

Northwest Atlantic Fisheries Organization



Report of the Standing Committee on International Control
(STACTIC)
7-9 May 2013
London, UK

NAFO
Dartmouth, N.S., Canada
2013

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Report of the Standing Committee on International Control (STACTIC)

**7-9 May 2013
London, United Kingdom**

1. Opening by the Chair, Gene Martin (USA)

The Chair opened the meeting at 10:00 a.m. on Tuesday, May 7, 2013 at the Northeast Atlantic Fisheries Commission (NEAFC) Headquarters in London, United Kingdom. The Chair welcomed the representatives of the following Contracting Parties (CPs): Canada, Denmark (in respect of Faroe Islands and Greenland), the European Union, Iceland, Norway, the Russian Federation, Japan, and the United States of America (Annex 1).

2. Appointment of Rapporteur

Brent Napier (Canada) was appointed Rapporteur.

3. Adoption of Agenda

The following amendments were made to the agenda:

- Under agenda item 4, the Chair introduced General Council correspondence (GFS/13-124 and GFS/13-153) that included a request from the General Council Chair to reflect on ways to use the available information such as catch declarations and VMS data in examining the reliability of the official catch data STATLANT, and, if necessary to consider further amendments to the NAFO Conservation and Enforcement Measures (CEM).
- Iceland introduced STACTIC WP 13/1 regarding Sharing of Information on Catches of NEAFC Stock in the NRA, which was added as agenda item 12.c);
- EU introduced STACTIC WP 13/11 regarding By-catch limit for Redfish in Division 3M, which was added as agenda item 12.d); and
- Canada introduced the following proposals:
 - STACTIC WP 13/12 Compilation of fisheries reports for Compliance Review for inclusion under agenda item 5;
 - STACTIC WP 13/13 Product labelling by date of capture (Article 27) for inclusion under agenda item 15;
 - STACTIC WP 13/14 Observer program (Article 30) Standardization of Observer program data and reporting requirements in the NRA for inclusion under agenda item 11; and
 - STACTIC WP 13/15 Recording of catch and stowage (Article 28) for inclusion under agenda item 12.a).

<i>The agenda was adopted, as amended (Annex 2).</i>
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4. Consideration of Recommendations from the Performance Review Panel (PRP) and Peer Review Expert Panel (PREP)

4.1 PRP Recommendations specified in FC WP 11/13- Summarized in STACTIC WP 13/8

The Chair opened the agenda item and reminded representatives that at the September 2012 Annual Meeting STACTIC considered recommendations of the Performance Review Panel specified in FC WP 11/13. The NAFO Secretariat presented STACTIC WP 13/8 which provided an overview of the responses and outstanding issues relevant to the recommendations. Summary as follows:

Port State (Chap. 3, 3.2.8 of the PRP Report)

STACTIC representatives had originally recommended awaiting NEAFC deliberations on this issue, scheduled to conclude in November 2012, to benefit from the considerable work already underway. The NAFO Secretariat (NS) compiled actions and decisions of NEAFC concerning the FAO PSM agreement and provided a summary.

Denmark (in respect of Faroe Islands and Greenland) (DFG) reported that work, despite progress, was still underway and a number of meetings remain. Iceland noted that main issues (scope and inspections levels) had been agreed on and that drafting of a revised port scheme had commenced with work likely concluding in November 2013. Iceland recommended STACTIC await the completion of work in its entirety prior to engaging in a similar exercise. Japan supported the Icelandic recommendation to await NEAFC conclusion, and noted that, as Japan is not a NEAFC member, nor had it participated in related discussions, it would maintain a reservation on this issue until a NAFO specific proposal was presented.

It was agreed, in the interest of harmonization and efficiency, that NAFO would await the completion of NEAFC's Port State Measures review, anticipated by November 2013, prior to conducting its own exercise.

Shark Weight (Chap. 4, 4.3)

The EU reiterated its view that shark was not a significant issue in the NAFO Regulatory Area (NRA), based on NS information, and that the question of green weight had been addressed. DFG observed that NAFO had very little experience with this type of fishery and that determining conversion factors for shark may be difficult. Canada noted that it was envisaged that shark weight issues could be addressed as part of the proposed standard conversion factor project should any shark be retained during the project (agenda item 14).

STACTIC members agreed that the issue of live versus green weight has been addressed.

Product Labelling (Chap. 5, 5.3)

Canada noted its proposal on labelling by date of capture STACTIC WP 13/13, to be provided under agenda item 15, could be considered to advance this element further and improve traceability. The EU noted that improvements had already been made over the last number of years and should be highlighted. STACTIC members noted that further work could continue as STACTIC considers improvements to CEM's.

It was agreed that the issue of product labelling has been adequately addressed in the context of the PRP recommendation;

4.2 **PRP Recommendations specified in FC WP 12/5**

During the September 2012 Annual Meeting, Fisheries Commission (FC) also directed STACTIC to review FC WP12/5 and provide feedback. Recommendations were as follows:

PRP Recommendation #23 (Chap. 4, 4.3, #9 and 4.6.5 #2)

Lost and Abandoned Gear

The Chair noted that Fisheries Commission adopted FC Doc 12/18 at the 2012 NAFO Annual Meeting, effectively addressing this issue.

It was agreed that the adoption of FC Doc 12/18 addressed this issue and the item was closed.

Environmental Protection Issues

STACTIC members reviewed PRP Recommendation #23 regarding Environmental Protection Issues in STACTIC WP 12/38 and STACTIC WP 13/10 concerning possible measures to address environmental pollution in the NAFO Convention Area.

EU presented STACTIC WP 13/10 and noted that this proposal replaced its former proposal on marine pollution STACTIC WP 12/38. EU remarked that the proposal was drafted to apply to the “Convention Area” as that was the wording in the recommendation, however acknowledged that, as the CEMs only apply to the NRA, STACTIC should discuss this issue.

Canada noted that components of the proposal, related to the regulation of pollution, went beyond STACTIC’s mandate, and possibly NAFO’s. Canada noted that, while admirable, it was not clear how these concepts fit into the CEMs. Furthermore, Canada noted concerns over the proposal’s application to the Convention Area, when it was clear that the CEMs applied only to the NRA. Canada concluded that there were also broad statements (e.g. item 2) related to oil and gas and a range of activities beyond fishing and that the scope should be narrowed to only include fishing activities.

Japan acknowledged the need to minimize marine pollution, but made the observations that several international instruments already exist, such as the International Convention for the Prevention of Pollution from Ships (MARPOL) and the London Convention, that were better suited to address environmental protection issues. Japan noted that, while NAFO could adopt complimentary environmental protection measures specific to NRA fishery activities, the necessity and feasibility of any such measures would need to be examined prior to adoption. Russia and the US recognized the importance of the issue and supported the Japanese and Canadian positions, Russia further noted that adherence to MARPOL was a domestic condition of licence. Supporting Canada’s suggestion that this proposal may be beyond STACTIC’s mandate, the US observe that non-fisheries agencies are responsible for administering and enforcing marine pollution issues.

DFG agreed with the Canadian remarks concerning the application to the NRA and suggested that, as a possible option, text could be added to the CEMs noting that “fishing vessels operating in the NRA must respect the MARPOL Convention”. Furthermore, DFG noted that most of the larger vessels operating in the NRA have incinerators, and other means of dealing with pollution, and therefore fisheries related pollution was not a significant issue in the NRA.

The Chair noted the concerns raised over potential mandate issues and questioned whether it was even appropriate for NAFO to adopt pollution protection measures in advance of the adoption of the amended NAFO Convention which refers to pollution issues. Canada recommended deferring the issue, noting in support of the Chair's remark that item (i) of the General Statements in the amended Convention did state: "take due account of pollution by fishing activity".

It was agreed that pollution concerns are already addressed through international environmental pollution instruments (e.g. MARPOL, London Convention) and there is concern that addressing these issues at this time may exceed NAFO scope and authority. It was agreed, therefore, it would not be appropriate at this time to add environmental protection measures to the CEMs. STACTIC members noted, however, that it may be appropriate to consider this issue once the amended Convention was in force. The issue of addressing environmental pollution concerns, in the context of the PRP recommendation, is closed.

PRP Recommendation #27 and #28: Equitable Sharing of Inspection Coverage and Cost / Follow-up on Infringements (Chap. 5, 5.1 #4 and Chap. 5, 5.4 #1)

It was agreed that both issues had been previously discussed and that the CEM adequately addresses these issues.

PRP Recommendation #29: Port State Measures and Cooperation with other Regional Fisheries Management Organizations (RFMOs) (Chap. 5, 5.2 #4 and #5)

It was agreed, in the interest of harmonization and efficiency, that NAFO would await the completion of NEAFC's Port State Control review, anticipated by November 2013, prior to conducting its own review.

PRP Recommendation #30: Illegal, Unregulated and Unreported (IUU) List Chap. 5, 5.5 #3
STACTIC members noted that the Article 54.6 of the Non-Contracting Party Scheme in the CEM provided for cooperation with CCAMLR, NEAFC, SEAFO and other RFMOs.

It was agreed that Article 54.6 of the Non-Contracting Party Scheme in the CEM adequately addresses the recommendation.

PRP Recommendation #31: Trade-related Measures and IUU (Chap. 5, 5.5 #4&5)

DFG noted that NAFO's existing Non-Contracting Party Scheme had successfully addressed the IUU issue and as a testament to this fact there had been no IUU vessels activity in NRA for the past several years. The US supported DFG's statement and further noted that individual CPs were still free to institute trade measures beyond the scope of those envisaged within the CEM's.

It was agreed that the existing Non-Contracting Party Scheme in Chapter VIII of the CEM adequately addresses the issue.

