

Northwest Atlantic Fisheries Organization



Report of the Fisheries Commission and its Subsidiary Body (STACTIC)

37th Annual Meeting of NAFO, 21-25 September 2015

Halifax, Canada

NAFO
Dartmouth, Nova Scotia, Canada
2015

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PART I. Report of the Fisheries Commission	5
I. Opening Procedure.....	5
1. Opening by the Chair.....	5
2. Appointment of Rapporteur.....	5
3. Adoption of Agenda.....	5
4. Review of Commission Membership.....	5
5. Guidance to STACTIC necessary for them to complete their work.....	5
II. Scientific Advice.....	6
6. Presentation of scientific advice by the Chair of the Scientific Council.....	6
6.1 Scientific advice on fish stocks.....	6
6.2 Scientific advice on Risk-based Management Strategies (RBMS), Ecosystem Approach Framework to Fisheries Management (EAFFM) and other topics.....	7
6.3 Other issues as determined by the Chair of the Scientific Council.....	7
6.4 Feedback to the SC regarding the advice and its work during this Meeting.....	7
7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2017 and on other matters.....	7
III. Conservation of Fish Stocks in the Regulatory Area.....	7
8. Meeting Report and Recommendations of the Joint Fisheries Commission–Scientific Council Working Group on Risk-based Management Strategies, April 2015.....	7
9. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2016.....	8
9.1 Cod in Division 3M.....	8
9.2 Redfish in Division 3M.....	8
9.3 Shrimp in Division 3M.....	8
10. Management and Technical Measures for Fish Stocks Straddling National Jurisdictions, 2016.....	9
10.1 Cod in Divisions 3NO.....	9
10.2 Redfish in Division 3O.....	9
10.3 Pelagic <i>Sebastes mentella</i> (oceanic redfish) in the NAFO Convention Area.....	9
10.4 Yellowtail flounder in Divisions 3LNO.....	9
10.5 Witch Flounder in Divisions 3NO.....	9
10.6 White hake in Divisions 3NO.....	9
10.7 Capelin in Divisions 3NO.....	10
10.8 Skates in Divisions 3LNO.....	10
10.9 Greenland halibut in Subarea 2 and Divisions 3KLMNO.....	10
10.10 Shrimp in Division 3LNO.....	10
11. Other Matters pertaining to Conservation of Fish Stocks.....	10

IV. Ecosystem Considerations	11
12. Report and Recommendations of the Joint Fisheries Commission–Scientific Council Working Group on Ecosystems Approach Framework to Fisheries Management, July 2015	11
13. Other Matters pertaining to Ecosystem Considerations	12
V. Conservation and Enforcement Measures	12
14. Review of Chartering Arrangements	12
15. Meeting Report and Recommendations on the Joint Fisheries Commission–Scientific Council ad hoc WG on Catch Reporting, April 2015.....	12
16. Meeting Report and Recommendations of the ad hoc WG on Bycatches, Discards, and Selectivity, July 2015.....	12
17. Reports of STACTIC (from May 2015 Intersessional meeting and this Annual Meeting)	13
18. Other Matters pertaining to Conservation and Enforcement Measures	13
VI. Closing Procedure	13
19. Election of Chair	13
20. Time and Place of the Next Meeting	13
21. Other Business	14
22. Adjournment.....	14
Annex 1. Participant List	15
Annex 2. Summary of decisions and actions taken by the Fisheries Commission	27
Annex 3. Agenda.....	29
Annex 4. Scientific Council responses to requests received from the Fisheries Commission during the annual meeting.....	31
Annex 5. Fisheries Commission's Request for Scientific Advice on Management in 2017 and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters	34
Annex 6. Recommendations from the WG-RBMS to forward to FC and SC	40
Annex 7. Scope of the Review of the NAFO Precautionary Approach Framework (PAF)	41
Annex 8. Quota Table 2016 and Effort Allocation Scheme for Shrimp Fishery in the NAFO Regulatory Area Div. 3M, 2016-2017	42
Annex I.B Effort Allocation Scheme for Shrimp Fishery in the NAFO Regulatory Area Div. 3M, 2016-2017	45
Annex 9. Statement by the Russian Federation on pelagic <i>Sebastes mentella</i> (oceanic redfish) in the NAFO Convention Area	46
Annex 10. Recommendations from the WG-EAFFM to forward to FC and SC.....	47
Annex 11. Revision of Article 17 of the NAFO CEM	48
Annex 12. Recommendations from the WG-CR to forward to the FC and SC	49
Annex 13. Recommendations from the WG-BDS to forward to the Fisheries Commission.....	52
Annex 14. Revision of Text in Article 9	54
Annex 15. Review of the footnotes associated to Annex I.A – Annual Quota Table.....	55
Annex 16. Improvements in Reporting Apparent Infringements and follow-up actions (Article 40)	64
Annex 17. Improvements in Reporting Apparent Infringements and follow-up action (Article 40.4)	65
Annex 18. Format of Haul by Haul Logbook Data to the Secretariat	66
Annex 19. Seamount Closures: gear specification for the use of midwater trawls and reporting of VMEs	68

Article 13 - Gear Requirements	68
Article 30 - Observer Program.....	69
Annex 20. Notification process for the closure of the redfish fishery in NAFO Division 3M	70
Annex 21. Annual Compliance Review 2015 (Compliance Report for Fishing Year 2014).....	71
Annex 22. Improving Efficiency of NAFO Working Group Process	89
PART II. Report of the Standing Committee on International Control (STACTIC).....	90
1. Opening by the Chair.....	90
2. Appointment of Rapporteur	90
3. Adoption of Agenda	90
4. Compliance review 2015 including review of reports of Apparent Infringements.....	90
5. Report and Recommendations of the Ad Hoc Working Group on Port State Control Alignment (WG-PSCA), May 2015.....	91
6. Review and evaluation of Practices and Procedures	92
7. Review of current IUU list pursuant to NAFO CEM (NCEM) Article 53.....	93
8. Review of the implementation of new NAFO CEM measures	93
9. International Maritime Organization (IMO) Numbering Scheme.....	94
10. NAFO Monitoring Control and Surveillance (MCS) Website	94
11. Editorial Drafting Group (EDG) of the NAFO CEM.....	95
12. New and Pending Proposals on Enforcement Measures: Possible revisions of the NAFO CEM	96
a) Instructions from FC.....	96
b) Bycatch limits (revision of STACTIC WP 14/24).....	97
c) Improvements on reporting of infringements.....	97
d) Reconfirm adoption of text in Article 9.6.....	98
13. Report and Recommendations of the Working Group to Review the NAFO Observer Scheme, April 2015	98
14. Report of the Joint Advisory Group on Data Management (JAGDM), May 2015	98
15. Information Security Management System (ISMS)	99
a) Recommendations arising from the external Information Technology (IT) Audit	99
b) Implementation Update.....	99
16. Other Matters	99
a) International Monitoring, Control and Surveillance Network (IMCS) Global Fisheries Enforcement Training Workshop (GFETW)	99
17. Election of Chair	100
18. Time and Place of next meeting	100
19. Adoption of Report	100
20. Adjournment.....	100
Annex 1. List of Participants	101
Annex 2. Agenda.....	102
Annex 3. Status of STACTIC Working Papers	103
Annex 4. STACTIC WP 15/13 - Proposed amendments to Chapter VII (Port State Control) and Chapter VIII (Non-Contracting Party Scheme) of the NCEM	105
Annex 5. Japan's proposal for clarification of and amendments to STACTIC WP 15/13.....	127

PART I.

Report of the Fisheries Commission

37th Annual Meeting of NAFO, 21-25 September 2015
Halifax, Canada

I. Opening Procedure

1. Opening by the Chair

The meeting was opened by the Chair, Sylvie Lapointe (Canada), at noon on Monday 21 September 2015. Delegations from the following Contracting Parties were in attendance: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland) (DFG), European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russian Federation, the United States of America (USA) and Ukraine.

The presence of observers was acknowledged. They represented their respective organizations: the Food and Agricultural Organization of the United Nations (FAO), Dalhousie University, Ecology Action Centre, and Sierra Club Canada (Annex 1).

2. Appointment of Rapporteur

Ricardo Federizon, Senior Fisheries Commission Coordinator (NAFO Secretariat), was appointed Rapporteur. The summary of decisions and actions taken by the Fisheries Commission (FC) is presented in Annex 2.

3. Adoption of Agenda

The provisional agenda as previously circulated was adopted (Annex 3).

4. Review of Commission Membership

It was noted that the membership of the FC is currently twelve (12) Contracting Parties (CPs) and all have voting rights.

5. Guidance to STACTIC necessary for them to complete their work

The Chair of the Standing Committee on International Control (STACTIC), Gene Martin (USA) presented the results of STACTIC May 2015 Intersessional Meeting which was held in Tallinn, Estonia (FC Doc. 15/02). He reported on the status of the proposals on changes in the NAFO Conservation and Enforcement Measures (NCEM). STACTIC advised that it would continue the discussions and deliberations on Port State Measures, Observers Scheme, Annual Compliance Review, bycatch issues, availability of haul-by-haul data, information security and data management and the Joint Advisory Group on Data Management (JAGDM), among others at this meeting.

