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NAFO/FC Doc. 13/21 (Adopted)

35TH ANNUAL MEETING - SEPTEMBER 2013

Performance Assessment Review Recommendations addressed to more than one NAFO Body including the Fisheries Commission – update on implementation

(prepared by the Secretariat)

[see attached Table]

		PRP Recomme	ndations	addressed to two or more NAFO Bod	ies, in	cluding FC		
Recom No (PRP Rpt)		Recommedation Text	Body	Way forward as proposed by the GC WG and adopted by GC (GC Doc $12/1$)	Time- scale	Latest FC and STACTIC Action	Reference	Progress Status
3.2.5	J	NAFO to consider policy measures to bolster its commitment to ensuring the compatibility of measures adopted for the conservation and management of straddling stocks within the Convention Area. Consideration should also be given to clarifying the respective responsibilities of the coastal State and the Fisheries Commission in coordinating their respective measures and actions, so as to ensure that compatibility.	FC, CPs	The WG recommends that: - FC clarify the requirement laid down in Article XI.3 (1978 Convention) with regard to the scope and deadline for coastal State reporting • FC develop mechanisms for the application of Article VI.11 of the 2007 NAFO Amended Convention which ensure consistency of measures adopted for the conservation and management of straddling stocks within the Convention Area following the Amended Convention's entry into force.	ST	At the 34th Annual Meeting, FC did not reach consensus on the proposal concerning compatibility measures. CPs expressed that further consultations with their respective governments would be required.	FC WP 12/24, FC Doc 12/31	Action to propose
6.3	2	Encourages NAFO to continue developing cooperative relationships with other RFMO/As and International Organizations, as appropriate, to achieve its objectives and facilitate its work.		The WG recommends to GC to continue developing and strengthening cooperation with other RFMOs and international organizations in line with Article XVII of the NAFO amended convention	ST	At the 34th Annual Meeting, FC decided that NAFO and NEAFC jointly establish the new joint NEAFC-NAFO Advisory Group on Data Management. The ToR will be presented at this Meeting for consideration and adoption.		Action Ongoing
4.4.1	5	5 Notes that high priority should be given to encouraging the timely submission of data essential for stock assessment purposes. The PRP therefore urges Contracting Parties to ensure the accuracy of the data and information collected and the timeliness their submission to NAFO. In this regard, the potential introduction of sanctions for data submission infringements, including the denial or reduction of fishing opportunities until outstanding data submissions are supplied, should be considered.	GC, FC, CPs	The WG urges CPs to comply with data submission obligations in terms of timing and quality.	ST	STACTIC proposal Standardization of Observer Program Data Reporting requirements will be forwarded to FC at this meeting for consideration and adoption.	FC Doc 13/4, STACTIC WP 13/14	Action Ongoing

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				The WG recommends that: The Secretariat compile a comprehensive overview of the various data reporting requirements (e.g. who, what, when); FC assess the overall submission of data and identify problem areas (e.g. type of data, nature of shortcoming, scope – i.e. one CP or broad); and FC consider options to address gaps including a system of monitoring compliance with data submission obligations and introducing sanctions if appropriate.	MT	STACTIC addresses these issues in its Annual Compliance Review.	STACTIC WP 13/17, FC Annual Meeting Reports	Action Ongoing
5.1.4	(6 The timeliness and quality of data submitted by Contracting Parties	FC, CPs	See Recommendation 5	ST	See Recommendation 5	II .	Action Ongoing
4.4.3.5	,	7 Careful consideration should be given to developing and consolidating NAFO fishery resources data-access and utilization rules. These should take into consideration intellectual property rights related to scientific analyses as well as industrial confidentiality provisions to be attached to certain categories of data (e.g. detailed fishing location).	FC, SC, ES	The WG recommends that: - FC, possibly upon input from the SC/STACREC, develops and consolidates rules to facilitate access and utilization of data hosted by the Secretariat including in particular, VMS data, for scientific purposes; FC encourages the SC to use VMS data for preparation of advice; FC strengthens rules on secure and confidential treatment of data taking into consideration intellectual property rights and commercial sensitivity of information taking into account experiences in other RFMOs. See also recommendations 8 and 9.	ST	At the 34th Annual Meeting, FC amended Article 26.10.d of the NCEM, making VMS data more accessible to SC and other constinutent bodies. Also, from the STACTIC May 2013 Intersessional Meeting Report: 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.		Action completed
4.4.1.6	:	8 The PRP noted the potential utility of VMS information in verifying stock assessment input data. It suggested that this potential should be further investigated and, in particular, possible rules should be considered to govern the use of VMS data. Such rules would be in the interests of reaching a common understanding on how and why VMS data should be used as well as on avoiding overly-		See Recommendation 7	МТ	п	п	Action completed