PRP Recommendation #34: Reporting – Succinctness of Reports (Chap. 7, 7.5 #2)

It was agreed that STACTIC would continue to work on improving reports and encourage CPs to further implement this recommendation.

4.3 Peer Review Expert Panel (PREP) – Summarized in STACTIC WP 13/7

The NAFO Secretariat introduced STACTIC WP 13/7 and provided a summary of actions taken under this item, the outcomes of the progress report and associated recommendations for STACTIC consideration.

Timely availability of STATLANT data

Canada noted that there were no references to STATLANT data within the CEM and advised STACTIC members that the obligations associated with STATLANT fell under Rule 4.4 of the Rules of Procedure for the Scientific Council, which was outside of the STACTIC's mandate. It was further noted that, for each CP, STATLANT data was compiled by administrations in charge of statistics, in response to an FAO obligation, on the basis of detailed data collected by the relevant FMCs.

The EU observed that catch data within the purview of STACTIC was made available in a timely manner. The US noted that most CPs already submit STATLANT 21A data by May 1, or shortly thereafter, as required. As an example, Article 28.4 of the CEM obliges each CP to report to the Executive Secretary, within 30 days of the end of the calendar month in which the catch was taken, its provisional monthly catches by species and stock area, or its provisional monthly fishing days for the 3M shrimp fishery, whether or not it has quota or effort allocations for the relevant stocks. At present, STACTIC has not experienced any problem with this monthly delivery, and the correspondent data have been available to NAFO on a monthly basis. The same information is sent in parallel to the relevant administrations in charge of statistics, so consequently any issues that may occur in the delivery of STATLANT data should be considered within those relevant administrations.

It was agreed that the timeliness of STATLANT data is already addressed in the Rules of Procedure for the Scientific Council (Rule 4.4) and it is not within the purview of STACTIC to amend this provision).

Standard Protocols for NAFO Observer Information

It was agreed that this recommendation would be addressed under agenda item 11.

Inclusion of Hours Fished in STATLANT 21B

The NAFO Secretariat noted that this data element was already a requirement of STATLANT 21B, but advised that some CPs were not reporting. Canada reiterated that STATLANT obligations were not part of the CEM, but rather specified in Rules of Procedures for the Scientific Council (Rule 4.4.)

The EU noted that, while some elements of the STATLANT data were not being consistently met, CPs were meeting the CEM requirements for information. DFG questioned how SC used the STATLANT figures and why other sources were not considered. It was noted that STACTIC could provide valuable information based on logbooks and other sources. Others noted that the SC was free to use other sources of data managed by NAFO. DFG further noted that ICES did not use hours fished because of the different fishing methods (trawl vs. longline) being used. Iceland noted that SC would benefit from an explanation

of possible other sources of fisheries data that could improve SC effectiveness. The EU noted that the quality of monitoring data had improved over the last number of years in an effort to make available more timely and accurate information and to improve transparency. STACTIC members noted a willingness to work with SC.

It was noted that this recommendation was already a requirement of STATLANT 21B, which falls under the Rules of Procedure for the Scientific Council and therefore outside the purview of STACTIC.

NAFO Observer and VMS data for compliance monitoring purposes.

EU remarked that VMS data adequately responded to the immediate compliance and monitoring needs of NAFO and that Annex II.B of the CEM protected the confidentiality of vessels.

Canada noted that, under Annex II.B of the CEM, the retention of data is not permitted and therefore it does not allow for desirable trend development and analysis. The US supported the concept, but noted the need to maintain confidentiality of individual vessel information. The NAFO Secretariat acknowledged the challenges associated with not being able to store historical data to develop and review long term trends. Iceland noted that the restrictive use of VMS information was not productive. DFG noted that NEAFC had revised its confidentiality measures to permit for this type of activity and suggested that NAFO could review what had been done in NEAFC.

The Chair remarked that STACTIC members should reflect on how to promote compliance with the CEM while still making available important compliance and trend information to STACTIC. The Chair encouraged CPs to provide discussion papers on the issue.

It was agreed that the current VMS enforcement application is adequately addressed within the CEM. STACTIC will continue to reflect on confidentiality issues, and will consider NEAFC amendments on this issue for possible application in the NAFO context. The issue will also be forwarded to the AGDC/JAGDM.

4.4 General Council Correspondence– Examining the Reliability of STATLANT Data

The Chair introduced the GC correspondence (GFS/13-124 and GFS/13-153) related to follow-up on Peer Review Expert Panel Recommendations and in particular the direction to reflect on other sources of data to examine the reliability of STATLANT data.

The US observed that the CEM monitoring data are often calculated using separate processes and that STATLANT data included NAFO Convention data which could make the comparability of the two data sets problematic, in some cases. The NS agreed with US point but noted some data elements (e.g. Division 3M catch) would still be comparable and tables could be generated to facilitate the exercise.

DFG noted that NAFO should establish consistent rules on how to calculate quota uptake (e.g. discards, by-catch) to ensure that all catches are counted against relevant quotas.

Canada cautioned that assumptions should not be made that all the numbers from various catch reports will add up to the same totals as each data set has its unique considerations and therefore footnotes should be provided for each to describe anomalies.

STACTIC members further noted that the reliability of the STATLANT data depends on the reliability of fisheries data collected by CP monitoring services. In this context, based on STACTIC input, NAFO adopted in the recent years many provisions to improve the real time monitoring and transparency of fishing activities: daily reporting of catches for all species taken in the Regulatory Area (including discards), catch declaration on a tow by tow basis, hourly VMS reporting, clarity on chartering operations, accuracy of logbook figures, labelling by Division (more precise than stock area), clarity on vessels identification, data communication flow under the responsibility of each FMC, exchanges of inspectors for joint inspections at-sea and in port, etc.

STACTIC members agreed to consider what further amendments to the NAFO CEM could be adopted to ascertain the reliability of the catch data, in the interest of good management. STACTIC will also explore the use of existing data to further increase the real time monitoring and transparency of fishing activities in the NAFO area. This process may include (non-exhaustive list):

- Standardized conversion factor project
- Reference catch composition/rates by Division
- Electronic reporting of catch (ERS)
- Real time closures of fisheries
- Risk assessment methods for sea and port inspection strategies
- Coordinated at-sea inspection deployment
- New/revised duties for observers
- Introduction of Catch documentation for the trade of NAFO products

It was agreed that STACTIC would create tables to compare STATLANT data against available CEM data to identify possible anomalies or derogations and consider what further amendments to the NAFO CEMs could be adopted to ascertain the reliability of the catch data.

5. Compilation of fisheries reports for compliance review (2004-2012), including review of Apparent Infringements.

Under this agenda item, the NAFO Secretariat presented the 2012 profiles and trends of fisheries in the NAFO Regulatory Area (Annex 3), noting that the current compilation incorporated comments and suggestions from the 2012 intersessional meeting.

Issues / Observations

(a) Compliance to NAF – Errors

- EU noted transition to electronic XML format and required translation could create errors
- Canada provided a list of technical issues to the NS
- The US noted consistency and proper formatting related to reporting (programming errors/issues) was initially an issue and encouraged CPs to check system interface and information dissemination to ensure accurate and timely compliance information.

(b) Electronic Observer Scheme – Prior Notification (Article 30B) – No reports submitted to date

- The EU noted that CPs may not actually be using the Article 30B as it is an option. Alternatively, the linkage to serious infringements could be creating a reluctance by some to participate in the electronic observer scheme
- The EU reiterated concerns over the Observer Regime and noted it would like to revisit the issues related to the current observer scheme at a later date

(c) AI Issued in Port

- Canada noted that all AI's should be reported, serious or not, because in accordance with Part E.1B (c) of the Report on Port State Control Inspection (PSC 3), the legal reference to both NAFO and national infringement must be indicated.
- The EU noted that the scope of the Port State Control scheme is limited to foreign vessels and recommended that the compliance compilation should only be on NAFO issues and not contain infringements related to national legislation

(d) AI Disposition

- Canada noted that more specific/comprehensive information should be provided and that “tolerance” is not a concept found in the CEM
- The Chair encouraged CPs to report timely and more comprehensively

(e) POR and TRA Erroneously Submitted

- Norway clarified that TRA reports must be transmitted (pursuant to Article 28.2 e) by the both donor and receiving vessel in the same transshipment transactions and that POR must be transmitted by a vessel that has received a transshipment at least twenty four hours in advance of landing (pursuant to Article 28.2 f). There should be corresponding TRA-TRA-POR reports
- Several CPs questioned whether transshipments were occurring in NAFO waters and whether mistakes in TRA and POR were the result of filling out the wrong form. It was clarified that no known transshipments took place in the NRA in 2012
- Iceland noted a greater need for information exchange between NEAFC and NAFO
- Canada advised that analysis of the COE and COX messages would enable tracking of fish that was transhipped and should be reviewed to determine whether there was transshipment or erroneous reporting

(f) Addition of Geospatial information and report on joint inspection scheme (STACTIC WP 13/12)

- Canada provided a domestic example of how data layering (data from multiple sources) and trend/pattern identification can identify occurrences of non-compliance. Canada introduced STACTIC WP 13/12 to identify possible data elements STACTIC could utilize to identify trend/patterns and monitor compliance in its Compliance Review.
- The NAFO Secretariat noted that generating the elements in STACTIC WP 13/12 were possible, but it would be extra work and it would be a question of available resources and they would attempt to produce the required report in advance of the NAFO Annual Meeting
- The EU clarified that geospatial information was referring to VME's
- DFG noted that information should be kept within STACTIC and not more broadly circulated
- DFG recommended that STACTIC leave it to NS to make the determination on what is possible to develop and present at the next NAFO Annual Meeting
- Iceland suggested that Fisheries Monitoring Centres (FMCs) could be pro-active and produce "buffer zones" to alert enforcement and FMC to activity in VME's.