FC commended STACTIC for its hard work and encouraged STACTIC to continue working on the pending issues.

FC **accepted** the report. The formal adoption of the recommendations contained therein was done under agenda item 17.

FC also instructed STACTIC to deliberate and address the relevant recommendations from various working groups (see agenda item 12a of Part II of this Report (STACTIC Report)). The recommendations pertain to midwater trawl gears, notification process in the closure of 3M redfish fishery, and data collection.

II. Scientific Advice

6. Presentation of scientific advice by the Chair of the Scientific Council

The Scientific Council (SC) Chair, Don Stansbury (Canada), presented the comprehensive and detailed scientific advice. The Chair explained how the advice was developed in the context of the *SC Roadmap to Ecosystem Approach*. The scientific advice on fish stocks and on other topics were mainly formulated during the June 2015 SC meeting (SCS Doc. 15/12 Rev.). The multi-year advice provided in the previous year was also reviewed or updated at that meeting. Advice on shrimps was formulated during its meeting in September 2015 (SCS Doc. 15/13). The scientific advice represents the response of SC to the request from FC which was formulated at the 36th Annual Meeting (FC Doc. 14/28 Rev. 3).

The following represents an overview of the scientific advice on the fish stocks which were fully assessed or monitored at the SC meetings as well as on selected topics from special request items on fish stocks, Risk-based Management Strategies (RBMS), and Ecosystem Approach Framework to Fisheries Management (EAFFM). The complete list of FC requests and the SC advice are documented in FC Doc. 14/28 Rev. 3 and in the above-mentioned SC meeting reports. The advice may contain special comments and caveats. The SC Chair urged FC to consult the details in the relevant SC meeting reports when considering conservation and management measures.

6.1 Scientific advice on fish stocks

- **Shrimp in Div. 3M.** No directed fishery in 2016-17.
- **Shrimp in Div. 3LNO.** No directed fishery in 2016.
- **Cod in Div. 3M.** For 2016-17, Yield at $F_{2012-14}$ are not sustainable. In $F_{2012-14}$ projections there is a very high probability (>97%) of F exceeding F_{lim} . Yields at $F_{2012-14}$ correspond to catches of 12 425 t in 2016 and 15 436 t in 2017. TAC should be less than the catch corresponding to F_{lim} .
- **Redfish in Div. 3M.** For 2016-17, a marginal increase in Total Allowable Catch (TAC) to 7000t can be allowed.
- **White hake in Div. 3NO.** For 2016-17, catches of white hake in Div. 3NO should not exceed their current levels of 100-300t.
- **Cod in Div. 3NO.** For 2016-2018, no directed fishery.
- **Yellowtail in Div. 3LNO.** For 2016-2018 fishing mortality up to 85% F_{msy} corresponding to a catch of 26 300 t in 2016 and 23 600 t in 2017 and 22 000 in 2018 has low risk (5%) of exceeding F_{lim} , and is projected to maintain the stock well above B_{msy} .
- **Capelin in Div. 3NO.** For 2016-2018, no directed fishery
- **Monitoring of stocks for which multiyear advice was provided in 2014.** The advice on the following fish stocks was re-iterated: **Redfish in Div. 3LN, Redfish in Div. 3O, American plaice in Div. 3M, American plaice in Div. 3LNO, Thorny skate in Div. 3LNO, Witch flounder in Div. 2J+3KL, and Northern short-finned squid (*Illex*) in SA 3+4.**
- **Greenland halibut in Div. 2+3KLMNO.** TAC for 2016 derived from the Harvest Control Rule (HCR) is 14 799 t.
- **Witch flounder in Div. 3NO.** For 2016-17, should not exceed $2/3 F_{msy}$ corresponding to catches of 2172 and 2225 t, respectively.
- **Cod in 2J+3KL.** SC commented that it endorsed the conclusions by Fisheries and Oceans Canada (DFO) that the spawning biomass increased from 19% of the B_{lim} in 2011-13 to 26% in 2012-14. However, it remains in the critical zone of Canada's Department of Fisheries and Oceans Precautionary Approach Framework.
- **Splendid alfonsino (*Beryx splendens*).** Exploitation should not exceed recent average levels of approximately 200 t or 16 days-on-ground on Kükenthal Peak (Div. 6G), part of the Corner Rise seamount chain), and no alfonsino fishery on all other seamounts in the NRA.

6.2 Scientific advice on Risk-based Management Strategies (RBMS), Ecosystem Approach Framework to Fisheries Management (EAFFM) and other topics

- **Improving selectivity in the 3M cod and 3M redfish fishery in order to reduce bycatch.** The implementation of sorting-grids in the Div. 3M cod fishery gear will reduce catch of small and immature individuals of cod. It will also reduce redfish bycatch and discards. Selectivity experiments will need to be performed to quantify the improvements.
- **Impacts of midwater trawls on VME indicator species.** Midwater trawls can produce Significant Adverse Impacts (SAI) on Vulnerable Marine Ecosystem (VME) communities. Inadvertent bottom contact can occur when fishing with midwater trawls on seamounts. It is recommended that midwater trawl fisheries on seamounts record all VME indicator bycatch, regardless of the amount caught.
- **Review of impacts other than fishing in the NAFO Regulatory Area.** SC presented the results of the literature review that outlined anthropogenic activities other than fishing that are occurring or have the potential of occurring in the NAFO Convention area and listed possible stressors and their possible impact on fish stocks and the ecosystem. It was noted that there was limited expertise currently available in the SC on many of these issues.

6.3 Other issues as determined by the Chair of the Scientific Council

No specific issue was brought out under this item.

6.4 Feedback to the SC regarding the advice and its work during this Meeting

The SC Chair's presentation engendered questions and enquiries for further clarifications to which SC prepared responses during the meeting. These concern 3M cod, 3M redfish, and alfonosinos (*Beryx splendens*) in the NAFO Regulatory Area (NRA). The FC questions and SC responses are compiled in FC Working Paper 15/19 (Annex 4).

7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2017 and on other matters

FC **adopted** FC WP 15/17 Rev. 3 containing its request for scientific advice on management in 2017 and beyond of certain stocks in Subareas 2, 3, and 4 and on other matters (Annex 5).

Concerning request item 16, it was recognized that the full benchmark review of the 3M cod assessment could only be initiated at the 2016 SC meeting for its completion in the following year. The output of this review will inform the next scheduled assessment of this stock which is scheduled for June 2017.

III. Conservation of Fish Stocks in the Regulatory Area

8. Meeting Report and Recommendations of the Joint Fisheries Commission– Scientific Council Working Group on Risk-based Management Strategies, April 2015

The presentation of the report and the recommendations was done in a joint plenary session with SC. The joint session was in an open-discussion format.

Carsten Hvingel (Norway), co-Chair of the working group (WG), presented the meeting report (FC-SC Doc. 15/02) and forwarded the recommendations addressed to FC and SC for consideration and adoption in FC-SC Working Paper 15/01 (Annex 6).

FC **accepted** the report and **adopted** all recommendations. In relation to the FC-specific Recommendation 2 which pertains to the scope and priorities for the review and revision of the NAFO Precautionary Approach Framework (PAF), a follow-up proposal identifying the scope was **adopted** (Annex 7).

A follow-up meeting to discuss, among others, PAF and RBMS of Greenland halibut, 3LN redfish and 3M cod is tentatively scheduled in March/April 2016, back to back with the meeting of the Working Group (WG) on Catch Reporting. Concerning 3LN redfish, the WG shall consider the development of supplementary guidance for FC to respond to any unforeseen performance in the stock (FC WP 15/16).

9. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2016

The Quota Table for 2016 and the Effort Allocation Scheme for the shrimp fishery in Division 3M are presented in Annex 8. The Quota Table incorporates the TAC and other management decisions as well as the revisions of the footnotes as recommended by STACTIC (see Annex 15). Allocation schemes for the fish stock mentioned in items 9 and 10 are the same as in the previous year.

9.1 Cod in Division 3M

It was **agreed** to set the TAC at 13 931 tonnes, applicable to 2016 and 2017. The TAC represents the average of the SC-derived yield estimates for 2016 (12 425 t) and 2017 (15 436 t) when fishing at the scenario $F_{bar} = F_{lim}$.

Some concern was expressed that the risk associated with F exceeding F_{lim} under $F_{bar} = F_{lim}$ scenario might be underestimated (see Annex 4). In this regard, a benchmark review of this stock's assessment was requested. The results of the benchmark review will be considered in setting of TAC for 2018 in light of the new stock assessment in 2017 (see agenda item 7).

9.2 Redfish in Division 3M

It was **agreed** to set the TAC at 7 000 tonnes applicable to 2016 and 2017.

The old Footnote 8 was **deleted** from the 2015 Quota Table.

Following on the recommendation of the ad hoc Working Group on Bycatches, Discards, and Selectivity (WG-BDS) (see agenda item 16) and STACTIC (see agenda item 17), Article 5.12.d was **revised** and a new Article 5.12.e was **inserted** in the NCEM. The revision and insertion pertain to the establishment of the closure date and its advance notification (see Annex 20).