restrictive usage conditions.

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4.4.2.3 & 4.4.2.4	10 Encourages NAFO to continue to address the data requirements attached to implementation of UNGA Resolution 61/105 , with some urgency. All efforts should be expended to encourage the timely submission of marine living resources information to expedite the comprehensive collection of essential data to improve knowledge of the benthos, and benthic environment, in the NAFO Convention Area as a whole	ı	Taking into account the progress made in 2011 the WG recommends that: FC, upon recommendation of the SC and the FC WGFMS-VME, reviews data requirements for the implementation of UNGA Resolution 61/105 on a regular basis and at the latest in 2014 as foreseen by NAFO CEM (Article 21), once the information from the NEREIDA project is available	MT	Since its inception in 2008, the WGFMS-VME met seven times formulating recommendations concerning the protection of VMEs in the NRA in response to UNGA Resolution 61/105. The VME conservation and enforcement measures are laid down in Chapter II of the NCEM. These measures are reviewed and updated every year as new scientific information becomes available. The WG met in May 2013. It will present new recommendations concerning area closures to FC at this meeting for consideration and adoption.	WGFMS-VME Meeting Reports, Chapter II of the NCEM, FC Doc 13/3	Action ongoing
			In addition the WG urges CPs to comply with reporting requirements as laid down in Chapter II of NAFO CEM	ST	At the 34th Annual Meeting, FC adopted the updated Exploratory Fishing Protocol and Assessment of Bottom Fishing Activities as recommended by the WGFMS-VME	FC Doc 12/6, FC Doc 12/30, FC Doc 12/31	Action completed
4.2.2.2.1	11 Suggests that NAFO consider enhancing its applicatio of risk-based assessment approaches (e.g. the Greenland Halibut Management Strategy Evaluation a Kobe Matrix) when evaluating management strategies.	nd	The WG recommends that the FC mandates the FC WGFMS-CPRS to consider the broader use of the PA framework, extension of management strategy evaluation and/or other risk-based management approaches (e.g. Kobe matrix) including conservation plans and rebuilding strategies, as appropriate.	MT	At the 34th Annual Meeting, FC adopted the proposal to establish the joint FC-SC WG on Conservation Plans and Rebuilding Strategies. The FC Chair in collaboration with the SC and other relevant Chairs developed the draft ToR of theWG, renaming it to Joint FC-SC WG on Risk-based Management Strategies. The ToR will be presented to FC at this meeting for consideration and adoption.		Action Ongoing
4.6.6.3	12 Encourages NAFO to broaden consideration of MSE-type approaches to managing other fisheries for which it is responsible.	FC, SC	See Recommendation 11.	МТ	n e e e e e e e e e e e e e e e e e e e	FC Doc 12/27 FC WP 13/7	Action Ongoing