It was agreed that the NAFO Secretariat would attempt to generate the suggested data elements found in STACTIC WP 13/12, in advance of the 2013 NAFO Annual Meeting, with the view to assessing the utility and practicality in relation to the STACTIC Compliance Review.

6. Review and evaluation of Practices and Procedures

The Chair opened the agenda item noting that this is a standing item in the STACTIC agenda and the intention is to provide CPs with the opportunity to share domestic practices and procedures.

The EU noted that it had added a number of documents (e.g. at-sea inspection guidelines) for the consideration of STACTIC members under the "Practices and Procedures" section of the NAFO Member's Pages. The EU further noted that an IT port weighing application, to automatically produce landing reports for analysis, would be forthcoming.

CPs were encouraged to continue to submit relevant documents to the NS to augment the NAFO Members' Pages.

7. Review of current IUU list pursuant to NAFO CEM Article 54.3 (STACTIC WP 13/2)

The Chair reminded representatives of their responsibility, in accordance with Article 54.3, to review the IUU list and provide evidence related to any vessels that may meet the delisting criteria in order to facilitate updating.

The NAFO Secretariat presented STACTIC Working Paper WP 13/2, noting that the IUU list was last reviewed at the NAFO Annual Meeting in September, 2012. It was further noted that 1 vessel was removed from the list, pursuant to NAFO's IUU de-listing process, leaving a total of 8 vessels.

DFG noted that the IUU list has been improved in NEAFC to include vessel images and information related to the last known location.

It was agreed to explore incorporating the NEAFC enhancements into the NAFO website.

8. Half-year review of the implementation of new NCEM measures (STACTIC WP 13/9)

The NAFO Secretariat presented STACTIC WP13/9 on its experience and observations in the implementation of the new measures that came into force in 2013. The only issue identified by the NAFO Secretariat was a required decision on how the “DS” field should be populated in the case of transshipment vessels (e.g. all known species, blank or one species). Norway advised that this is an authorization from the Flag State and that the composition of the transshipment species would not be known due to possible by-catch. Norway noted that the entire species list would be documented in the TRA report which raises the question of whether the DS field could be left blank. Norway further noted that, at present, NEAFC forms did not include this field.

It was agreed that STACTIC would reflect further on the issue, and in the interim require that the DS field include a full list of anticipated species.

9. Inspectors Website

The Chair opened the agenda item and asked the NAFO Secretariat to provide a demonstration of the added functionality available on the Inspector’s Website. The NAFO Secretariat provided a further update of STACTIC WP 12/26 to STACTIC members on the initiative, advising that passwords to access the system would be disseminated on request. It was further noted that a database manager was hired as an internal NAFO Secretariat resource to facilitate changes and enhancement without external cost to the organization.

Iceland noted that the IMO number should be added, as call signs are easier to change. DFG suggested that inspection report templates be amended to include IMO number fields.

Several CPs indicated that a test phase should be initiated before Phase II is officially online. To that end CPs agreed that a test phase of Phase II should occur up to the annual meeting at which time STACTIC would review the test phase results with an eye to officially implementing Phase II.

The EU noted the importance of Phase III given the number of port inspections the EU experiences. The NAFO Secretariat noted that the development of Phase III could begin immediately and delivery timeframes could be confirmed with the new Database Manager. STACTIC members noted a preference for a rapid implementation, possibly facilitated by incorporating NEAFC software and approaches.

It was agreed that the testing period of Phase II would be in effect until the NAFO Annual Meeting, where CPs would develop a list of enhancements and issues for resolution and the NS would provide an update on the initiative. The NS was also encouraged to initiate Phase III as soon as possible, by relying on experience and software already developed by NEAFC.

10. Editorial Drafting Group of the NAFO CEM (EDG)

The EDG provided an overview on its progress to date and next steps (Annex 4). The EDG also presented STACTIC WP 13/4 Rev and STACTIC WP 13/5 for the purpose of clarifying its work on Phase 2.

STACTIC WP 13/4 Rev

There were no concerns voiced and Representatives agreed to submit the working paper to the FC for adoption with minor edits described and to be included in STACTIC WP 13/4 Rev 2.

STACTIC WP 13/5

Several STACTIC members voiced a desire to reflect further on the elements of the proposal. The Chair encouraged CPs to review the proposal to facilitate adoption at the 2013 NAFO Annual Meeting. DFG remarked that the CEMs must be made clear so fishermen can understand the provisions. Iceland voiced concerns that substantive changes should be in the realm of STACTIC and not EDG. The EU noted the mandate of the EDG was to clarify the measures and identify to STACTIC issues for its attention and decision. The Chair noted that this was part of the EDG's sanctioned mandate and reminded STACTIC members that all CPs were free to participate.

It was agreed that STACTIC WP 13/4 Rev2 (Annex 5) would be presented to FC for adoption at the 2013 NAFO Annual Meeting.

STACTIC Representatives were encouraged to review and provide comments to the EDG on STACTIC WP 13/5 by June 14, 2013, via the NS, with the view to facilitating the adoption of the proposal at the 2013 NAFO Annual Meeting.

11. Standardization of observer program data and reporting requirements

The Chair noted that, at the September 2012 Annual Meeting, the Fisheries Commission had approved FC Doc 12/22, which proposed the standardization of observer program data and reporting requirements in the NRA. Canada presented STACTIC WP 13/14 which proposed adding CEM requirements to use forms currently developed and provided on the NAFO website. Canada explained that this proposal was developed to address recommendations made by the Expert Panel that called for data to be collected, and reported, in a consistent and timely manner to facilitate the compilation and analysis of observer data.

The US fully supported the proposal and noted that it is currently using the template, with positive results. The EU also supported the proposal and move to standardization. DFG supported the adoption of the template, however requested that the format be examined to make its use as practical as possible (e.g. conversion to PDF format).

The EU noted that observers are required to submit reports within 30 days of completion of deployment and that this was too late for port inspection purposes. Accordingly, the EU noted that it will be drafting a proposal that would create a supplementary observer duty requiring a preliminary report that would be submitted upon arrival at port for consideration at the next STACTIC meeting. The US supported the concept and noted that observer reports have been provided within a day of landing. Canada also supported the concept and noted that its observers send preliminary reports while at sea.

Russia expressed concerns that it is not necessary or useful for scientific elements to be provided in any preliminary reports. Canada noted that an option could be to only provide the compliance information as the "preliminary" report. The EU reiterated their former point on mixing of compliance vs. scientific observers functions and, while scientific elements are not necessarily useful for port inspection, the preliminary report should only refer to compliance elements. It was noted that Article 30.2(e) already provides a mechanism to identify infringements prior to landing.

It was agreed that STACTIC WP 13/14 would be presented to FC for adoption at the 2013 NAFO Annual meeting (Annex 6).

The EU expressed its intent to present a working paper, regarding preliminary Observer reporting, at the NAFO Annual Meeting.

12. Possible revisions of the NAFO CEM

a) Confidentiality of logbooks recording catches on a tow by tow and requirement to submit logbook information (STACTIC WP 13/15)

The Chair reminded representatives that Fisheries Commission adopted FC Doc 12/14, which requires that fishing vessels record catches on a tow by tow/set by set basis. Canada presented STACTIC WP 13/15, proposing a requirement that logbooks be submitted to the ES within 30 days after the end of a fishing trip, and noted that the data could be used for control purposes, and specific vessel information would be required, and for the purposes of science the confidentiality of specific vessel identities would be hidden.

Iceland noted that logbooks are mainly collected domestically for scientific purposes. Iceland remarked that the NS would have to manually enter or deliver scanned forms until electronic reporting. Russia supported the Icelandic position and voiced concern over how to implement this proposal in practical way.

The EU agreed that tow by tow data would be useful for scientific and inspection purposes. It also noted that tow by tow data is available onboard for inspecting, but the CEM does not require the tow by tow data to be delivered to the NS. Also, the EU expressed concerns over the possible manual nature of the requirement, and noted that it may not be practicable to adopt until electronic systems are in place in the NRA. The EU was in favour of a clear request to develop the necessary IT application that would allow an easy cross-check (automation vs. manual). DFG note that it could support the proposal for scientific purposes, but it should be electronic and the 30 day period may be problematic.

The US supported the concept, as the data has utility for both science and compliance, however recommended there should be a standardized format in interest of efficiency and usability. The US noted that optical scanning software can be used to populate database fields from scanned paper logbooks.

The Chair noted that confidentiality did not appear to be of major concern in relation to the provision of submitting logbooks. Rather, concerns revolve around a number of technical issues (e.g. workload, implementation, scope, purpose) which need to be addressed before Canada's proposal can be adopted.

Canada agreed to reflect on the comments to facilitate the drafting of a revised proposal at a later date.

b) Immunities from jurisdiction of inspectors – STACTIC WP 12/36

The Chair recalled that at the September 2012 Annual Meeting Canada presented STACTIC WP 12/36, which stated that as more cooperative inspection procedures are implemented, it is vital that NAFO flag States and port States recognize the immunities of NAFO inspectors and ensure that host State authorities refrain from assuming jurisdiction over alleged acts or omissions committed in an official capacity. Canada asked those representatives that had noted a need for further reflection for comments.

DFG and Russia understood the concept, but advised that they must await a legal opinion on possible domestic legislative impacts. Russia further noted a need to review the scope of immunities to ensure they were proportionate.

Japan raised a fundamental concern with NAFO prescribing immunity measures because it is not within the mandate or purview of NAFO to make such determinations and that such immunity had never been recognized by other RFMOs.