It was stressed that the TAC includes all bycatch from directed fishery of other stocks, e.g. 3M cod. Concerns were raised that the new measures might not be adequate in notifying the closure in a timely manner, in preventing exceeding the TAC and in addressing the bycatch issues associated with this stock. Some CPs suggested that the new measures should be reviewed for effectiveness at the next Annual Meeting.

9.3 Shrimp in Division 3M

It was **agreed** to continue the moratorium in 2016 and 2017.

Iceland expressed that notwithstanding the moratorium, it maintains its position against an effort allocation scheme traditionally applied to this stock.

Upon EU's enquiry, it was noted that the difference in the assessment frequency between the 3M and the 3LNO shrimp stocks (2-year vs. 1-year) reflects that 3LNO shrimp was closed recently (2014 decision) and therefore a more regular review of the status of the stock is warranted (see agenda items 6.1 and 10.8).

10. Management and Technical Measures for Fish Stocks Straddling National Jurisdictions, 2016

10.1 Cod in Divisions 3NO

It was **agreed** that the moratorium continues in 2016 and 2017.

It was noted that the SC advice of “*no directed fishery*” is applicable for three years. However, in view of indications that the stock is rebuilding, a two-year moratorium was decided. In 2016 FC will request SC for a full assessment in 2017 in time for adopting 2018 management measures.

10.2 Redfish in Division 3O

It was **agreed** to set the TAC at 20 000 t, same as in the previous year.

The decision of a 1-year rollover of the TAC was based on consideration that a full assessment is scheduled for next year.

10.3 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area

It was **agreed** to rollover the TAC which is set at zero, noting that the TAC might be adjusted in accordance with the relevant footnote (footnote 10 of the 2015 Quota Table, footnote 3 in Annex 8 – 2016 Quota Table).

The Russian Federation issued a statement regarding its position on this stock (Annex 9).

10.4 Yellowtail flounder in Divisions 3LNO

It was **agreed** to rollover the TAC at 17 000 tonnes, applicable to 2016 and 2017.

It was noted that the SC advice estimates yields in the range of 22 000 – 26 300 t for years 2016-2018 at F up to F_{msy} . An increase of the catch would also result in an increase of the bycatch of moratoria species 3NO cod and 3LNO American plaice bycatch. It was further noted that the scheduled assessment of 3NO cod in 2017 and 3NO American plaice in 2016 should look into the bycatch situation. The two-year TAC decision reflected the possibility that the updated advice for cod and American plaice could inform a TAC decision in 2017.

10.5 Witch Flounder in Divisions 3NO

It was **agreed** to set the TAC at 2 172 tonnes for 2016 and 2 225 tonnes for 2017. The TACs represent the SC-estimated catches at $\frac{2}{3} F_{msy}$.

USA expressed its reservation on the allocation scheme.

10.6 White hake in Divisions 3NO

It was **agreed** to rollover the TAC of 1 000 tonnes for 2016 and 2017.

It was agreed that the corresponding footnote (footnote 27 in the 2015 Quota Table) be maintained. This footnote stipulates an increase of the TAC should CPs experience higher than normal catches per unit effort (CPUE). This footnote was moved to the NCEM as a new article following the recommendation of STACTIC (see Annex 15).

10.7 Capelin in Divisions 3NO

It was **agreed** to continue the moratorium applicable to 2016, 2017 and 2018.

10.8 Skates in Divisions 3LNO

It was **agreed** to rollover the TAC of 7 000 tonnes to 2016.

It was noted that catches did not exceed 5000 tonnes and hence there was no need to trigger footnote 29 (of the 2015 Quota Table) which foresees the adoption of additional measures to further restrain catches in 2016.

10.9 Greenland halibut in Subarea 2 and Divisions 3KLMNO

As calculated by SC and consistent with the Management Strategy Evaluation (MSE) and the Harvest Control Rule (HCR), it was **agreed** to set the TAC at 14 799 tonnes, i.e. of this total, 10 966 tonnes is allocated to the fishery in Div. 3LMNO.

Some concern was raised regarding "*exceptional circumstances*". However, SC has not determined whether the recent catches constitute an exceptional circumstance. The divergence in the trend of the Fall 2J3K and the Spring 3LNO surveys was noted. Concerns were also raised regarding the survey design and coverage. On the other hand, it was deemed unwise at this point to abandon the MSE and its HCR in the determination of the TAC. The importance of data quality leading to more reliable catch estimates and its bearing to the MSE was also discussed. The newly established Catch Data Advisory Group (see agenda item 15) would hopefully be able to address the data quality issues.

It was noted that the MSE is scheduled for review in 2017 and the issues discussed above, among others, will be examined during the review. In this regard, a request item concerning this stock will be forwarded to SC next year.

10.10 Shrimp in Division 3LNO

It was **agreed** that the moratorium continues in 2016.

DFG expressed that notwithstanding the TAC decision, it maintains its reservation to the quota allocation scheme applied to this stock.

11. Other Matters pertaining to Conservation of Fish Stocks

Separate proposals pertaining to shark and alfonso management were tabled and deliberated.

Regarding shark management, EU and USA tabled a joint proposal to strengthen the current shark management measures in Article 12 of the NCEM to prevent that sharks are finned and their carcasses discarded (FC WP 15/10). The proposal calls for the prohibition of removal of fins from the shark carcass on board the fishing vessel. Currently, Article 12 applies 5% fin-to-carcass weight ratio, which according to the proponents has not proven effective as a conservation measure for sharks. Japan contended that shark finning does not occur in the NRA and therefore stronger measures are not necessary at this time. The proposal did not attain consensus. The proponents expressed disappointment and indicated that this matter will be pursued again at the next annual meeting.

Regarding alfonso management, two proposals were tabled. One from EU proposing a 16 days-on-ground effort limit at Kükenthal Peak in Division 6G (FC WP 15/12); the other from the Russian Federation proposing a TAC of 1 200 tonnes at three peaks of the seamounts (FC WP 15/20). Neither attained consensus. Other Contracting Parties (CPs) indicated that should there be an agreed TAC, the quota allocation scheme should be based on an equitable principle and historic fishing. Norway held the view that unregulated fishing by one CP could hardly form the basis for allocation of fishing rights and that in the present situation there seems to

be no alternative to an “Olympic” fishery. The EU stated that the alfonsino fishery is not an unregulated fishery, since there are management measures in the NCEM that apply to this fishery, e.g. haul by haul reporting (Annex II of the NCEM), product labelling requirements (Chapter IV of the NCEM), and 100% observer coverage. There was a general agreement that there is a need to manage this fishery (see also agenda item 12). This matter will be pursued again at the next annual meeting.

IV. Ecosystem Considerations

12. Report and Recommendations of the Joint Fisheries Commission–Scientific Council Working Group on Ecosystems Approach Framework to Fisheries Management, July 2015

The presentation of the report and the recommendations was done in a joint plenary session with SC. The joint session was in an open-discussion format.

Andrew Kenny (EU), co-Chair of the WG, presented the meeting report (FC-SC Doc. 15/03) and forwarded the recommendations addressed to FC and SC for consideration and adoption in FC-SC Working Paper 15/02 (Annex 10).

The recommendations cover topics of, among others, Significant Adverse Impact (SAI) on Vulnerable Marine Ecosystems (VME), activities other than fishing, midwater trawl impacts on benthic VME indicator species and habitats, VME indicator taxa catch reporting, and seamount closures. FC **accepted** the report and **adopted** all FC-specific recommendations.

A proposal from STACTIC directly addressing recommendations 5 (pertaining to midwater trawls) and 7 (pertaining to VME reporting) was **adopted** (see agenda item 17).

Regarding recommendation 6, a proposal by the EU to remove the possibility of exploratory bottom fishing in seamount areas was **adopted**. Article 17 of the NCEM was revised to this effect (Annex 11).

In the discussions and deliberations of the report and the recommendations, Norway expressed its satisfaction on the recommendations, particularly recommendation 6 about seamount closures. Norway has been advocating for the closures in the past years. While it appreciated the hard work and the scope of the work of the WG, it enquired why there was no discussion on Candidate Closed Areas 13 and 14 and on calculations of the VME species biomass, which it considers important aspects of the overall protection of the VMEs.

The WG Chair clarified that biomass and VME area calculations are captured in recommendation 1. They are a work in progress that will be picked up further at the forthcoming meeting of the SC Working Group on Ecosystem Science and Assessment (WG-ESA) in November 2015. The WG will be able to report to SC in June 2016. Regarding the candidate closed areas, it was acknowledged that there were considerable discussions on this matter at the July 2014 meeting with no consensus achieved. There has been no new information assessed since the 2014 meeting, despite new data being available. However, it was agreed following the 2015 meeting that new survey data (collected in 2015) would be evaluated by SC WG-ESA in November 2015 for reporting to SC in 2016. Several CPs expressed interest in continuing the discussion on closed areas in 2016 in the context of the results of the SAI assessment.