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4.2.3.5 & 4.2.3.3 & 4.2.4.1	1	3 Encourages NAFO to consolidate its policy to address ecosystem management considerations , including by compiling the information necessary for evaluating trends in the status of dependent, related and associated species specifically. A consolidated list of bycatch species , for instance, should be included in the NCEM to assist monitoring of bycatch during directed fishing.		The WG recommends that: • SC prepares recommendations on how to implement the next steps of the Roadmap for Developing an Ecosystem Approach to Fisheries for NAFO based on its ToR and in line with the recommendations of the Performance Review Report and that it examines the application of the Ecosystem Approach to Fisheries in other RFMOs to that end;	MT	[see SC's response]		
				• SC consider the usefulness and practicability of identifying the different types of ecosystems present in the NAFO area;	MT	[see SC's response]		
				• SC continues to take into account environmental factors impacting on NAFO fisheries	MT	[see SC's response]		
				• FC and SC jointly develop the definition of bycatch, compile a consolidated list of the main relevant bycatch species (commercial, non-commercial, targeted, non-targeted, VMEs,) and consider the issue of bycatches in the framework of conservation plans and rebuilding strategies, management plans and other management measures; (ST)	ST	At the 34th Annual Meeting, FC adopted FC the proposal to establish the joint FC-SC WG on Ecosystem Approach Framework to Fisheries Management, following the WGFMS-VME recommendation to expand the mandate to include broader aspects of EAF as part of the future dialogue between FC and SC. The FC Chair in collaboration with the SC and other relevant Chairs developed the draft ToR of the WG which will be presented to FC at this meeting for consideration and adoption.		Action Ongoing
				• The SC, as appropriate, adjusts the data collection requirements to include the information necessary for evaluating trends in the status of dependent, related and associated species to address ecosystem management considerations. See Recommendations 14, 15 and 16	MT	[see SC's response]		

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4.3.6	14	Recommends that NAFO consider augmenting its effort to implement a more EAF friendly management approach as well as to embrace the PAF more widely. I bycatch continues to be a problem, then NAFO ecosystem-based management and its EAF may fall short of best practice.		See Recommendation 13	MT	See Recommendation 13	FC Doc 12/28, FC WP 13/8	Action Ongoing
4.3.7	15	Strongly encourages the development, and consolidation of the Scientific Council's EAF Roadmap . It also encourages NAFO as a whole to give strategic consideration as to how the Roadmap may assume a more holistic focus so that it addresses ecosystem components more widely, not just those for harvested, associated, species alone. In these terms, NAFO should focus on the sustainable use of the entire ecosystem for which it is responsible rather than just fishery-target species.	or	See Recommendation 13	MT	See Recommendation 13	FC Doc 12/28, FC WP 13/8	Action Ongoing
4.6.2.5	16	Endorses NAFO's continuing execution of its customar (target species-directed) management requirements and assessments for the stocks that it manages. It shoul also strive to address new challenges associated with further development of the EAF (Section 4.3) and increased formalization of the PAF (Section 4.6.2) etc. The use of standardized, well-understood and scientifically robust approaches must continue while the needs of fishery-directed and broader ecosystem management should remain balanced.	d	See Recommendation 13	MT	See Recommendation 13	FC Doc 12/28, FC WP 13/8	Action Ongoing
4.6.3.3	17	Encourages NAFO to review the Exploratory Fisheric Protocol with a view to developing a strategic framework for conservation and management measures for all potential new and exploratory fisheries. In this respect, NAFO may wish to take account of the way in which CCAMLR has approached the issue in terms of developing a unified regulatory framework.	3	The WG recommends that, the FC mandates the WGFMS-VME to review the Exploratory Fisheries Protocol with a view to developing a strategic framework for conservation and management measures for all potential new and exploratory fisheries.	MT	At the 34th Annual Meeting, FC adopted the updated Exploratory Fishing Protocol and Assessment of Bottom Fishing Activities as recommended by the WGFMS-VME	FC Doc 12/6, FC Doc 12/30, FC Doc 12/31	Action completed