The EU recognized that, in the past there had been some incidents raising immunity issues, but noted that this was no longer a major issue. In relation to the proposal, the EU noted that any language related to inspector immunities would be better placed in a CEM article related to port inspection (e.g. Chapter VII), or alternatively addressed through the development of bilateral agreements between CPs.

It was noted that this issue may be better addressed at the Convention level, if at all, instead of through changes to the CEMs.

There was no consensus on the working paper due to a range of legal and conceptual objections relating to NAFO's scope of authority.

The proposal was withdrawn by Canada.

c) Sharing of Information on Catches of NEAFC Stock in the NRA - STACTIC WP 13/1

Iceland presented STACTIC WP 13/1 and noted that in the interest of the proper management of shared stocks between NAFO and NEAFC, NAFO should transmit information obtained on such stocks to NEAFC. Iceland raised concerns about the effectiveness of the footnotes in Annex I.A of the CEM, since there are no shared quotas for this stock. Norway supported the proposal – but noted that the proposed measure would be more appropriately placed under Article 28.5 as this would be a duty of the Executive Secretary. Russia acknowledged the issue and noted that it had provided information bilaterally to Iceland on the shared stock of SA2 & Div.1F+3K redfish, but advised that further reflection on the Iceland proposal would be required.

EU supported the concept of providing data to other RFMO's to facilitate the management of international fisheries, but questioned why Iceland was making the request and not NEAFC. The EU also noted the provision of any such information should be considered in the broader context of a reciprocal information exchange arrangement. Canada would support a broader information sharing mechanism to facilitate the reciprocal exchange of information, especially related to vessels fishing in NEAFC prior to entering the NRA.

DFG advised that NEAFC and NAFO abandoned in 2007 a pilot project related to entry and exit messages as information quality was poor, but endorsed the concept of exchange of catch information.

It was agreed that Iceland would reflect on the comments with the expectation that a revised paper would be presented at 2013 NAFO Annual Meeting.

d) By-catch limit for NAFO Redfish 3M – STACTIC WP 13/11

The EU presented 13/11 related to the Redfish fishery in Division 3M and noted the challenges associated with the unique Olympic/competitive style management regime in place for this stock. The paper contended that, in the absence of a management regime change, and to avoid discards, it would propose that STACTIC consider by-catch limits to facilitate the effective management of the fishery. Alternatively Russia proposed that there should be an allowable by-catch limit for inevitable by-catch only, including for cod and redfish in 3M area, but that the level should be equitable and that CPs should actively work on this issue to resolve the situation. DFG supported the proposal but noted that some footnotes in the quota table are problematic.

Canada noted that from an inspection perspective, the measures that are currently in place must be enforced and closures must be respected, particularly as the stock is already over allocated. Canada noted that determining the level of by-catch may not be within the mandate of STACTIC because this is an allocation issue that the FC should discuss and propose, likely with SC input. The Chair agreed with this comment from Canada. Canada further noted that, irrespective of the determined threshold, mechanisms are in place to monitor and control adherence.

It was agreed that the EU would reflect on the comments with the expectation that a revised paper could be presented at 2013 NAFO Annual Meeting. The Chair asked the EU, while it further reflects on these comments, to consider the appropriateness of STACTIC proposing new by-catch allocations.

13. Joint NEAFC/NAFO ad hoc WG on the possibility of making the Advisory Group on Data Communication (AGDC) a joint body of NEAFC and NAFO

The NAFO Secretariat provided an update and presented STACTIC WP 13/6 on the outcomes of the Joint NEAFC/NAFO ad hoc WG meeting held in January 2013 at NEAFC Headquarters. The creation of the new, jointly mandated group, the Joint Advisory Group on Data Management (JAGDM) will be presented to Fisheries Commission for adoption at the NAFO Annual Meeting.

Canada generally supported the initiative however suggested that elements of the Terms of Reference be modified to better coincide with NAFO's requirements.

DFG (Chair of Joint NEAFC/NAFO ad hoc WG) explained that other experts would be invited to participate to take advantage of best practices and take inspiration from the experience of others. The intention would be to make exchanges and processes more efficient.

It was agreed to fully support the initiative, in the interest of efficiency and effectiveness, with the understanding that section 2(d) and 2 (g) of the Draft Terms of Reference would be interpreted as follows:

2(d) - The requirement is not to force standardization, rather promote compatibility, to the extent possible

2(g) - The JAGDM would not necessarily be required to take on additional work from other RFMOs but should work collaboratively with them to take advantage of best practices, benefit from experiences and mitigate issues for CPs vessels in other RFMOs.

14. Standard Conversion Factors in NRA

The Chair introduced the agenda item and noted that Fisheries Commission authorized STACTIC to develop a sampling of catches and product types in the NRA. The intent was to establish a recommendation for standard conversion factors for the primary species harvested. Canada volunteered to undertake the development of the methodology and framework for the project. Canada presented STACTIC WP 13/3 and provided an overview of the conversion factor methodology and logistical framework.

Russia supported the initiative, and indicated it would participate, but voiced concern based on its bilateral experience, over the magnitude and difficulty of the proposed project. Russia further noted that a separate working group of experts should be established and a decision should be made as to whether STACTIC consider using existing data, to negotiate conversion factor ranges or averages, as an alternative to proceeding with the proposed project, or some agreed iteration.

Iceland supported the proposal but agreed with Russia on the complexity of implementing such an initiative. Iceland recommended focusing on a smaller subset of NRA species (pilot) and it would be willing to provide expertise. Iceland also noted that not all parties utilize observer, some use electronic reporting pursuant to Article 30B.

EU noted the enormity of the task but agreed with the spirit of the initiative, particular due to its linkage with the discrepancy issue. The EU noted that the initiative could clarify to what extent the different conversion factors may be a partial explanation for the discrepancy and would therefore support the initiative and participate in the working group. The EU recommended that subset of key species be selected and flexibility based on market needs (product forms) be considered.

The US supported the development and committed to participating to the extent possible. The US did voice some concerns regarding implementation given the magnitude of the exercise and supported the concept of focusing on key species and product forms.

DFG supported the proposal and noted the immediate need to develop standard conversion factors in the most common product forms given the huge discrepancies and impact on quotas. DFG acknowledged that the introduction of new conversion factors could represent real quota reduction to some CPs and this would need to be considered. DFG also supported the concept of identifying species and product forms where the largest variance currently exists, such as main product by species, as a starting point.

Japan remarked that it had no vessels operating in NRA and it would be difficult to contribute due to its current financial restrictions. It further remarked that, as standardized conversion factors would not have taken into account Japanese vessels, implementation would be problematic for Japan.

Canada, noting general acceptance, suggested the establishment of a working group to advance the project, address logistical issues and develop a detailed project plan that identifies costs and scope.

The Chair noted that there were overwhelming concerns over implementation, complexity and feasibility. Canada agreed to develop a less ambitious project that would include: a more limited scope (one or a few key species and associated product forms), a working group to develop a detailed project plan, exploring cost effective options related to sampling such as the use of existing observer program resources.

It was agreed that the sampling methodology would be adopted in concept and that Canada would develop a modified implementation proposal with the view of reducing the scope and complexity of the methodology. It was further agreed that STACTIC would report the concerns raised regarding this proposal and seek further direction from the FC on how to proceed in light of these concerns.

15. Other Matters

a) Product Labelling by Date of Capture (Article 27) – STACTIC WP 13/13

Canada presented STACTIC WP 13/13 and noted that this proposal would facilitate traceability, as recommended in the PRP, and monitoring and compliance activities. Iceland supported the proposal, citing hygiene considerations and NEAFC's requirement for production date, as two other reasons for adoption.

Although many CPs supported the proposal, as it was currently the practice for many CPs, the EU expressed reservations to consider this proposal again so soon after it was not adopted at the September 2012 NAFO meeting and given its ongoing technical questions about implementing this measure. EU noted that it was fully in favour of transparency, but noted that in the absence of new proposal dimensions, they would not want to create arduous measures that were unnecessary. Furthermore, it was noted that NEAFC did not include the date of capture, but rather the production date. The US supported the concept but noted that it would be problematic to implement without providing industry adequate lead-time. Canada noted that date of capture would be a valuable tool for cross-referencing log information and verification of catch details, however agreed to defer the issue to a later date.

As there was no consensus it was agreed to defer the issue to a later date, with the possibility that Canada may submit a revised proposal.

16. Time and Place of next meeting

The next STACTIC meeting will be held at the Westin Nova Scotian Hotel in Halifax, Canada, September 23-27, 2013.

17. Adoption of Report

The report was adopted on May 9, 2013.

18. Adjournment

The Chair adjourned the meeting at 12:50 p.m. on May 9, 2013.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening by the Chair, Gene Martin (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Consideration of Recommendations from the Performance Review Panel (PRP) and Peer Review Expert Panel (PREP)
5. Compilation of fisheries reports for compliance review (2004-2012), including review of Apparent Infringements.
6. Review and evaluation of Practices and Procedures
7. Review of current IUU list pursuant to NAFO CEM Article 54.3
8. Half-year review of the implementation of new NCEM measures
9. Inspectors Website
10. Editorial Drafting Group of the NAFO CEM (EDG)
11. Standardization of observer program data and reporting requirements
12. Possible revisions of the NAFO CEM
 - a) Confidentiality of logbooks recording catches on a tow by tow
 - b) Immunities from jurisdiction of inspectors
 - c) Sharing of information on catches of NEAFC stock in the NRA
 - d) By-catch limit for NAFO Redfish 3M
13. Joint NEAFC/NAFO *ad hoc* WG on the possibility of making the Advisory Group on Data Communication AGDC a joint body of NEAFC and NAFO
14. Standard Conversion Factors in NRA
15. Other Matters
 - a) Product labelling by date of capture (Article 27)
16. Time and Place of next meeting
17. Adoption of Report
18. Adjournment

Annex 3. NAFO 2012 Fisheries Profile and Trends

NAFO 2012 FISHERIES PROFILE and TRENDS

(from the Compilation of NAFO Fishing Reports for
STACTIC Annual Compliance Review)

Presented by the NAFO Secretariat

STACTIC Interseasonal Meeting – London, UK, 7-9 May 2013

1

In this presentation . . .