Regarding recommendation 3, EU and DFG expressed concerns that the removal of closed areas from scientific surveys might affect the reliability of the time series data on the closed areas.

Regarding recommendation 6, Norway and the EU expressed that the removal of the possibility of exploratory fisheries does not preclude scientific investigations, and referred to Article 2.2 of the NCEM. Scientific investigations should be encouraged as these would enrich available information on closed areas. However, bottom trawls, longlines and other invasive technologies are inappropriate tools for scientific investigations. Commercial fisheries are not allowed or justifiable for research purposes, as in many seamounts and VMEs around the world. Non-invasive methods such as the use of hydro acoustic and photographic technologies should be encouraged instead. Several CP's shared these views.

A follow-up meeting is tentatively scheduled in summer 2016, back to back with the meeting of the ad hoc Working Group on Bycatches, Selectivity and Discards (WG-BDS).

13. Other Matters pertaining to Ecosystem Considerations

There was no other matter discussed.

V. Conservation and Enforcement Measures

14. Review of Chartering Arrangements

A report on chartering arrangements was presented by the Secretariat (FC WP 15/02). There were three (3) arrangements made in 2014. In the period of January – August 2015, there were two (2) arrangements. All arrangements were completed. The Secretariat noted full compliance with all the chartering requirements, specifically with regards to documentation, notification of implementation date, and reporting of charter catches, as stipulated in Article 23 of the NCEM.

15. Meeting Report and Recommendations on the Joint Fisheries Commission–Scientific Council ad hoc WG on Catch Reporting, April 2015

The presentation of the report and the recommendations was done in a joint plenary session with SC. The joint session was in an open-discussion format.

The FC and SC Chairs (co-Chairs of this WG) presented the meeting report (FC-SC Doc. 15/01) and forwarded the recommendations addressed to FC and SC for consideration and adoption in FC-SC Working Paper 15/03 (Annex 12).

FC **accepted** the report and **adopted** all FC-specific recommendations.

Regarding recommendation 2, a new group called Catch Data Advisory Group was established. The Secretariat would be expected to organize an inaugural meeting in November/December 2015 and to report to this ad hoc WG in March/April 2016.

Recommendation 3 which pertains to data collection was addressed by STACTIC at this meeting (See Part II of this report (FC-SC WP 15/04). STACTIC highlighted its recent progress towards improving the reliability of catch and monitoring data as well as its ongoing efforts in this regard. STACTIC noted that review of the utility of data collected for purposes other than control and management must be considered in collaboration with other relevant NAFO and NAFO-related bodies.

A follow-up meeting is tentatively scheduled in March/April 2016 back to back with the meeting of the FC-SC WG on Risk-based Management Strategies.

16. Meeting Report and Recommendations of the ad hoc WG on Bycatches, Discards, and Selectivity, July 2015

The presentation of the report and the recommendations was done in a joint plenary session with SC. The joint session was in an open-discussion format.

The FC Chair (concurrently the Chair of this WG) presented the meeting report (FC Doc. 15/06) and forwarded the recommendations for consideration and adoption in FC Working Paper 15/04 Rev. (Annex 13). FC **accepted** the report and **adopted** all the recommendations.

Regarding recommendations 2 and 3, the Secretariat would continue the analysis of logbook data and daily catch reports (CAT) for patterns, trends and anomalies in fishing activity.

Regarding recommendation 5, and in particular as regards to overarching objectives and the linkages with other NAFO bodies in the Action Plan, the reference to WG-ESA would be replaced by SC.

A proposal from STACTIC directly addressing recommendation 4 which pertains to the establishment and notification of a date for the 3M redfish fishery closure was **adopted** (see agenda item 17, recommendation f).

A follow-up meeting is tentatively scheduled in summer 2016, back to back with the meeting of the FC-SC WG on Ecosystems Approach Framework to Fisheries Management.

17. Reports of STACTIC (from May 2015 Intersessional meeting and this Annual Meeting)

The Chair presented the STACTIC Meeting Report and FC **accepted** it (the May 2015 intersessional meeting report (FC Doc. 15/02) was presented and accepted under agenda item 5). FC **adopted** all recommendations contained in both reports. The STACTIC Meeting Report is presented as Part II of this Report.

Specifically, the following NCEM recommendations coming from both meetings were forwarded to FC:

From the May 2015 intersessional meeting,

- a) *Revision of Text in Article 9* (Annex 14).

From this meeting,

- b) *Review of Annex I.A footnotes (EDG)* (Annex 15),
- c) *Improvements in Reporting Apparent Infringements and follow-up actions (Article 40)* (Annex 16),
- d) *Improvements in Reporting Apparent Infringements and follow-up actions (Article 40.4)* (Annex 17),
- e) *Format of Haul by Haul Logbook Data to the Secretariat* (Annex 18),
- f) *Notification process for the closure of the redfish fishery in NAFO Division 3M*,
- g) *Seamount Closures: gear specification for the use of midwater trawls and reporting of VMEs* (Annex 19).

FC **adopted** recommendations a) – g). Regarding recommendation f), the proposal of 72-hour advance establishment and notification of closure (from five days) was revised to 96 hours. The **adopted** version is presented in Annex 20. In addition, FC **accepted** the *Annual Compliance Review 2015 (Compliance Report for Fishing Year 2014)* (Annex 21).

In the absence of consensus on Port State Control Alignment, STACTIC sought guidance from FC on a way forward. After discussions and deliberations on it, FC referred the issue back to STACTIC to continue the work.

18. Other Matters pertaining to Conservation and Enforcement Measures

There was no other matter discussed.

VI. Closing Procedure

19. Election of Chair

With the completion of the Chair's term, the current Vice-Chair Temur Tairov (Russian Federation) was **elected** as the incoming Chair. Patrick Moran (USA) was **elected** as the incoming Vice-Chair. It was agreed that a new election would be held should the amended NAFO Convention enter into force during their terms.

20. Time and Place of the Next Meeting

This matter was deferred to the General Council.

21. Other Business

The tentative schedule of meetings of the WGs indicated in agenda items 8, 12, 15, and 16 was determined jointly by the FC and SC Chairs in consultation with the respective NAFO bodies (FC-SC WP 15/04 Rev).

A proposal that the Secretariat organize and chair a meeting and invite the current and immediate past chairs of the WGs was **adopted** (Annex 22). The group is mandated to identify mechanisms to improve efficiencies and identify possible overlaps of the Terms of Reference of the WGs. The Secretariat is expected to prepare a report of outcomes and suggested best practices to be shared with CPs in advance of the 2016 WG meetings. The Secretariat is also expected to report on the identified overlaps during the joint FC-SC sessions at the 2016 Annual Meeting.

22. Adjournment

The Meeting was adjourned at 0930 hrs on Friday 25 September 2015.

Annex 1. Participant List

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Chair of Scientific Council - Stansbury, Don (Canada)

Chair of Standing Committee on Finance and Administration (STACFAD) - Warner-Kramer, Deirdre (USA)

Chair of Standing Committee on International Control (STACTIC) - Martin, Gene (USA)

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Report of Fisheries Commission, 21-25 Sept 2015

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Report of Fisheries Commission, 21-25 Sept 2015

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Annex 2. Summary of decisions and actions taken by the Fisheries Commission (Annual Meeting 2015)

Substantive Issues (agenda item):	Decision/Action:
6. Presentation of scientific advice by the Chair of the Scientific Council	Noted Scientific Council Chair's presentation of the scientific advice and the SC Meeting Reports that contained the scientific advice.
7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2016 and on other matters	Adopted the FC Request to the SC for scientific advice (Annex 5).
8. Meeting Report and Recommendations of the Joint FC-SC WG on Risk-based Management Strategies, April 2015	Accepted the meeting report. Adopted all FC-specific recommendations (Annex 6). Adopted the scope for the SC when reviewing the NAFO Precautionary Approach Framework (Annex 7).
9. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2015	(see 2016 Quota Table and Effort Allocation Scheme for 3M Shrimp (Annex 8))
9.1 Cod in Division 3M	Set the TAC at 13 931 tonnes, applicable to 2016 and 2017.
9.2 Redfish in Division 3M	Set the TAC at 7 000 tonnes, applicable to 2016 and 2017. Deleted old footnote 8 which refer to closure notification and bycatch.
9.3 Shrimp in Division 3M	Agreed to continue the moratorium until end of 2017.
10. Management of Technical Measures for Fish Stocks Straddling National Fishing Limits, 2016	(see 2016 Quota Table)
10.1 Cod in Divisions 3NO	Agreed to continue the moratorium until end of 2017 and to request a stock assessment to SC in 2017.
10.2 Redfish in Division 3O	Set the TAC at 20 000 tonnes, applicable to 2016.
10.3 Pelagic <i>Sebastes mentella</i> (oceanic redfish) in the NAFO Convention Area	Agreed to continue the moratorium.
10.4 Yellowtail flounder in Divisions 3LNO	Set the TAC at 17 000 tonnes, applicable to 2016 and 2017.
10.5 Witch flounder in Divisions 3NO	Set the TAC at 2 172 tonnes for 2016 and at 2 225 tonnes for 2017.
10.6 White hake in Divisions 3NO	Set the TAC at 1 000 tonnes, applicable for 2016 and 2017 and integrated the corresponding footnote in the NCEM.
10.7 Capelin in Divisions 3NO	Agreed to continue the moratorium until end of 2018.
10.8 Skates in Divisions 3LNO	Set the TAC at 7 000 tonnes, applicable to 2016.
10.9 Greenland halibut in Subarea 2 and Divisions 3KLMNO	Set the TAC at 14 799 tonnes (10 966 tonnes in Divisions 3LMNO).