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4.6.4.2 & 4.6.4.3 & 4.6.4.4	18 Recognizes that a NAFO strategic imperative should be to articulate a specific plan aimed at developing ways to conserve biodiversity . NAFO, in general, and the Scientific Council in particular, are also encouraged to formally determine the potential effects that areas closed to fishing are likely to exert in terms of affecting fishing, protecting habitats and conserving biodiversity in the NAFO Convention Area.	ES	Taking into account the recommendations on the Ecosystem Approach and the mandate of the 2007 NAFO amended Convention, the WG recommends that the FC mandates the WGFMS-VME to analyse, based on an overview provided by the Secretariat, the way other RFMOs address the need to conserve biodiversity as a basis for discussions in the FC on a possible strategy for biodiversity. See Recommendation 19.	LT	At the 34th Annual Meeting, FC adopted the proposal to establish the joint FC-SC WG on Ecosystem Approach Framework to Fisheries Management, following the WGFMS-VME recommendation to expand the mandate to include broader aspects of EAF.		Action Ongoing
4.6.4.2	19 NAFO's efforts to address potential threats to biodiversity in the Convention Area are largely linked to the management of relevant fisheries and their likely impacts. In this respect, NAFO has not articulated any specific plans aimed at developing ways to conserve biodiversity. The PRP sees the development of such plans as a strategic imperative for NAFO.	FC, SC	See Recommendation 18	MT		FC Doc 12/6, FC Doc 12/28	Action Ongoing
4.6.4.4	20 Encourages NAFO to consider whether activities other than fishing in the NAFO Convention Area may impact the stocks and fisheries for which NAFO is responsible as well as biodiversity in the NAFO Regulatory Area. Such activities might include oil exploration, shipping and recreational activities.		The WG recommends that the FC considers the need to gather information on activities other than fishing that may impact the stocks and fisheries in the NAFO Area.	LT	At the 34th Annual Meeting, FC adopted the Resolution on the protection of Vulnerable Marine Ecosystems from activities other than fishing. Also, FC agenda item 18 of the 35th Annual Meeting is Offshore petroleum exploration and their impact on fisheries and VMEs in the NAFO Regulatory Area.	FC Doc 12/29, FC Doc 12/31, FC WP 13/6	
4.7.2	22 Urges the Fisheries Commission to further consider how the management of fishing , particularly of excess capacity , may augment stock sustainability and the meeting of the Convention's objectives.	FC	The WG recommends that the FC continues to examine the need for effort/capacity management measures to ensure that effort is commensurate with available resources.	MT	At the 34th Annual Meeting, Iceland expressed that it does not support this recommendation as it considers effort and capacity management measures are not an efficient tool in the management of fisheries.	FC Doc 12/31	Action to propose

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4.3.9 & 4.6.5.2	2	3 Urges NAFO to deal with lost or abandoned fishing gear in a more consistent manner. It should also consider efforts to introduce management measures to deal more widely with environmental protection issues (e.g. pollution, discarding of packaging bands etc.) likely to arise from fishing activities in the NAFO Convention Area.	FC	The WG recommends that the FC, following advice from STACTIC, considers establishing rules for retrieving lost gear and adopting management measures to deal with environmental pollution, in particular to minimise waste and garbage.	ST	At the 34th Annual Meeting, FC adopted the <i>Proposal on lost or abandoned fishing gear</i> , as reccommended by STACTIC. Artcile 13.9-13.13 were inserted in the NCEM	FC Doc 12/18; FC Doc 12/31	Action completed
4.4.1.4	2	A Recommends that the Fisheries Commission and the Scientific Council promptly resolve any discrepancies between STATLANT 21A catch estimates and those of STACFIS, if possible, or at least provide some guidance on how they arise, including underlying assumptions made and/or consequences anticipated.	GC, FC, SC, CPs	The WG recommends that GC submits the issue of catch discrepancy between STATLANT 21A catch estimates and those of STACFIS to an external peer review process.	ST	At the its Intersessional Meeting in May 2013, STACTIC responded to the Peer Review External Panel (PREP) recommendations: if FC desires to have measures in the NCEM related to STATLANT or reporting data to be used to compile STATLANT, specific direction are needed. Also, in response to CPs instructions to STACTIC to reflect on ways to use STACTIC data in examining the reliability of STATLANT 21, STACTIC created tables and graphs to compare STATLANT and the STACTIC data.	FC Doc 13/4	Action Ongoing
						STACTIC will report to FC at the meeting on the ways to utilize STACTIC data for the purpose of examining STATLANT 21 reliability.		

