

Northwest Atlantic Fisheries Organization



**Report of the
STACTIC Observer Program Review Working Group**

15-16 April 2015
Montreal, Canada

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1. Opening

The NAFO STACTIC Observer Program Review Working Group convened on Wednesday, 15 April 2015 at the Novotel Hotel in Montreal, Canada. Present were Representatives of Canada, Denmark (in respect of Faroe Islands and Greenland), the European Union, and the United States (Annex 1). Members of the Working Group discussed the Terms of Reference for the group and determined that the group would most effectively function informally, in a similar manner to the current EDG Working Group, with an open invitation to all interested Parties to participate in any future meetings.

2. Election of Chair

Judy Dwyer (Canada) was elected as Chair.

3. Appointment of Rapporteur

Given the decision to have the working group operate informally, no Rapporteur was appointed.

4. Adoption of Agenda

Members of the Working Group determined that the official agenda (Annex 2) would not be followed in order to facilitate open discussion.

In accordance with NAFO/FC Doc. 14/23 the WG was tasked with:

- (1) Reviewing all aspects of the NAFO Observer Scheme (Chapter V), including objectives, roles, identification of the strengths and weaknesses, and compliance;
- (2) Proposing language to clarify the objective of the program
- (3) Identifying the Strengths and weaknesses of the existing program,
- (4) Proposing suggestions/options to enhance the observer scheme and maximize the benefit it provides to NAFO

Representatives noted the magnitude of the task the agenda was extremely ambitious, and determined it was unlikely that all objectives could be realized in one meeting; however agreed to proceed and make whatever progress was possible.

5. Review and Discussion of NAFO Conservation and Enforcement Measures (NCEM) provisions (Chapter V and Annex II.M) relating to the Observer Scheme, including objectives, roles, identification of the strengths and weaknesses, and compliance

The WG determined that a SWOT (Strengths, Weaknesses, Threats and Opportunities) analysis was the best option to undertake a review of the provisions of the Observer Scheme and began the process. Due to time constraints, the task could not be completed at this meeting but the results of the deliberations will be presented to the STACTIC Intersessional meeting, 6-8 May 2015.

There was unanimous support among the Representatives for the existence of an observer program in the NAFO Regulatory Area, as the value of independent observation of activities in the area was acknowledged as

a benefit to NAFO. However, there were diverging views on the objectives of a NAFO observer program, with some Parties supporting a program that would collect monitoring and scientific data for the use of any NAFO body requesting it and other views that the dual role might be irreconcilable.

There was consensus that the NAFO Observer Scheme, as described in Chapter 5, could describe an effective program, however, in practice, the current program is not delivering the results to NAFO that could be realized if it reflected the spirit and intent of language in Chapter 5.

There were a number of areas in which consensus could not be achieved to describe the optimal observer program for the NRA. The primary issue centered on the objective of the program and the role of the observers, with diverging views on the dual (scientific/enforcement) role of observers as well as the value of observer data to the scientific community in NAFO.

Representatives identified the need to ensure that any definitions developed to define the role of observers should be vetted by the existing Fisheries Commission/ Scientific Council Working Groups to ensure that we do not compromise any of the work they have in development.

There was consensus as well that it would be impractical for NAFO to undertake the management of a central program, but would be better positioned to take a central coordinating role for the program and that the WG should explore options for program delivery by Contracting Parties but with standardized training and certification elements.

The Representatives discussed fundamental components and the numerous direct and indirect, issues impacting the scheme. Deliberations centred on major themes and issues, in particular:

- Confidentiality of data
- Science vs. Compliance roles
- Standardization of scheme elements (e.g. training, application)
- Risk-based/ case-by-case deployment of observers
- Coverage rates
- Serious citations (when no observer onboard)
- Cost-effectiveness of the program
- Industry support and incentives/motivation
- Need for increased accountability
- Strengths and weaknesses of existing scheme
- Compliance report monitoring of program obligations
- Rationale/ utility of Article 30 B

6. Development of draft update of NAFO Observer Scheme with a view to maximize the benefit it provides to NAFO

Representatives agreed that further work and analysis was required on this issue prior to the development of recommendations for an updated NAFO Observer Scheme. To this end, the WG agreed:

- Further work was required on the SWOT analysis to allow for a better diagnosis of the current NAFO Observer Scheme;
- A schedule of action items and meeting and/or Conference call dates should be developed to facilitate the planning and development of a draft update of NAFO Observer Scheme.

7. Recommendations to forward to STACTIC

The Observer Program Review Working Group **recommended** the following to STACTIC:

- 1. That STACTIC confirm that the existing NAFO Observer Scheme should remain in place;**

2. **Contracting Parties should remain vigilant in their respective application of the program and ensure that they adhere to the requirements of the existing Scheme;**
3. **That the Working Group continue its deliberations to conclude the analysis of the existing program and develop options to enhance the program. Draft SWOT analysis will be completed through email/conference call and distributed to STACTIC Representatives by 17 July 2015.**
4. **That the STACTIC Compliance Review should more thoroughly evaluate Contracting Party compliance with the provision of Chapter V of the NCEM's, in particular the electronic reporting derogation provided for under section B; and**
5. **That any new definitions referring to the role of observers should be vetted through the FC SC Working Groups to ensure compatibility with the work being conducted by those NAFO bodies.**

8. Other Matters

There was nothing discussed under this agenda item.

9. Adoption of the Report

The report was adopted via correspondence following the meeting.

10. Adjournment

The meeting adjourned on 16 April 2015.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening
2. Election of Chair
3. Appointment of Rapporteur
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5. Review and Discussion of NAFO Conservation and Enforcement Measures (NCEM) provisions (Chapter V and Annex II.M) relating to the Observer Scheme, including objectives, roles, identification of the strengths and weaknesses, and compliance
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