- Overview of fishing trips and monitoring
- Vital Statistics 2012 : GRO, PRA, REB fisheries
- Trends 2004 – 2012 : fishing effort, at-sea inspections
- Apparent Infringements
- Issues
- Next steps towards completion of the Compliance Review

STACTIC Interseasonal Meeting – London, UK, 7-9 May 2013

2

Overview of fishing trips and monitoring

(Please refer to the distributed hard copy)

STACTIC Interseasonal Meeting – London, UK, 7-9 May 2013

3

Overview of fishing trips and monitoring

Sources of Information:

- VMS – POS, ENT, EXI,
- VTI – COE, COX, CAT
- Port Inspection Reports
- Observer Reports
- At-sea inspection Reports

Information presented:

- Fishing trips details for each vessel
- Catches by trip (CAT reports)
- Fishery type and directed species for each trip
- Port inspections –
 - log book catches
 - equivalent live weight of landed catches
- Observer Reports – catches
- At-sea inspections and Apparent Infringements

STACTIC Interseasonal Meeting – London, UK, 7-9 May 2013

4

Overview of fishing trips and monitoring

Derived information:

- Identification of missing reports (except Port Inspection Reports)
- Basic statistics - how many vessels, trips, days – fishing effort Catch discrepancies – VTI vs. logbook vs. landed vs. observer
- At-sea inspections distribution, inspection rates

Initial observations:

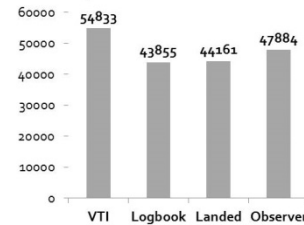
- Full compliance on submission of haul reports (VTI) – COE, COX, and CAT.
- General agreement on catches – logbook vs landed – realistic Conversion Factors
- Missing observer reports

STACTIC Interseasonal Meeting – London, UK, 7-9 May 2013

5

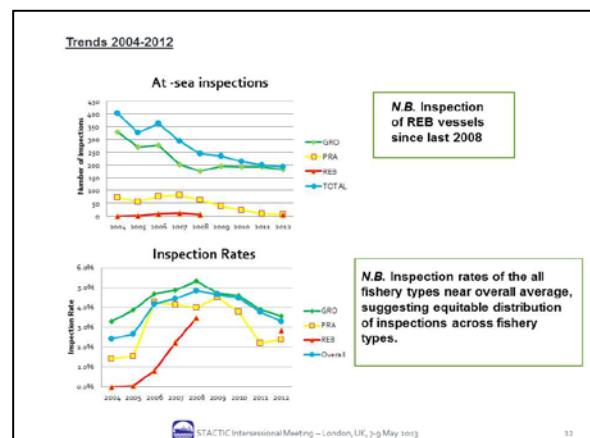
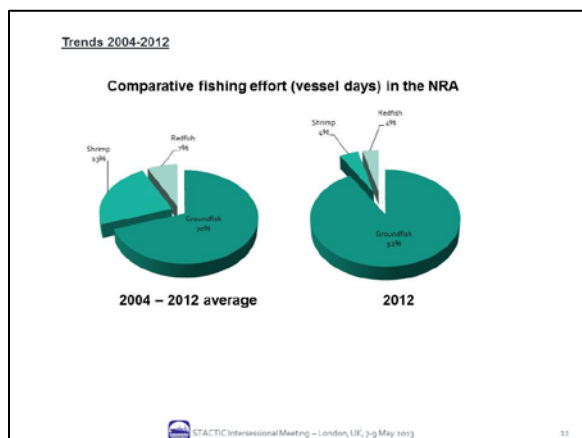
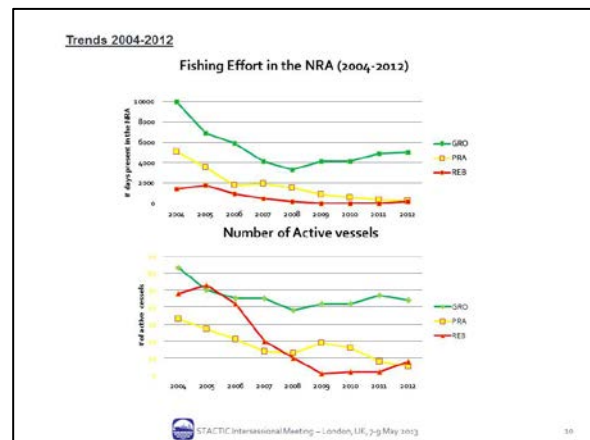
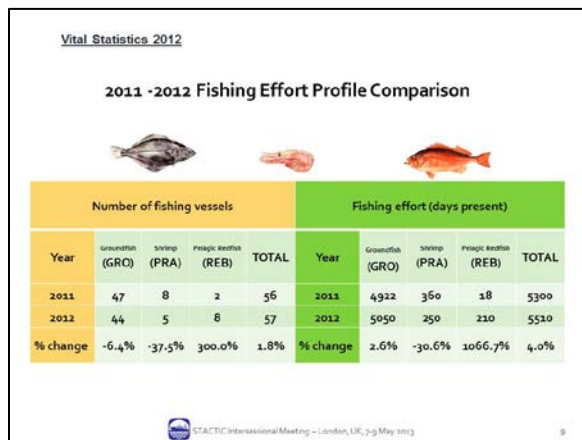
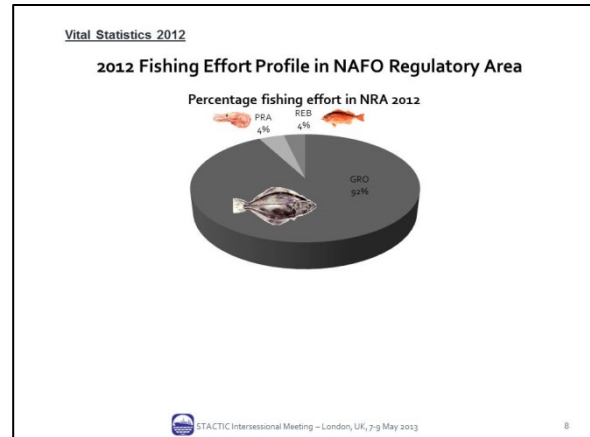
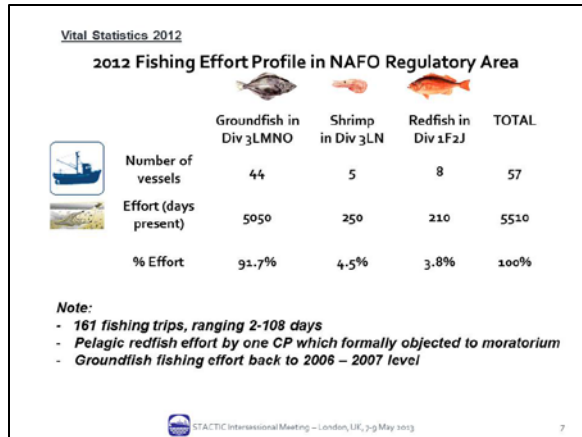
Overview of fishing trips and monitoring

Reported Catches in tonnes



STACTIC Interseasonal Meeting – London, UK, 7-9 May 2013

6



Apparent Infringements (at-sea) and disposition in 2012

Vessel	InspDate	DefFish (according to COE)	Apparent Infringement	Article (2012 NCEM)	Disposition Follow-up/update as of May 2013	STATUS as of May 2013, as reported by CP
12	14-Nov-11	RED	Quotas Requirements - Retaining fish (M cod) after closure of the fishery.	Art. 3.2, Art. 5.2	No information	No information
12	14-Nov-11	RED	VMS Requirements - Data C/V transmissions	Art. 12.1	No information	No information
10	27-Dec-11	RED GHL SKA BKA GHL RED PDA	Quotas - Retaining fish (M cod) after closure of the fishery.	Art. 3.2, Art. 5.2	Master received a written warning	closed
6	03-Feb-12	RED	Product labelling	Art. 24	Case initiated 12.12.2012	pending
3	25-Feb-12	RED COD GHL	Vessel Requirement - Capacity Plans	Art. 22	Under investigation	pending
8	09-Apr-12	COD	Vessel Requirement - Capacity Plans	Art. 22	No information	No information
4	25-Jun-12	GHL RED HKW BNG SKA	Mis-recording of catches - inaccurate recording	Art. 25.1b	After full investigation at Port of Vigo (with presence of CAH and CE), the AI was not verified. No process has been issued.	closed
11	10-Jul-12	RED	Vessel Requirement - Capacity Plans	Art. 22	The register listed 10 000 tonnes	closed
9	28-Sep-12	INA	Product labelling	Art. 24	Master received a written warning	closed
2	21-Nov-12	SKA GHL RED COD HKW	Product labelling	Art. 24	Under investigation	pending

10 cases involving 9 vessels from 3 CPs – 1 serious*, 9 non-serious – Quota requirements (2), VMS requirements (1), product labelling (3), capacity plans (3), mis-recording of catches (1).

*Serious AI, upon further investigation determined to be non-AI and thus the case was closed.