10.10 Shrimp in Division 3LNO	Agreed to continue the moratorium in 2016.
12. Meeting Report and Recommendations of the Joint FC-SC WG on Ecosystems Approach Framework to Fisheries Management, July 2015	Accepted the meeting report. Adopted all FC-specific recommendations (Annex 10). Adopted the proposal to remove the possibility of exploratory bottom fishing in seamount areas (Annex 11).
15. Meeting Report and Recommendations of the Joint FC-SC ad hoc WG on Catch Reporting, April 2015	Accepted the meeting report. Adopted all FC-specific recommendations (Annex 12). Established the Catch Data Advisory Group.
16. Meeting Report and Recommendations of the ad hoc WG on Bycatches, Discards, and selectivity, July 2015	Accepted the meeting report. Adopted all recommendations (Annex 13). Adopted the Action Plan on the effective management and minimization of bycatch and discards.
17. Reports of STACTIC (from May 2015 intersessional meeting and this Annual Meeting)	Accepted the STACTIC May 2015 Intersessional Meeting Report and the current meeting report (see Part II of this Report). Adopted <i>Revision of Text in Article 9</i> (Annex 14). Adopted <i>Review of Annex I.A footnotes (EDG)</i> (Annex 15). Adopted <i>Improvements in Reporting Apparent Infringements and follow-up actions (Article 40)</i> (Annex 16). Adopted <i>Improvements in Reporting Apparent Infringements and follow-up actions (Article 40.4)</i> (Annex 17). Adopted <i>Format of Haul by Haul Logbook Data to the Secretariat</i> (Annex 18). Adopted <i>Proposal on Seamount Closures: gear specification for the use of midwater trawls and reporting of VMEs</i> (Annex 19). Adopted <i>Proposal on the notification process for the closure of the redfish fishery in NAFO Division 3M</i> (Annex 20). Accepted <i>Annual Compliance Review 2015, for fishing year 2014</i> (Annex 21).
21. Election Chair	Elected Temur Tairov as Chair. Elected Patrick Moran as Vice Chair
22. Other Business	Instructed the Secretariat to organize a meeting with current and immediate Chairs of FC and joint FC-SC Working Groups with the aim of improving efficiency of NAFO WG process (Annex 22).

Annex 3. Agenda

I. Opening Procedure

1. Opening by the Chair
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Commission Membership
5. Guidance to STACTIC necessary for them to complete their work

II. Scientific Advice

6. Presentation of scientific advice by the Chair of the Scientific Council
 - 6.1 Scientific advice on fish stocks
 - 6.2 Scientific advice on Risk-based Management Strategies (RBMS) and Ecosystem Approach Framework to Fisheries Management (EAFFM), and other topics
 - 6.3. Other issues as determined by the Chair of the Scientific Council
 - 6.4 Feedback to the Scientific Council regarding the advice and its work during this meeting.
7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2017 and on other matters

III. Conservation of Fish Stocks in the Regulatory Area

8. Meeting Report and Recommendations of the Joint Fisheries Commission–Scientific Council Working Group on Risk-based Management Strategies, April 2015
9. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2016
 - 9.1 Cod in Div. 3M
 - 9.2 Redfish in Div. 3M
 - 9.3 Shrimp in Div. 3M
10. Management and Technical Measures for Fish Stocks Straddling National Jurisdictions, 2016
 - 10.1 Cod in Div. 3NO
 - 10.2 Redfish in Div. 3O
 - 10.3 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
 - 10.4 Yellowtail flounder in Div. 3LNO
 - 10.5 Witch flounder in Div. 3NO
 - 10.6 White hake in Div. 3NO
 - 10.7 Capelin in Div. 3NO
 - 10.8 Skates in Div. 3LNO
 - 10.9 Greenland halibut in Subarea 2 + Div. 3KLMNO
 - 10.10 Shrimp in Div. 3LNO
11. Other matters pertaining to Conservation of Fish Stocks

IV. Ecosystem Considerations

12. Meeting Report and Recommendations of the Joint Fisheries Commission–Scientific Council Working Group on Ecosystems Approach Framework to Fisheries Management, July 2015
13. Other matters pertaining to Ecosystem Considerations

V. Conservation and Enforcement Measures

14. Review of Chartering Arrangements
15. Meeting Report and Recommendations of the Joint Fisheries Commission–Scientific Council ad hoc Working Group on Catch Reporting, April 2015
16. Meeting Report and Recommendations of the Working Group on Bycatches, Discards, and Selectivity, July 2015
17. Reports of STACTIC (from May 2015 intersessional meeting and current Annual Meeting)

18. Other matters pertaining to Conservation and Enforcement Measures

VI. Closing Procedure

- 19. Election of Chair
- 20. Time and Place of Next Meeting
- 21. Other Business
- 22. Adjournment



Annex 4. Scientific Council responses to requests received from the Fisheries Commission during the annual meeting
(FC Working Paper 15/19)

Cod in Division 3M

Fisheries Commission requested:

1. Regarding the Div. 3M cod advisory sheet, in the projection table for 3M cod the estimated risk of F being larger than F_{lim} in scenario no. 2 ($3/4 F_{lim}$) is estimated at less than 1%. It seems, however, that by looking at the overlaps of the 90% confidence limits of the catches associated with scenario #1 and scenario #2 that this risk ought to be higher (in the order of 5 to 20%). Is this correct?

Scientific Council responded:

The council agreed the risk of $F > F_{lim}$ tabulated is underestimated in this case (scenario #2), but the magnitude is unknown. The Council noted this had no bearing on the projected values of yield, biomass and SSB. The Council could not come to a consensus on a better way of expressing risk and uncertainty at this time. Scientific Council will work intersessionally to resolve this issue by June 2016.

2. Noting that the NAFO PA framework specifies an exploitation boundary with a low risk (~20%) of exceeding F_{lim} and that FC requests the SC to provide advice in accordance with the PA, why is SC promoting advice that implies a risk of 50% of exceeding F_{lim} ?

Scientific Council responded:

The TAC recommendation is that the catch be less than that generated by the corresponding F_{lim} . Yields less than those corresponding to fishing at F_{lim} would result in lower risks of exceeding F_{lim} , however the tolerance of such risk is a decision for managers. Unfortunately none of the scenarios considered provided a risk in the order of 20%. Moreover in all scenarios there is a high probability of biomass growth during the projection period.

3. Fishing at F_{lim} on 2016-2017 would imply a 55% reduction of fishing mortality from 2014 and the exploitation would be kept 18% below the estimated natural mortality. At this level, it is expected with a high probability (95%) that SSB will continue to increase from 2014 to 2018. Also, fishing at a higher rate (e.g. between F_{lim} and $3/4 F_{2012-2014}$) will still imply a high probability of biomass increase and a risk below 1% that biomass would fall below B_{lim} by 2018.

Is there a scientific reason to justify the need for a TAC reduction in 2016 followed by an increase in 2017? What are the biological risks for the stock of reducing the TAC variation from year to year and stabilizing the TAC at the mean of the advised TACs for 2016 and 2017?

Scientific Council responded:

Advice was given in terms of F_{lim} projections and these were the resulting yields. Scientific Council sees no significant changes in the projected SSB when averaging over the projected yields. By increasing the TAC in 2016 from 12 425 to 13 931 and reducing the 2017 TAC from 15 436 to 13 931 the fishing mortality will increase above F_{lim} ($F_{2016} = 0.15$) in 2016 and be below F_{lim} in 2017 ($F_{2017} = 0.12$).

4. The SC has stated a decrease in the mean size of the catches of Div. 3M cod and has concluded that the implementation of sorting-grids in Div. 3M cod fishery would reduce catches of small and immature individuals of cod. Having these conclusions in mind, is the Scientific Council in a position at this meeting to formulate a proposal for selectivity experiments with sorting grids in the Flemish Cap area for 2016, i.e. outlining the temporal and spatial coverage of the area, number of vessels required, gear needed for the experiments, etc.

Scientific Council responded:

Scientific Council is not in a position at this meeting to develop a research plan for investigating selectivity in Div. 3M Cod. SC would encourage any Contracting Party to conduct such selectivity experiments and would welcome the opportunity to review results.

Redfish in Div. 3M

Fisheries Commission requested:

1. What would be the average 2016-2017 TAC for 3M redfish, keeping for beaked redfish the fishing mortality at 2013-2014 $F_{\text{status quo}}$ and assuming that natural mortality on 2015-2017 will be at the same estimated average level of the past couple of years (2013-2014)?

