infringements

AI#	I or P	InspID	Vessel	CP	InspDate	DirFish	Apparent Infridgement	Serious?
1	Port	15	A		07-May-08	GRO	Mis-recording of catches - inaccurate recording	TRUE
2	Port	55	A		21-Jul-08	GRO	Mis-recording of catches - inaccurate recording	TRUE
3	Port	14	B		29-Apr-08	GRO	Product labelling	FALSE
4	At-sea	43	C		28-Feb-08	GRO	Bycatch provisions	TRUE
5	At-sea	116	D		06-Jul-08	GRO	Product labelling	FALSE
6	At-sea	116	D		06-Jul-08	GRO	Mis-recording of catches - stowage	FALSE
7	At-sea	220	E		21-Sep-08	PRA	Mis-recording of catches - stowage	FALSE
8	At-sea	220	E		21-Sep-08	PRA	Vessel requirements - capacity plans	FALSE
9	At-sea	250	F		26-Oct-08	PRA	Vessel requirements - capacity plans	FALSE
10	At-sea	249	G		25-Oct-08	GRO	Vessel requirements - capacity plans	FALSE
11	At-sea	251	H		27-Oct-08	PRA	Vessel requirements - capacity plans	FALSE
12	At-sea	252	I		29-Dec-08	PRA	Vessel requirements - capacity plans	FALSE

**Annex 4. NAFO Compliance Tools/Measures – Possible Discussion Topics
(Effectiveness / Possible Improvements)
(STACTIC WP 09/8 – presented by Canada)**

A) Electronic/Satellite/Remote Monitoring

- Vessel Monitoring System – (what is reported – what is required?)
- Electronic Logs
- Entry/Exit Notifications
- Catch Reports

B) In-Port/Land based Monitoring

- Port State Controls Requirements
 - Timelines for entry
 - Notice of Authorization Requirements
- Catch Monitoring in Port
 - Level of Inspection (15% (Minimum Level)-100% (Recovery Plan))
 - Application to flag state vessels
 - Checklist – Standardization
 - Cross-checks (e.g. quantities by species)
 - Entire Discharge Monitored
- Reporting Requirements & Follow-up

C) At-Sea Monitoring

- Inspection Vessel Presence
- Inspector Presence/ Numbers permitted
- Serious Infringement follow-up requirements (72 hrs)
- Inspection parameters (e.g. timeframes, net inspection requirements, gear attachments, hold/product checks, numbers of inspector/joint inspections)
- Inspection Frequency/Vessel Selection
- Observers (requirements & exemptions)
- Master Obligations:
 - net retrieval
 - ladder available
 - assist inspector
 - logbook requirements
 - stowage plans
 - capacity plans
 - product labelling
 - by-catch moving
 - Authorization to fish

D) Aerial Surveillance

- Requirements?
- Reporting

Annex 5. Discussion Paper - Ideas for improving catch reporting
(STACTIC WP 09/6 – presented by DFG)

Some control measures could be easily improved, as they are already incorporated in the CEM e.g.:

Reporting procedures for 3L

According to Article 25.4

- Contracting Parties shall daily notify the Executive Secretary of shrimp catches taken by its vessels in Division 3L. The Executive Secretary shall forward this information to Contracting Parties with an inspection presence.

Daily catch information from 3L could be forwarded as a **CAT** message in the NAF format. This would streamline the reporting of catches.

A weekly CAT report

Diverging reporting obligations apply to the different fisheries. It is possible for a vessel to fish for a month without any catch information being available for the Secretariat (monthly catches to be reported according to Article 25.1). In some fisheries it is required to report more often. A weekly CAT report would streamline the reporting obligations and make it more transparent.

The introduction of an electronic logbook would make both suggestions obsolete and make reporting more simple.

VMS communication improvements

The rules regarding VMS coverage could be improved considerably by introducing course and speed in the communication (Article 26.1). Hourly position reports would be especially relevant regarding vessels trawling close to VME areas (closed to bottom trawling).

Some control measures are not incorporated in the CEM and would be new suggestions e.g.:

Communication of catches: Shrimp count-groups

In the Greenlandic shrimp fishery the masters are obliged to report the shrimp in product category and count-groups (see attachment). Count-groups are categories defined as number of shrimps per kilo. This provides valuable information for the scientists in their assessments of stocks. The enforcement can make use of this reporting, especially regarding high-grading.

Format for the communication of catches of shrimp by fisheries vessels

Data Element:	Field Code	Mandatory/ Optional	Remarks
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XNW" for NAFO
Sequens Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type CAT as catch report
Radio call sign	RC	M	International Radio Call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Name of Master	MA	M	Name of the master of the vessel
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag state code followed by number
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel
Relevant Area	RA	M	Activity detail; NAFO Division
Latitude	LA	M ¹	Activity detail; position at time of transmission
Longitude	LO	M ¹	Activity detail; position at time of transmission
Daily Catch	CA	M	Activity detail; cumulative catch by species retained onboard, either since commencement of fishing in the R.A. ² or last "Catch" report, in pairs as needed FAO species code Live weight in kilograms rounded to the nearest 100 kilograms
Catch of Shrimp	CG	M	Catch of shrimp since last CAT or COE, divided into Count Groups (ref. Annex xx))
Discard	RJ	M	Activity detail; discarded catch by species, live weight, either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Date	DA	M	Message detail; date of transmission (YYYYMMDD)
Time	TI	M	Message detail; time of transmission UTC (TTMM)
End of record	ER	M	System detail, indicates end of record

Format for the communication of catches of shrimp by fisheries vessels

Definitions on Count Group reporting

New NAF-Definitions:

CG Count groups	Char*3 Num*7
-----------------	--------------

Count groups

Main Group	Count Groups	Code
Raw frozen shrimp (horisontal platefreezer)	40- 60	FG1
Raw frozen shrimp	60- 90	FG2
Raw frozen shrimp	90-120	FG3
Raw frozen shrimp	120-150	FG4
Raw frozen shrimp	150+	FG5
Cooked shrimp (plast freezer)	40- 60	SG1
Cooked shrimp	60- 90	SG2
Cooked shrimp	90-120	SG3
Cooked shrimp	120-150	SG4
Cooked shrimp	150+	SG5
Industrial shrimp (raw blast freezer)	Ingen fordeling	IG0
Industrial shrimp	40- 60	IG1
Industrial shrimp	60- 90	IG2
Industrial shrimp	90-120	IG3
Industrial shrimp	120-150	IG4
Industrial shrimp	150+	IG5

Example:

...//CA/PRA 1220 COD 100//CG/FG1 1000 FG4 220//RJ/MZZ 0//ER//

Annex 6. Use of VMS Information for Search and Rescue
(STACTIC WP 09/7, Rev. – Proposal by USA/Iceland/Canada)

Background:

During the summer of 2008 the Iceland and US Coast Guard participated in a Search and Rescue (SAR) exercise. It was noted that there were not any provisions in the NAFO Conservation and Enforcement Measures that permitted the use of VMS information for Search and Rescue or safety purposes. Article 26 (VMS) and Annex XIX did not specifically authorize the use of VMS information for these purposes.

At the September 2008 meeting at Vigo it was generally agreed that the use of VMS for SAR and maritime safety purposes should be authorized. Several countries indicated that domestic legislation or policy permitted the use of domestic VMS for purposes other than Fisheries compliance. Iceland, United States and Canada were tasked to cooperate on developing a proposal for review.

Proposal:

Amend Article 26 to add a new paragraph 13 as follows:

13. Contracting Parties and the Secretariat may provide and/or use the NAFO VMS data for Search and Rescue and maritime safety purposes.