Apparent Infringements (port) and disposition in 2012

Vessel	InspDate	DefFish (according to COE)	Apparent Infringement	Article (2012 NCEM)	Disposition Follow-up/update as of May 2013	STATUS as of May 2013, as reported by CP
7	10-Aug-12	RED	Mis-recording of catches	Art. 25.1, Reg. 1324/2009 (Art. 14)	AIU case being initiated	pending
7	10-Aug-12	RED	Inspection Protocol	Art. 35.11, LEY 29861 Art. 106 d)	AIU case being initiated	pending
7	10-Aug-12	RED	Storage plans	Art. 25.1, Reg. 11862/07 Art. 92.9	AIU case being initiated	pending
7	10-Aug-12	RED	Evidence tampering	Art. 26.1, n.	AIU case being initiated	pending
7	10-Aug-12	RED	Grounded habitat measures	Art. 12.6	AIU case being initiated	pending
1	10-Mar-12	RED COD YEL GHL	Mis-recording of catches - inaccurate recording	Reg. 1224/2009 art. 14.2, Reg. 404/2011	Case pending. Waiting to be initiated.	pending
1	13-Sep-12	GHL	Bycatch requirements	Art. 5.1, Reg. 1388/07 Cap. II art. 4.2	Closed	pending
4	27-Sep-12	GHL RED HKW BNG SKA	Quota requirements	Reg. 440/12	Case pending. Waiting to be initiated.	pending
5	04-Dec-12	GHL RED HKW BNG SKA	Product labelling	Art. 24.2, LEY 3/2001 Art. 11.2	Case initiated. Waiting proposal of resolution	pending

9 cases involving 4 vessels from 1 CP

Issues

- Compliance to NAF. Missing slashes or spaces and inaccurate radio call signs generate errors in the VMS.
- Electronic Observer Scheme (Art. 30 B) – no prior notification received.
- Apparent Infringements (AI) Issued by Port Inspectors. AIs of domestic regulations (e.g. mis-recording, > 20% diff of logbook and equivalent landed) considered as official NAFO AI?
- AI – two citations have no disposition or follow-up information
- When to transmit POR and TRA reports. POR reports are not about port landings. They are haul reports transmitted by receiving vessel in transshipment; TRA reports are transmitted by both donor and receiving vessels. Should come in POR-TRA-TRA
- Inclusion of geospatial information in the Compliance Review.

Next steps

- CPs, particularly those with inspection presence shall present compliance issues/concerns at this meeting.
- STACTIC to discuss these issues at this meeting.
- Secretariat prepares the compilation tables to be transmitted to STACTIC by 24 June 2013 (90 days before Annual Meeting and in accordance with Rules of Procedure 5.1.e)
- Secretariat compiles additional information forwarded 60 days before the Annual Meeting
- Secretariat prepares draft Annual Compliance Report
- STACTIC to review draft; insert conclusions; finalize the Annual Compliance Review for presentation at FC during the 2013 Annual Meeting

Annex 4. EDG Presentation

EDG Revisions

2 working papers for consideration:

1. STACTIC WP 13/4 (revised)
 - General corrections/clarifications
2. STACTIC WP 13/5
 - Clarifications/reformat of Articles 5 and 6 (catch limitation and by-catch)

STACTIC WP 13/4

1. Standardize language and capitalization
2. Insert table headings for area coordinates
3. Reorganize fishing and production logbook and stowage plan measures in Article 28
4. Clarify how data is distributed to Contracting Parties without an inspection presence
5. Remove reference to “human consumption” and “reduction” from logbooks

STACTIC WP 13/5

- Clarify that Articles 5 and 6 apply to flag and chartered vessels and stocks listed in Annex I.A and B
- Clarify that all catch (retained and discarded) counts against applicable quotas
- Distinguish between allocated and “others” quota
- Revise timing of certain measures:
 1. Immediate closure of directed fishery
 2. 80% 3M redfish TAC notification
 3. Trial tow duration of 1 hour

Article 6.4

- By-catch allowance is calculated as the %, by weight for each stock retained on board for that Division at the time of inspection based on logbook figures
 - More clearly links by-catch with appropriate directed fisheries

- By-catch thresholds based on catch by Division
- Lowers by-catch limits and mitigates potential by-catch compliance issues

Article 6.6

- Trail tow cannot exceed 1 hour
- If bycatch limits are exceeded after trial tow, vessel must leave the Division for the rest of the trip
 - Reduced trial tow duration from 3 hours to 1 hour
 - Eliminated endless by-catch loophole for trial tow
 - Mitigates potential by-catch risks

Future EDG Revisions

Revisions for the 2013 annual meeting:

1. Chapter VIII (Articles 48-56: Non-Contracting Party)
 - Reformat/reorganize for consistency
2. Chapter II (Articles 15-24: VMEs and closures)
 - Reformat/reorganize for consistency
 - Insert table headings

Annex 5. Proposed Changes to NAFO's Conservation and Enforcement Measures
Editorial Drafting Group
(STACTIC Working Paper 13/4 Revision 2)

Introduction

At the September 2012 Annual Meeting, the Editorial Drafting Group (EDG) outlined an approach for continuing to revise the NAFO Conservation and Enforcement Measures (CEMs), along with a list of minor clarifications to the existing CEM for consideration by STACTIC as part of STACTIC WP 12/40. To provide additional opportunity for Contracting Parties to review proposed changes to the CEM, this paper was not adopted by STACTIC at the 2012 Annual Meeting and will be reconsidered at the May 2013 STACTIC Intersessional Meeting. The EDG has updated STACTIC WP 12/40 to reflect changes to the CEM resulting from proposals adopted at the 2012 Annual Meeting, and included further minor revisions to several articles.

A brief description of the proposed minor revisions to the existing CEMs is provided below. The proposed revisions to the CEMs are organized based on their current structure. Cross-references to the corresponding article and paragraph, based on the 2013 CEMs, and a brief description of any changes have been placed in the right column of the attached addendum for ease of reference. These proposed changes represent revisions necessary to clarify existing measures, correct inaccurate references and capitalization, and reformat the CEMs to reflect the updated style and format agreed upon during Phase I of the EDG's efforts to update the CEMs (STACTIC WP 11/21), as adopted at the 2011 Annual Meeting.

Proposed Changes to Existing CEMs:

- Article 7.9 – Adding parenthesis for consistent format
- Article 9 – Insertion of table headings and renumbering of paragraphs
- Article 13(d) – 130 mm mesh applies to groundfish defined in Annex I.C
- Article 16.1 – Insert new Figure 2 for seamount, coral and sponge protection zones
- Article 25.1 – Clarify applicability of vessel notification (NOT) messages
- Article 27 - Clarification of when product must be labeled
- Article 28 – Clarify elements of fishing and production logbook and stowage plans
- Article 29 – Replaced “data” with “position data” throughout for clarity
- Article 30 – Clarify how observer data is reported and distributed
- Article 33 – Reorganize paragraph 2 and clarify how long Secretariat must maintain surveillance reports
- Article 39.2 – Clarify language regarding applicability of notices of infringements
- Annex II.A – Reorganize logbook elements and clarify gear used
- Correct several inaccurate references and capitalization errors
- Revise all references to “pursuant to” with “in accordance with” for consistency of language.

Addendum 1: Proposed Revision to Existing CEMS

PROPOSED NEW TEXT			OLD REFERENCE or EXPLANATION
Throughout the CEM			
Revise all references to any derivation of “flag State” and “port State” to correct for the proper capitalization of the terms.			
Revise all references to “pursuant to” with “in accordance with” for consistency of language.			
Article 7 – Cod Recovery Plans			
Add left parenthesis to Articles 7.9 (a), (b), (c) and (d).			Made formatting of paragraphs consistent
Article 9 – Shrimp			
1. For the purpose of this measure, Division 3M includes that portion of Division 3L enclosed by lines joining the points described below in Table 1 and depicted in Figure 1(1):			Revised to remove first sentence (moved to Article 5) and update Figure and Table references.
Table 1: Boundary points delineating the portion of Division 3L that is included in Division 3M for the management of shrimp in accordance with Annex I.B.			New Table Heading following paragraph 1.
	Point No.	Latitude	Longitude
	1	47°20'0	46°40'0
	2	47°20'0	46°30'0
	3	46°00'0	46°30'0
	4	46°00'0	46°40'0
3. A vessel fishing for shrimp and other species on the same trip shall transmit a report to the Executive Secretary signalling the change of fishery. The number of fishing days shall be calculated accordingly.			Article 9.4 moved to Article 9.3 because original Article 9.3 was moved to Article 5.5
4. Fishing days referred to in this Article are not transferable between Contracting Parties. Fishing days of one Contracting Party may be utilized by a vessel flying the flag of another Contracting Party only in accordance with Article 23.			Article 9.5 moved to Article 9.4 because original Article 9.3 was moved to Article 5.5
5. No vessel shall fish for shrimp in Division 3M between 00:01 UTC on 1 June and 24:00 UTC on 31 December in the following area as described in Table 2 and depicted in Figure 1(2):			Article 9.6 moved to Article 9.5 because original Article 9.3 was moved to Article 5.5 and to insert table reference
Table 2: Boundary points delineating the shrimp closure area referred to in Article 9.5.			
	Point No.	Latitude	Longitude
	1 (same as no.7)	47°55'0 N	45°00'0 W
	2	47°30'0 N	44°15'0 W
			Revised table format for consistency