Scientific Council responded:

The average projected 2016-2017 catch for Div. 3M beaked redfish, is presented in the STACFIS Report. The average 2013-14 proportion of beaked redfish in the Div. 3M redfish catch is estimated to be 64%. Scientific Council reiterates its concern, *“Given the uncertainty about the actual level of current natural mortality (see STACFIS, 2015) and its impact on short term model projections, Scientific Council decided not to use model predictions as a basis for the recommendation.”*

The SC also reiterates its advice that *“Recent decline in proportion of *S mentella* and *S fasciatus* allows a marginal increase in TAC in 2016-17 to 7000t, without changing the exploitation rate on these species and having the stock remain at a relatively high level”.*

Splendid alfonsino (*Beryx splendens*)

Fisheries Commission requested:

1. There are three known banks on which the fishery for Alfonsino has been conducted (Kükenthal Peak, C-3 and Milne-Edwards). The SC is requested to clarify if there has been any research into the Alfonsino stock carried out on the C-3 and Milne-Edwards banks and to provide any intermediate results of such research.
2. According to the advice on the Alfonsino stock presented, three mean catch values (2, 5 and 10- year intervals) have been calculated. The SC is requested to elaborate if any one of these values is more appropriate to be used as a basis for establishing the TAC and has any advantages over the others.
3. The SC is requested to provide the catch statistics by the Contracting Parties that conducted fishery for Alfonsino in the areas and time periods in question.

Scientific Council responded:

1. Scientific Council is not aware of research on C-3 and Milne Edwards peaks, beyond that presented in SCR Doc. 15/006 and reviewed in the June meeting.
2. Scientific Council considered that the 10-year average is too long to reflect current productivity. There was no strong justification for choosing one of the remaining averaging periods (2009 – 2014 or 2012 – 2014) over the other – stock status is unknown, as is the sustainability of any of these options.

3. The following table was extracted from the STATLANT 21 database and provided by the Secretariat.

Year	Country	Division	Species Name	ASFIS Code	Catch (t)
2014	Spain	6G	Alfonsinos (ns)	ALF	118
2013	Spain	6G	Alfonsinos (ns)	ALF	112
2012	Spain	6G	Alfonsinos (ns)	ALF	298
2010	Spain	6G	Alfonsinos (ns)	ALF	53
2006	Spain	6G	Alfonsinos (ns)	ALF	69
2005	Spain	6G	Alfonsinos (ns)	ALF	577

Annex 5. Fisheries Commission's Request for Scientific Advice on Management in 2017 and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters

(FC Working Paper 15/17 Rev. 4 **now** FC Doc. 15/17 Rev.)

1. Fisheries Commission requests that the Scientific Council provide advice for the management of the fish stocks below according to the assessment frequency presented below. The advice should be provided as a range of management options and a risk analysis for each option (rather than a single TAC recommendation).

<u>Yearly basis</u>	<u>Two year basis</u>	<u>Three year basis</u>
Northern shrimp in Div. 3LNO	American plaice in Div. 3LNO Cod in Div. 3M Redfish in Div. 3M Northern shrimp in Div. 3M Thorny skate in Div. 3LNO White hake in Div. 3NO Witch flounder in Div. 3NO	American plaice in Div. 3M Capelin in Div. 3NO Cod in Div. 3NO Northern shortfin squid in SA 3+4 Redfish in Div. 3O Witch flounder in Div. 2J+3KL Yellowtail flounder in Div. 3LNO

To implement this schedule of assessments, the Scientific Council is requested to conduct the assessment of these stocks as follows:

In 2016, advice should be provided for 2017 for Northern shrimp in NAFO Div. 3LNO

In 2016, advice should be provided for 2017 and 2018 for American plaice in Div. 3LNO and for Thorny skate in Div. 3LNO.

In 2016, advice should be provided for 2017, 2018 and 2019 for Redfish in Div.3O, Witch flounder in Div. 2J+3KL and Northern shortfin squid in SA 3+4.

Advice should be provided using the guidance provided in **Annexes A or B as appropriate**, or using the predetermined Harvest Control Rules in the cases where they exist.

The Fisheries Commission also requests the Scientific Council to continue to monitor the status of all these stocks annually and, should a significant change be observed in stock status (e.g. from surveys) or in bycatch in other fisheries, provide updated advice as appropriate.

2. The Fisheries Commission adopted in 2010 an MSE approach for Greenland halibut stock in Subarea 2 + Division 3KLMNO (FC Doc. 10/12) and agreed to use it until 2017 (FC Doc.13/23). This approach considers a survey based harvest control rule (HCR) to set a TAC for this stock on an annual basis. The Fisheries Commission requests the Scientific Council to:
 - a) Monitor and update the survey slope and to compute the TAC according to HCR adopted by the Fisheries Commission according to Annex 1 of FC Doc. 10/12.
 - b) Advise on whether or not an exceptional circumstance is occurring.
3. The Fisheries Commission adopted in 2014 an MSE approach for Redfish in Division 3LN (FC Doc. 14/24). This approach uses a Harvest Control Rule (HCR) designed to reach 18 100 t of annual catch by 2019-2020 through a stepwise biannual catch increase, with the same amount of increase every two years. The Fisheries Commission request Scientific Council conduct a full assessment in 2016 to evaluate the effect of removals in 2014 and 2015 on stock status.
4. The Fisheries Commission requests the Scientific Council to continue to develop work on Significant Adverse Impacts in support of the reassessment of NAFO bottom fishing activities required in 2016, specifically an assessment of the risk associated with bottom fishing activities on known and predicted VME species and elements in the NRA.

FC further requests that:

- a) that Scientific Council should take into account the protection afforded to VME areas outside the NAFO fisheries footprint in the calculation of the VME area and biomass at risk of bottom fishing impact;
 - b) that Scientific Council refine VME kernel density analysis polygon boundaries, taking into account current understanding of distribution patterns in relation to environmental variables.
5. FC requests the Scientific Council consider widening the scope of the NAFO coral and sponge identification guides to include other relevant species on seamounts.
 6. FC requests that Scientific Council consider options to expedite a risk assessment of scientific trawl surveys impact on VME in closed areas, and the effect of excluding surveys from these areas on stock assessments.
 7. FC requests the Scientific Council consider, based on analysis of logbook data and patterns of fishing activity, to be conducted by the Secretariat, to examine relative levels of bycatch and discards of 3M cod/redfish, and stocks under moratoria in the different circumstances (e.g. fisheries, area, season, fleets, depth, timing)
 8. It is difficult to match the current F_{lim} proxy with the 3M cod assessment results given by the 2015 Bayesian XSA assessment. These results were presented to SC in June and used for short term (2016-2017) projections under several F options (NAFO SCR 15/33 González-Troncoso, 2015); NAFO SC June 2015 Report). Focusing on the last assessment and projections, assuming at the same time a candidate $F_{lim} = F_{30\%SPR} = 0.131$, they would imply that:
 - During the past five years (2010-2014) 3M cod has been exploited at an average F_{bar} level over two fold F_{lim} .
 - While SSB was sustained at a high average level representing 87% of the highest estimated SSB of the 1972-2014 interval (36 7041 on 1972).
 - The two highest year classes since 1992 occurred in 2011-2012.

Under these circumstances the Scientific Council is requested to analyze whether the current F_{lim} value for 3M cod is currently underestimated and to revise if required the relevant fishing mortality and biomass reference points appropriately.

9. The stock of redfish 3M covers catches of three *Sebastes* species and the scientific advice is based on data of only two species (*S. mentella* and *S. fasciatus*). Golden redfish, *Sebastes marinus* (aka norvegicus), represents part of the catch but has not yet been subject to a full assessment in NAFO. The Scientific Council is requested to explore the possibility and options of an individual assessment of the golden redfish (*S. marinus*, aka norvegicus) and of including this species in the scientific advice for 2018-2019. The Scientific Council is also requested to advice on the implications for the three species in terms of catch reporting and stock management.
10. As part of the Greenland halibut's MSE review scheduled for 2016-2017, the SC is asked to specifically monitor and evaluate Contracting Parties surveys with the aim of optimizing resources in order to avoid duplication of data, identify data gaps and streamline survey methodologies, so that all data is used in the assessment.
11. Article 23 NCEM foresees a reassessment of bottom fishing activities in 2016. The NAFO Roadmap for Developing an Ecosystem Approach to Fisheries extends the work of the Scientific Council to include the assessment of potential impacts of activities other than fishing. Also, impacts of human activities in ecosystems should not be analyzed in isolation since cumulative effects might occur representing more than the sum of the individual factors. The Scientific Council is therefore requested to develop a workplan at its meeting in 2016 that will allow to address and analyze the potential impact of activities other than fishing (eg. oil and gas exploration, marine cables, ocean dumping, marine transportation) on NAFO VMEs, in particular VME closed areas.
12. The Fisheries Commission requests the Scientific Council to conduct a full assessment of Greenland halibut in Subarea 2 + Division 3KLMNO (using both XSA and SCAA¹) and to consider the weighting of each survey as a first step to inform the 2017 MSE review.