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4.5.1 & 4.5.3 & 4.5.4		between the Scientific Council and the Fisheries Commission could be strengthened, while still maintaining the intended 'philosophical' separation between them. The content of any such dialogue should be considered in terms of providing both groups with the best information available so that decisions, or actions, are based on interpretable, unambiguous and informed understanding. The detailed recommendations below outline two possible areas to be considered in the interests of improving the use of the Scientific Council's advice by the Fisheries Commission. These include: Tabular presentation of key management decisions to be taken rather than decisions being obscured in other documentation. This would serve as a 'targeted framework' and could extend the use of standardized management procedures by providing more risk-based, or risk-determined scientific advice. Developing consolidated descriptions of the scientific approaches models and underlying assumptions used by the Scientific Council. This could be in the form of a users' manual outlining, with attached lay explanations, the various assessment being undertaken.		The WG recommends that: • FC considers more regular inter-sessional meetings between managers and scientists for issues requiring discussion (e.g via WebEx or teleconference), • a joint meeting of the FC and SC be held at the upcoming Annual Meeting or as soon as possible thereafter, to discuss the appropriate means to address, amongst other issues, broader implementation of the PAF, updating the framework for provision of advice, updating the template for the presentation of advice and recommendations, and the improvement of the process to develop questions to the SC. • FC develop a framework for the presentation of key management decisions.	ST	At the 34th Annual Meeting, FC and SC had a joint meeting on the side to discuss the specific plans of action in the implementation of this recommendation. Short-, medium, and long-term priorities were agreed to. These priorities included catch discrepancies and estimates, the establishment of management objectives, and further implementation of the precautionary and ecosystem approach through the various NAFO Working Groups. The draft ToRs of the joint FC-SC WGs on RBMS and EAFM, which will be presented to FC at this meeting for consideration and adoption, reflect these priorities. Also, at the 34th Annual Meeting, FC adopted the <i>Proposal for the updated framework for the presentations of Scientific Advice based on risk</i> .	Doc 12/27, FC Doc 12/28, FC WP 13/7, FC WP 13/8,	Ongoing
4.5.7	2	6 Suggests that NAFO as a whole may wish to reflect on	FC, SC,	The WG recommends the FC and SC analyse the	MT	FC has noted SC's concern about its	FC Doc 12/31	Action to

availability of and the need for scientific

capacity and identifies possibilities to extend

scientific expertise by specific schemes (e.g.

scholarship, meeting participation fund, etc).

increasing workload wihtin the last few

its resources and capabilities.

years such that is is reaching the limits of

propose

the use, and allocation, of its scientific capacity from

appears to be shared by all NAFO Contracting Parties in

time-to-time, although the burden of scientific input

proportion to their respective fishery activities.

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5.1.4	Notes that there is a need to further address the issues of equitable sharing between Contracting Parties of inspection coverage (and/or related costs - as was suggested at the 2003 Annual Meeting).	FC, CPs	The Working Group recommends that: • STACTIC continues to identify ways to ensure equitable sharing between Contracting Parties of inspection coverage as launched at the 2003 Annual Meeting, and that; • CPs cooperate in the deployment of inspectors and the coordination of areas and vessels to be inspected.	ST	At its May 2013 Intersessional Meeting, STACTIC noted that issues contained in Recommendations 27 and 28 had been previously discussed and that the CEM adequately addresses these issues.	FC Doc 13/4	Action completed
	There is also a need to address the timely and effective follow-up of infringements .		The WG encourages CPs to follow-up timely and effectively on infringements and to report regularly on the action taken as foreseen by Article 37 of NCEM. <i>See Recommendation 28</i> .				
5.4.1	Urges that the quality and timeliness of Contracting Party infringement follow-up reporting be improved so that Contracting Parties better meet their obligations under the Convention and NCEM. In this respect, the situation where reports are only available for 12 out of 88 citations between 2006 and 2010 is not only unsatisfactory, but should be urgently addressed.* (*It was noticed that the Panel has inadvertently taken the statistics in an opposite context. Actually, 12 citations did not have follow-up reports on infringement, i.e. 76 out 88 have follow-up reports.)	FC, CPs	See Recommendation 27.	ST	At its May 2013 Intersessional Meeting, STACTIC noted that issues contained in Recommendations 27 and 28 had been previously discussed and that the CEM adequately addresses these issues.	FC Doc 13/4	Action completed
5.2.4 & 5.2.5 & 3.2.8.2	Recommends further harmonization of relevant NAFO rules with applicable provisions of the FAO Port States Measures Agreement . Considering that NEAFC is currently undertaking similar work, the PRP suggests that the NEAFC experience in this regard be taken into account by NAFO. To the extent possible, NAFO should also cooperate with other RFMOs to enhance the efficiency of its Port State Measures.		The WG recommends that: • STACTIC assess the consistency of NAFO CEM with the FAO PSM Agreement, and develop any necessary amendments, taking into account PSM measures adopted by NEAFC as appropriate. • FC should cooperate with other RFMOs to enhance the efficiency of its PSM	ST	At its May 2013 Intersessional Meeting, STACTIC agreed that in the interest of harmonization and efficiency, NAFO would await the completion of NEAFC's Port State Control review, anticipated by November 2013, prior to conducting its own review.	FC Doc 13/4	Action Ongoing