3	46°55'0 N	44°15'0 W	
4	46°35'0 N	44°30'0 W	
5	46°35'0 N	45°40'0 W	
6	47°30'0 N	45°40'0 W	
7 (same as no. 1)	47°55'0 N	45°00'0 W	
6. No vessel shall fish for shrimp in Division 3L at a depth less than 200 meters in an area east of a line bound by the following coordinates described in Table 3 and depicted in Figure 1(3):			Article 9.7 moved to Article 9.6 because original Article 9.3 was moved to Article 5.5 and to insert table reference
Table 3: Boundary points delineating 200 m bathymetric curve referred to in Article 9.6.			New table heading
Point No.	Latitude	Longitude	
1	46°00'00" N	47°49'00" W	
2	46°25'00" N	47°27'00" W	
3	46°42'00" N	47°25'00" W	
4	46°48'00" N	47°25'50" W	
5	47°16'50" N	47°43'50" W	
7. Each vessel that has fished for shrimp in Division 3L, or its representatives on its behalf, shall provide to the competent port authority at least 24 hours prior notice of its estimated time of arrival and the estimated quantities on board of shrimp by Division.			Article 9.8 moved to Article 9.7 because original Article 9.3 was moved to Article 5.5 and to insert table reference
Article 10 – Greenland halibut			
9. Where within 24 hours of the notification transmitted in accordance with subparagraph 6(b), the Executive Secretary does not receive a notification from an inspection vessel, the Executive Secretary immediately advises the fishing vessel that it may begin fishing and notifies inspection vessels and the flag State FMC accordingly.			Correction of flag State capitalization.
Article 13 – Gear Requirements			
(d) 130 mm for all other groundfish, as defined in Annex I.C.			Clarifies definition of groundfish in paragraph 2(d) by referencing Annex I.C
Article 16 – Seamount, Coral, and Sponge Protection Zones			
1. [insert figure of seamount closures]			Insert new Figure 2 to depict existing seamount closure areas, renumbering subsequent Figures and updating cross references.

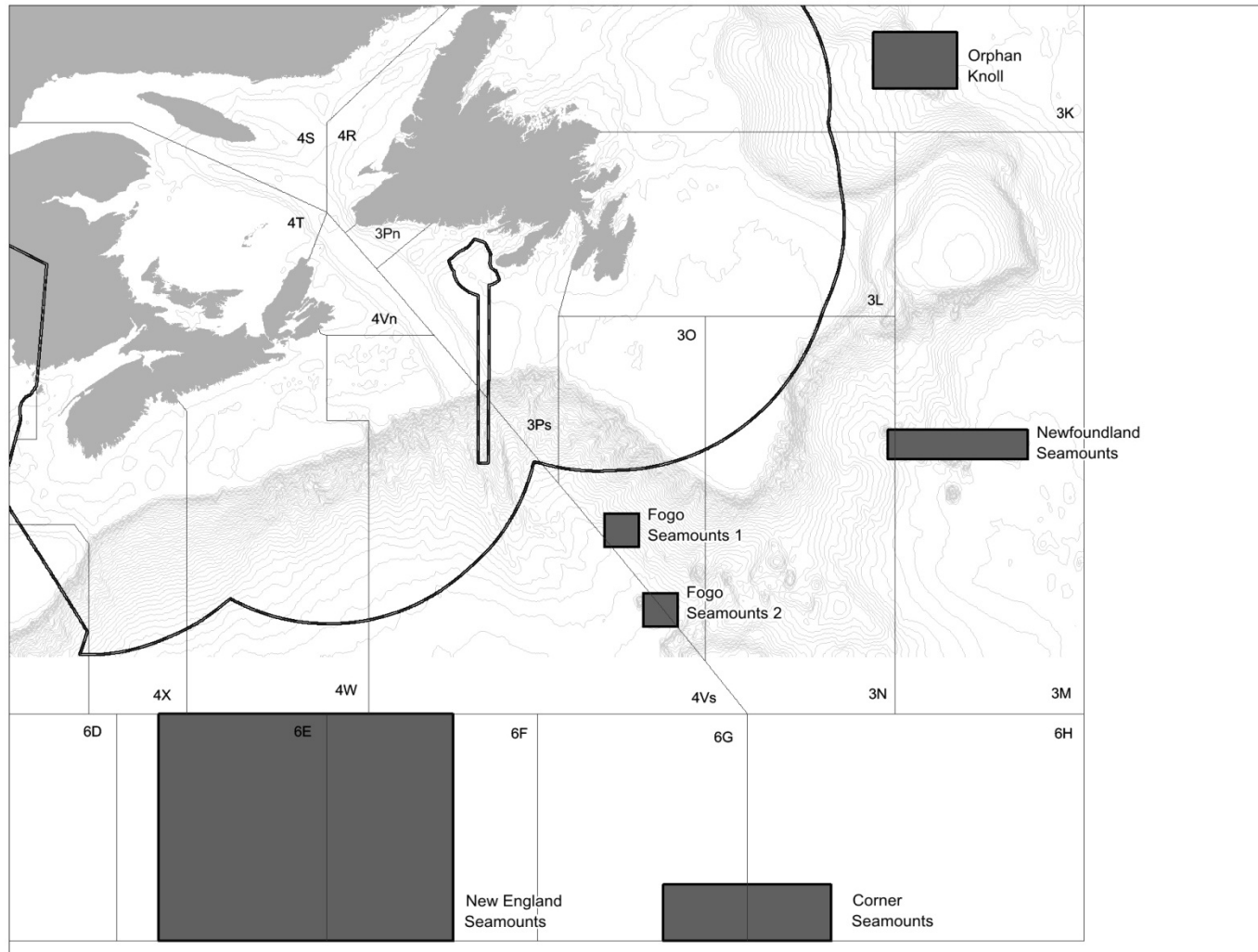
Article 25 – Vessel Requirements	
<i>Authorization to conduct fishing activities and notification requirements</i>	
3. Each Contracting Party shall transmit to the Executive Secretary, electronically in the format prescribed in Annex II.C, a list of the vessels which it has authorized to conduct fishing activities in the Regulatory Area and any amendments thereto from time to time no later than 30 days following any change to the list	Replace the word “operate” with “conduct fishing activities” in 25.3
Article 27 – Product Labelling Requirements	
2. Labels shall be securely affixed, stamped or written on packaging at the time of stowage and be of a size that can be read by inspectors in the normal course of their duties.	Revised to clarify when labels shall be affixed
Article 28 – Monitoring of Catch	
<i>Recording of Catch and Stowage</i>	
1. For the purposes of monitoring catch, each fishing vessel shall utilize a fishing logbook, a production log book and a stowage plan as defined below, to record fishing activities in the Regulatory Area.	New paragraph. Cross references and subsequent paragraph numbering will be updated upon approval.
<i>Fishing logbook</i>	
2. Each fishing vessel shall maintain a fishing logbook consistent with Annex II.A that:	28.1(b)
(a) accurately records catch of each tow/set related to the smallest geographical area for which a quota has been allocated;	28.1(b) and (d)(i)
(b) indicates the disposition of the catch of each tow/set, including the amount (in kg, live weight) of each stock that is retained on board, discarded, offloaded, or transhipped during the current fishing trip; and	28.1(d)(ii) and (iii)
(c) is retained on board for at least 12 months.	28.1(d)(iv)
<i>Production logbook</i>	
3. Each fishing vessel shall maintain a production logbook that:	28.1(c)
(a) accurately records the daily cumulative production for each species and product type in kg for the preceding day from 0001 hrs (UTC) until 2400 hrs (UTC);	28.1(e)
(b) relates the production of each species and product type to the smallest geographical area for which a quota has been allocated;	28.1(d)(i)
(c) lists the conversion factors used to convert production weight of each product type into live weight when recorded in the fishing logbook;	New paragraph for clarity
(d) labels each entry in accordance with Article 27; and	28.1(c)
(e) is retained on board for at least 12 months.	28.1(d)(iv)
<i>Stowage of catch</i>	
4. Each vessel shall, with due regard for safety and navigational responsibilities of the master, stow all catch taken in the NAFO Regulatory Area separately from all catch taken outside the NAFO Regulatory Area, and ensure that such separation is clearly demarcated using plastic, plywood or netting;	28.1(g)
5. Each fishing vessel shall maintain a stowage plan that:	New to clarify elements of stowage plan.

(a) clearly shows the location and quantity, expressed as product weight in kg, of each species within each fish hold;	28.1(h)
(b) specifies the location in each hold of shrimp taken in Division 3L and in Division 3M that includes the quantity of shrimp in kg, by Division;	28.1(i)
(c) is updated daily for the preceding day from 001 to 2400 hrs (UTC); and	28.1(j)
(d) is retained on board until the vessel has been unloaded completely.	28.1(k)
6. Every fishing vessel shall transmit electronically to its FMC the following reports in accordance with the format and the content prescribed for each type of report in Annex II.D and Annex II.F:	Article 28.2 becomes Article 28.6, <u>with all subsequent paragraphs renumbered.</u>
(c) catch report (CAT): quantity of catch retained and quantity discarded by species for the day preceding the report, by Division, including nil catch returns, sent daily before 1200 hours UTC. Nil catch retained and nil discards of all species shall be reported using the 3 alpha code MZZ (marine species not specified) and quantity as "0" as the following examples demonstrate (//CA/MZZ 0// and //RJ/MZZ 0//);	Revised Article 28.2(c) becomes Article 28.6(c) and includes reference to discards and how to report nil catch
Article 29 – Vessel Monitoring System (VMS)	
<i>VMS position data and costs</i>	Addition of the word "position" prior to data throughout section for clarification
1. Every fishing vessel operating in the Regulatory Area shall be equipped with a satellite monitoring device capable of continuous automatic transmission of position to its land-based Fisheries Monitoring Centre (FMC), no less frequently than once and hour, the following VMS data:	29.1
2. (a) receives the position data referred to in paragraph 1 and records them using the following 3 letter codes:	29.2 (a)
(i) "ENT", first VMS position transmitted by each vessel upon entering the Regulatory Area	29.2(a)(i)
(ii) "POS", every subsequent VMS position transmitted by each vessel from within the Regulatory Area; and	29.2(a)(ii)
(iii) "EXT", first VMS position transmitted by each vessel upon exiting the Regulatory Area	29.2(a)(iii)
8. Every fishing vessel operating with a defective satellite monitoring device, shall transmit, at least once every 4 hours, the VMS position data to its flag State FMC by other available means of communication, in particular, satellite, email, radio, facsimile or telex.	29.8
<i>Transmission of VMS position data from the FMC to the Executive Secretary</i>	
9. (a) its FMC transmits VMS position data to the Executive Secretary as soon as possible, but no later than 24 hours after it receives them and may authorize fishing vessels entitled to fly its flag to transmit VMS position data by satellite, email, radio, facsimile or telex, direct to the Executive Secretary; and	29.9(a)
(b) the VMS position data transmitted to the Executive Secretary are in conformity with the data exchange format set out in Annex II.E and further described in Annex II.D.	29.9(b)
10. (b) makes available as soon as possible the VMS position data to all Contracting Parties with an inspection presence in the Regulatory Area;	29.10(b)
(c) treats all VMS position data in conformity with Annex II B;	29.10(c)