13. The Fisheries Commission requests the Scientific Council to advise on how many SSB points above 30,000t are considered sufficient to conduct a review of Blim of cod in 3NO.
14. The Fisheries Commission requests the Scientific Council to provide survey biomass trend(s) of witch flounder in Div. 3M for as long as data is available.
15. The Fisheries Commission requests the Scientific Council to review the results of the 2015 Canadian in situ photographic surveys for non-coral and sponge VME indicator species on Grand Bank (tail of Grand Bank) in relation to previous analyses presented in 2014 (that modelled their distribution using research vessel survey trawl bycatch data), and to identify areas of significant concentrations of non-coral and sponge VME indicator species using all available information.
16. Recognizing the importance of the 3M cod fishery to NAFO.

Mindful that even though the current SSB is well above B_{lim} , the recruitment of the two most recent years is low.

Noting that according to the Scientific Council stock assessment we are currently fishing only on two year-classes – once they are depleted in about two years time prospects for a continued fishery at the current level is not likely to be possible.

Further noting that recent assessment of the stock has shown some year-to-year instability and that estimation of risk levels associated with given fishing mortalities cannot be calculated at this time, which further adds to our concern for the future of this fishery and its management.

It is proposed that Scientific Council organize a full benchmark review of the 3M cod assessment in two stages: For 2016 Scientific Council will agree on a standardized approach and prepare a plan for the benchmark process at NAFO including required resources. For 2017 SC will review the benchmark assessment methodology for 3M cod.

¹SCAA will not be possible unless a contractor can be hired.

ANNEX A: Guidance for providing advice on Stocks Assessed with an Analytical Model

The Fisheries Commission request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above. These evaluations should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, in determining its management of these stocks:

1. For stocks assessed with a production model, the advice should include updated time series of:
 - Catch and TAC of recent years
 - Catch to relative biomass
 - Relative Biomass
 - Relative Fishing mortality
 - Stock trajectory against reference points
 - And any information the Scientific Council deems appropriate.

Stochastic short-term projections (3 years) should be performed with the following constant fishing mortality levels as appropriate:

- For stocks opened to direct fishing: 2/3 Fmsy, 3/4 Fmsy, 85% Fmsy, 75% F2015, F2015, 125% F2015,
- For stocks under a moratorium to direct fishing: F2015, F = 0.

The first year of the projection should assume a catch equal to the agreed TAC for that year.

Results from stochastic short term projection should include:

- The 10%, 50% and 90% percentiles of the yield, total biomass, spawning stock biomass and exploitable biomass for each year of the projections
- The risks of stock population parameters increasing above or falling below available biomass and fishing mortality reference points. The table indicated below should guide the Scientific Council in presenting the short term projections.

F in 2016 and following years*	Yield 2017 (50%)	Yield 2018 (50%)	Yield 2019 (50%)	Limit reference points												P(B2019 > B2016)	
				P(F>Flim)			P(B<Blim)			P(F>Fmsy)			P(B<Bmsy)				
				2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018		
2/3 Fmsy	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
3/4 Fmsy	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
85% Fmsy	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
Fmsy	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
0.75 X F2015	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
F2015	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
1.25 X F2015	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
F=0	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%

2. For stock assessed with an age-structured model, information should be provided on stock size, spawning stock sizes, recruitment prospects, historical fishing mortality. Graphs and/or tables should be provided for all of the following for the longest time-period possible:

- historical yield and fishing mortality;
- spawning stock biomass and recruitment levels;
- Stock trajectory against reference points

And any information the Scientific Council deems appropriate

Stochastic short-term projections (3 years) should be performed with the following constant fishing mortality levels as appropriate:

- For stocks opened to direct fishing: F0.1, Fmax, 2/3 Fmax, 3/4 Fmax, 85% Fmax, 75% F2015, F2015, 125% F2015,
- For stocks under a moratorium to direct fishing: F2015, F = 0.

The first year of the projection should assume a catch equal to the agreed TAC for that year.

Results from stochastic short term projection should include:

- The 10%, 50% and 90% percentiles of the yield, total biomass, spawning stock biomass and exploitable biomass for each year of the projections
- The risks of stock population parameters increasing above or falling below available biomass and fishing mortality reference points. The table indicated below should guide the Scientific Council in presenting the short term projections.

F in 2016 and following years*	Yield 2017	Yield 2018	Yield 2019	Limit reference points									P(B2019 > B2016)				
				P(F.>Flim)			P(B<Blim)			P(F>F0.1)				P(F>Fmax)			
				2016	2017	2018	2016	2017	2018	2016	2017	2018		2016	2017	2018	
F0.1	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
Fmax	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
66% Fmax	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
75% Fmax	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
85% Fmax	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
0.75 X F2015	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
F2015	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%
1.25 X F2015	t	t	t	%	%	%	%	%	%	%	%	%	%	%	%	%	%



ANNEX B Guidance for providing advice on Stocks Assessed without a Population Model

For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.

The following graphs should be presented, for one or several surveys, for the longest time-period possible:

- a) time trends of survey abundance estimates
- b) an age or size range chosen to represent the spawning population
- c) an age or size-range chosen to represent the exploited population
- d) recruitment proxy or index for an age or size-range chosen to represent the recruiting population.
- e) fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the exploited population.
- f) Stock trajectory against reference points

And any information the Scientific Council deems appropriate.

Annex 6. Recommendations from the WG-RBMS to forward to FC and SC

(FC-SC Working Paper 15/01 **now** FC-SC Doc. 15/04)

The FC-SC Joint Working Group on Risk-based Management Strategies (WG-RBMS) met on 22-24 April 2015 in Halifax, Nova Scotia and agreed on the following recommendations (FC/SC Doc. 15/02):

- 1. Scientific Council convenes a technical working group which could explore the revision of the precautionary approach.**
- 2. Fisheries Commission identifies scope and priorities for such a review.**
- 3. Scientific Council gives a high priority to development of reference points for all stocks which lack them.**
- 4. Scientific Council performs a review of the Div. 3M cod MSE.**
- 5. Scientific Council discusses the following HCR options for Div. 3M cod:**
 - a. Starting points**
 - i. $F_{\text{status quo}}$**
 - ii. 40% reduction**
 - b. An HCR which meets management objectives 1 (very low risk of breaching B_{lim}) and 2 (low risk of overfishing) within five years, and within ten years, with:**
 - i. risk calculated for each year in the time series**
 - ii. risk calculated for the end of the periods (final year)**
 - iii. risk averaged over the periods**

Annex 7. Scope of the Review of the NAFO Precautionary Approach Framework (PAF) (FC Working Paper 15/23 now FC Doc. 15/19)

Explanatory memorandum

1. Upon the recommendation of the Scientific Council (SC), the Fisheries Commission (FC) adopted a Precautionary Approach Framework (PAF) to guide fisheries management decision making back 2004.
2. In 2014 a joint working group of Fisheries Commission and Scientific Council on Risk-based Management Strategies was formed (WG-RBMS). The main objective of this joint working group is to make recommendations to the Fisheries Commission and feedback to Scientific Council on the development and effective implementation of management strategies, based on the application of the precautionary approach including conservation plans and rebuilding strategies, and to facilitate dialogue between SC and FC (NAFO/FC Doc. 13/18).
3. In its April 2015 meeting, the WG-RBMS adopted a recommendation (recommendation no. 1 in NAFO FC/SC Doc. 15/02) that envisages the creation by the Scientific Council of a technical working group. This technical group should explore the revision of the NAFO Precautionary Approach Framework in order to ensure coherence.
4. The working group also recommended that Fisheries Commission identifies the scope and priorities for such a review (recommendation no. 2 in NAFO FC/SC Doc. 15/02)

Proposal

It is proposed that the Fisheries Commission adopts the following scope for the Scientific Council technical working group when reviewing the NAFO PAF.

- To clarify the following elements:
 - To confirm/review the NAFO PA reference points definition in page 3 NAFO/FC Doc. 04/18.
 - To confirm/review the NAFO Management strategies and courses of action, including risk levels, on page 3 NAFO/FC Doc. 04/18
 - Distinction between MSY and limit/target related reference points.
 - Analysis in support of the development of other reference points (e.g. targets, buffers).
 - To review the methods for the calculation and interpretation of risk and the quantification and qualification of uncertainties related to them.
 - For stocks where risk analyses are not possible, provide options on how to establish buffer reference points on a stock by stock basis.
 - Determine the conditions for when/if reference points should change and / or be re-evaluated.
- Consider how a revised PA can fit within an Ecosystem Approach.
- In reviewing the NAFO PAF the WG will also take into consideration other Precautionary Approach Frameworks with a focus in the North Atlantic.