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5.5.3	30	Encourages NAFO to continue to cooperate with other RFMOs in the establishment and dissemination of the NAFO IUU fishing vessel list .	GC, FC	The WG notes that NAFO cooperates with NEAFC on compatible IUU lists and exchanges information with CCAMLR and SEAFO. WG encourages the continuation of this cooperation, extending it to other RFMOs as necessary and appropriate. If necessary, Article 51.6 of the NAFO CEM may be amended to this end.	ST	At its May 2013 Intersessional Meeting, STACTIC noted that Art. 54.6 of the NCEM provided for cooepration with CCAMLR, NEAFC, SEAFO and other RFMOs. It was agreed that the CEM adequately addresses the receommendation.	FC Doc 13/4	Action completed
5.5.4 & 5.5.5	31	Encourages Contracting Parties to further consider possible improvements to NAFO trade or market-related measures, in accordance with the requirements of international law. In the PRP's view this is crucial for the prevention, deterrence and elimination of IUU fishing in the NAFO Regulatory Area. To the extent possible, NAFO efforts for trade related measures should take into consideration similar measures being implemented elsewhere.	FC, CPs	The WG recommends the FC consider trade related measures, including considering approaches in other RFMOs.	MT	At its May 2013 Intersessional Meeting, STACTIC agreed that Chapter VIII of the CEM adequately addresses the recommendation.	FC Doc 13/4	Action completed
7.5.2	34	Highlights the point that, reports should be as succinct as possible and confined to matters of substance only to improve documentation of meeting outcomes . Technical details can be provided in appendices and as far as possible reports should represent a distillation of collective views, unless otherwise decided for controversial/high priority subjects. Executive summaries of key conclusions and decisions should be provided if possible.	GC, FC, SC, ES, CPs	The WG recommends that all NAFO bodies strive for clear and succinct reporting as recommended by the review panel and that the Secretariat provides proper guidance to rapporteurs and Chairs to that end.	ST	At its May 2013 Intersessional Meeting, STACTIC agreed to continue to work on improving reports and encourage CPs to further implement this recommendation.	FC Doc 13/4	Action Ongoing
4.9.3	35	If the situation should evolve, the PRP suggests that the above Resolution conditions may need to be reviewed in respect of NAFO addressing all the explicit provisions of UNFSA Article 11 that need to be taken into account when allocating fishing opportunities to new Members.	FC, SC	The WG recommends that NAFO reconsider previous work undertaken by the Working Group on the Allocation of Fishing Rights to Contracting Parties of NAFO and review the Resolution to Guide the Expectations of Future New Members with Regard to Fishing Opportunities in the NAFO Regulatory Area (NAFO GC Doc. 99/8), should new members join the organization or new fisheries come under NAFO management.	LT			Action to propose