(d) following specific requests from the Fisheries Commission to the Scientific Council, makes VMS position data available in a summary form to the Scientific Council;	29.10(d)
(e) upon determining that a vessel has failed to transmit two consecutive VMS position data reports as specified in paragraph 1, so notifies the FMC of the flag State Contracting Party without delay;	29.10(e)
Article 30 – Observer Program	
(g) submits to the flag State Contracting Party and to the Executive Secretary, within 30 days following completion of a fishing trip, a report detailing the data recorded in accordance with this paragraph.	In Article 30.A.2(g), replaced “deployment” with “fishing trip” to ensure that an observer report is submitted for each trip
7, The Executive Secretary:	Revised paragraph 7 to clarify how data is distributed to Contracting Parties with and without an inspection presence in the Regulatory Area
(a) provides copies of the observer report referred to in Article 30.A.2(g) to Contracting Parties with an inspection presence in the Regulatory Area; and (b) upon request, provides copies of the observer report referred to in Article 30.A.2(g) that contains daily catch totals by species and division instead of by individual hauls and co-ordinates to Contracting Parties without an inspection presence.	
Article 33 – Surveillance Procedures	
IN PARAGRAPH 2, - Collate the chapeau and (a) to make a single sentence - move (b) to Article 40, as new inclusion in the current (d)	
3. The Executive Secretary maintains the Surveillance Reports until follow-up action is concluded by the flag State Contracting Party of the vessel concerned and sends final reports to Contracting Parties with an inspection presence in the Regulatory area.	33.3 + New text for clarity
Article 39 – Follow-up to Infringements	
2. Each Contracting Party shall ensure that in proceedings it has instituted, it treats all notices of infringement issued in accordance with Article 38.1(l) as if the infringement was reported by its own inspector.	39.2 + Revised text to clarify that CPs must treat observer/inspector obstruction notices as if their own entities reported the infringement.
Article 40 – Contracting Party Reports on Inspection, Surveillance and Infringements	
1. (d) the action it has taken during the previous year concerning every infringement notified to it by a Contracting party or with regards to each Surveillance Reports it has received, including a description of the specific terms of any penalties imposed;	40.1 (d) + 33.2 (b) The second sentence of 33.2 (b) is already in 40.3, so no need for further change in 40.3. The additional text is

	needed to fully reflect text from 33.2(b).
In paragraph 4, the word "concerning" should be replaced by "for"	
Annex II.A – Recording of Catch (Fishing Logbook Entries)	
<ol style="list-style-type: none"> 1. Vessel name 2. Vessel nationality 3. Vessel registration number 4. Registration port 5. Type of gear used (*1) (*2) 6. Date of fishing activity (day/month/year: dd-mm-yyyy) 7. Start time of each tow/set (UTC) 8. Start position of each tow/set: <ol style="list-style-type: none"> a. Latitude b. Longitude c. Division d. Water depth 9. End position of each tow/set: <ol style="list-style-type: none"> a. Latitude b. Longitude c. Division d. Water depth 10. End time of each tow/set (UTC) 11. Species names caught in each tow/set (Annex I.C) 12. Disposition of each tow/set: (*3) (*4) <ol style="list-style-type: none"> a. Total catch of each species (kilograms live weight) b. Discards of each species (kilograms live weight) 13. Were by-catch limits specified in Article 6.2 exceeded? (Y/N) 14. Was a trial tow conducted in accordance with Article 6.3(c) conducted? (Y/N) 15. Landings or Transshipments of catch from the Regulatory area <ol style="list-style-type: none"> a. Quantity landed or transhiped of each species b. Place(s) of landing or transshipment c. Date(s) of landing or transshipment (day/month/year: dd-mm-yyyy) 16. Master's signature <p>Instructions</p> <p>(*1) When two or more types of gear are used in the same 24-hours period, records should be separate for the different types</p> <p>(*2) Gears and attachments shall be identified by codes in Annex II.J</p> <p>(*3) Quantities shall be in kg live weight</p> <p>(*4) Species shall be identified by the codes in Annex I.C</p>	Removed separate fields for catch for human consumption and for reduction

Figure 2: Depiction of seamount closures outlined in Article 16.1



Annex 6. Observer Program – Article 30

Standardization of Observer program data and Reporting requirements in the NAFO Regulatory Area (STACTIC Working Paper 13/14)

Explanatory Memorandum

As outlined in STACTIC WP 12/41, in the 2012 Progress report of the Expert Panel, it was recommended that standard protocols be developed and applied for the reporting of NAFO observer information by all flag States.

To ensure that data is collected and reported in a consistent and timely manner thereby, facilitating the compilation and analysis of the observer data, it is recommended that provisions be adopted in the NAFO Conservation and Enforcement Measures (NCEMs) that require the use of a standard observer collection template and that the NAFO Secretariat automatically disseminate the reports to those Contracting Parties with an inspection presence in the NAFO Regulatory Area (NRA).

Article 30, 2 (g) currently requires that observers submit to the flag State Contracting Party and to the Executive Secretary, within 30 days following completion of a deployment, a report, however the measures fails to identify a standard format for this report

A review of material currently available on the NAFO website uncovered an Electronic Observer Report template that comes in two separate spreadsheets – (1) on catch and effort data (NAFO Observer Catch Data Form), (2) on the length frequency data (NAFO Observer Length Frequency Form). These forms capture the information that the observers are required to collect and record.

This amendment to the measures would ensure that data is collected and reported in a consistent and timely manner thereby facilitating the compilation and analysis of the observer data.

In support of this objective, Canada is proposing the use of a standardized data collection format and process through the addition of a new Annex II. M (standardized observer report template). The proposal would facilitate the compilation and analysis of observer data. This in turn would enhance the quality of reporting, reduce costs and make the information more relevant for all Contracting Parties and key stakeholders.

Proposal

Article 30 – Observer Program,

(1) Replace the current *Duties of the flag State Contracting Party 2. (g)* with the following:

(g) submits to the flag State Contracting Party and to the Executive Secretary, within 30 days following completion of a deployment, a report as set out in Annex II.M, detailing the data recorded pursuant to this paragraph.

(2) Add: Annex II.M Observer Report (annex 1)

(3) Replace the current *Duties of the Executive Secretary 7.* with the following:

7. The Executive Secretary will provide to any Contracting Party:

- (a) with an inspection presence in the NRA, a copy of the report referred to in paragraph 2(g), including individual hauls and co-ordinates.
- (b) without an inspection presence in the NRA, upon request, a copy of the report referred to in paragraph 2(g), providing daily catch totals by species and division

Annex I**Annex II. M. Standardized Observer Report Template****Part 1. Fishing Trip and Gear Information****1A. Fishing Trip**

Vessel Call Sign	
Vessel Name	
Flag State	
Trip Number	
Fishing Master's Name	
Number of Crew	
Observer's Name	
Observation Date Started	
Observation Date Ended	
Date of Report	
Vessel Length (m)	
Vessel Type	
Vessel Gross Tonnage	
Engine Power (indicate HP or KW)	
Frozen Hold Capacity (m ³)	
Fish Meal Hold Capacity (m ³)	
Other Hold Capacity (m ³)	
Directed Species	
NAFO Division/s visited	
Date of Entry into NRA	
Date of Exit from NRA	
Port of Landing	
Other Area/s visited	
Comments	

1B. Trawl Gear Information

Trawl Gear Information																Attachments	Grate Spacing	Straps
Gear #	Gear Type	Gear Make	Mesh Size (mm)															
			Wings			Body			Lengthening Piece			Codend						
			High	Low	Average	High	Low	Average	High	Low	Average	High	Low	Average				

Comments:

Part 2. Catch and effort information by tow/set/haul

[illegible]

[illegible]

Part 5. Length Frequency Form

Length Frequency		Trip Number:	
Species Code:		Tow/Set/Haul #:	
Sample Type:		Measure Type:	
Meas. Convention		Total Measured:	
Sample Wt.:		Catch Weight:	
Gear Type:		Gear Number:	

sex:

sex:

Tally		#	Tally		#
0			0		
1			1		
2			2		
3			3		
4			4		
5			5		
6			6		
7			7		
8			8		
9			9		
0			0		
1			1		
2			2		
3			3		
4			4		
5			5		
6			6		
7			7		
8			8		
9			9		
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1			1		
2			2		
3			3		
4			4		
5			5		
6			6		
7			7		
8			8		
9			9		
0			0		
1			1		
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