**Annex 8. Quota Table 2016 and
Effort Allocation Scheme for Shrimp Fishery in the NAFO Regulatory Area Div. 3M, 2016-2017**

Annex I.A - ANNUAL QUOTA TABLE 2016 - Total allowable catches (TACs) and quotas (metric tonnes) for 2016 of particular stocks in Subareas 1-4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Species	Cod				Redfish					American plaice		Yellowtail
	COD 3L	COD 3M	% of 3M Cod TAC	COD 3NO	RED 3LN	% of 3LN Redfish TAC	RED 3M	RED 3O	REB 1F_2_3K (i.e. Sub-Area 2 and Divs. 1F+3K)	PLA 3LNO	PLA 3M	YEL 3LNO
Contracting Party												
Canada		111	0.80	0	4 430	42.60	500	6 000	0 ¹	0	0	16 575
Cuba		515	3.70	-	1 019	9.80	1 750		0 ¹	-	-	-
Denmark (Faroe Islands and Greenland)		3 114	22.35	-	-		69 ¹²		0	-	-	-
European Union		7 945 ¹⁵	57.03	0 ⁴	1 896 ¹⁶	18.23	7 813 ⁵	7 000	0 0 ⁸	0	0 ⁴	-
France (St. Pierre et Miquelon)		-	-	-	-		69 ¹²		0 ¹	-	-	340
Iceland		-	-	-	-		-		0	-	-	-
Japan		-	-	-	-		400	150	0 ¹	-	-	-
Korea		-	-	-	-		69 ¹²	100	0 ¹	-	-	-
Norway		1 289	9.25	-	-		-		0	-	-	-
Russian Federation		901	6.47	0	2 992	28.77	9 137	6 500	0	-	0	-
Ukraine								150	0 ¹			
United States of America		-	-	-	-		69 ¹²		0 ¹	-	-	-
Others		56	0.40	0	63	0.60	124	100	-	0	0	85
TOTAL ALLOWABLE CATCH	*	13 931 ^{9,18}	100.0	* ⁹	10 400 ¹⁹	100.0	7 000 ⁹	20 000	0 ^{3,10}	*	* ⁹	17 000 ^{9,14}

Annex I.A

(2016)

Species	Witch			White hake	Capelin	Skates	Greenland halibut	Squid (<i>Illex</i>)	Shrimp	
Stock Specification	WIT 3L	WIT 3NO	% of 3NO Witch TAC	HKW 3NO	CAP 3NO	SKA 3LNO	GHL 3LMNO	SQI 3_4 (i.e. Sub-areas 3+4)	PRA 3L	PRA 3NO
% of TAC										
Contracting Party										
Canada		1 303	60.00	294	0	1 167	1 644	N.S. ²	0	
Cuba		-			0		-	510	0	
Denmark (Faroe Islands and Greenland)		-			-		189	-	0	
European Union		288 ⁴	13.27	588	0 ⁴	4 408	6 430 ¹¹	<u>N.S.</u> ² 611 ⁶	0 ⁷	
France (St. Pierre et Miquelon)		-			-		180	453	0	
Iceland		-			-		-	-	0	
Japan		-			0		1 124	510	0	
Korea		-			-		-	453	0	
Norway		-			0		-	-	0	
Russian Federation		559	25.73	59	0	1 167	1 399	749	0	
Ukraine							-		0	
United States of America		-			-		-	453	0	
Others		22	1.00	59	-	258	0	794	0	
TOTAL ALLOWABLE CATCH	*	2 172 ²⁰	100.00	1 000 ⁹	* ¹³	7 000 ¹⁷	10 966	34 000	0	*

* Ban on fishing in force.

1. Quota to be shared by vessels from Canada, Cuba, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.
2. The allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC (= 29.467 tonnes).
3. Should NEAFC modify its level of TAC, these figures shall be adjusted accordingly by NAFO through a mail vote.
4. Including fishing entitlements of Estonia, Latvia, and Lithuania following their accession to the European Union and in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/07).
5. Including allocations of 1,571 tonnes each for Estonia, Latvia and Lithuania out of a sharing of 20 000 tonnes, following their accession to the European Union.
6. Allocations of 128 tonnes each for Estonia, Latvia and Lithuania as well as 227 tonnes for Poland out of a TAC of 34 000 tonnes, following their accession to the European Union.
7. Including allocations of 1.11% each for Estonia, Latvia, Lithuania and Poland out of the TAC, following their accession to the European Union.
8. Allocation of 17.85% to Lithuania and 2.15% to Latvia following their accession to the European Union.
9. Applicable to 2016 and 2017.
10. If an increase in the overall TAC as defined in footnote 3 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share.
11. Including an allocation of 360 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.
12. Notwithstanding the provision of Article 5.3 (b) and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties.
13. Applicable to 2016, 2017 and 2018.
14. Following the NAFO annual meeting and prior to 1 January of the succeeding year, at the request of the USA, Canada will transfer 1,000 tonnes of its 3LNO yellowtail quota to the USA.
15. Including fishing entitlements of 155 tonnes each for Estonia, Latvia, and Lithuania in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/07) and allocation of 529 tonnes for Poland following their accession to the European Union.
16. Including fishing entitlements of 514 tonnes each for Estonia, Latvia, and Lithuania in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/07) following their accession to the European Union.
17. Should catches exceed 5 000 tonnes, additional measures would be adopted to further restrain catches in 2016.

Historical statements

18. The allocation key of this stock is based on the 1998 Quota Table. In 1999, a moratorium on cod in Division 3M was declared.
19. The allocation key of this stock is based on the 1997 Quota Table. In 1998, a moratorium on redfish in Division 3LN was declared.
20. The allocation key of this stock is based on the 1994 Quota Table. In 1995, a moratorium on witch flounder in Division 3NO was declared.

Annex I.B
Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2016-2017

CONTRACTING PARTY	NUMBER OF FISHING DAYS ¹	NUMBER OF VESSELS ¹
Canada	0	0
Cuba	0	0
Denmark		
– Faroe Islands	0	0
– Greenland		0
European Union	0	0
France (in respect of St. Pierre et Miquelon)	0	0
Iceland	N/A	N/A
Japan	0	0
Korea	0	0
Norway	0	0
Russia	0	N/A
Ukraine	0	0
USA	0	0

¹When the scientific advice estimates that the stock shows signs of recovery, the fishery shall be re-opened in accordance with the effort allocation key in place for this fishery at the time of the closure.

**Annex 9. Statement by the Russian Federation on pelagic *Sebastes mentella*
(oceanic redfish) in the NAFO Convention Area**

(FC Working Paper 15/15)

The Russian Federation adheres to its position that there is a single stock of pelagic *Sebastes mentella* in the Irminger Sea and adjacent waters, including the NAFO Convention Area. Russia reiterates its standpoint that studies into the redfish stock structure should be continued using all available scientific and fisheries data as a basis. Until new data on the stock structure are available, Russia will continue to regulate the pelagic fishery for *Sebastes mentella* based on the concept of its single stock structure.

Annex 10. Recommendations from the WG-EAFFM to forward to FC and SC

(FC-SC Working Paper 15/02 now FC-SC Doc. 15/05)

The Joint FC-SC Working Group on Ecosystem Approach Framework to Fisheries Management met 15-17 July 2015 in Halifax, Nova Scotia and agreed on the following recommendations:

In relation to Progress of the Workplan on SAI in support of reassessment of bottom fisheries in 2016:

1. that Scientific Council should take into account the protection afforded to VME areas outside the NAFO fisheries footprint in the calculation of the VME area and biomass at risk of bottom fishing impact;
2. that Scientific Council refine VME kernel density analysis polygon boundaries, taking into account current understanding of distribution patterns in relation to environmental variables.

In relation to Removal of closed areas from scientific surveys:

3. that Scientific Council consider options to expedite a risk assessment of trawl surveys impact on VME in closed areas, and the effect of excluding surveys from these areas on stock assessments;

In relation to activities other than fishing:

4. that Fisheries Commission request the General Council to identify other international organizations (e.g. International Maritime Organization, International Seabed Authority) with areas of mutual interest and instruct the Secretariat to explore the establishment of mechanisms for dialogue and engagement;

In relation to impacts of mid-water trawls on benthic VME indicator species and habitats:

5. that Fisheries Commission or STACTIC amend the NCEM to broaden the scope of application of the meaning of 'midwater trawl', as referred to in Article 13.2.f, to apply to midwater trawls in the seamount areas referred to in Article 17.

In relation to NCEM Articles 17.1 - 17.3 (Seamounts):

6. that FC revise Article 17 to remove the possibility of exploratory bottom fishing in seamount areas
7. that FC revise NCEM to require reporting of all quantities of all VME indicator taxa catches (Annex I.E.VI), in seamount areas (Article 17) for instance through logbooks or observer reports.

In relation to Other matters:

8. that Scientific Council consider widening the scope of the NAFO coral and sponge identification guides to include other relevant species on seamounts.
9. that Fisheries Commission revise Article 24 as follows:

"The provisions of this Chapter shall be reviewed by the Fisheries Commission at its Annual Meeting no later than 2020".

Annex 11. Revision of Article 17 of the NAFO CEM
(FC Working Paper 15/08 **now** FC Doc. 15/15)

Explanatory memorandum

In its 2015 report, the Scientific Council reiterating previous advices recalled that "the seamounts were properly classified as VME elements given the available knowledge on the ecology of seamounts in terms of structure and function, as well as the effects of human impacts on them, including midwater trawling and fishing with bottom gears. The information available since then continues to support the notion that seamounts should be considered VMEs".

Currently seamounts are closed for bottom fishing as prescribed by article 17(1) of the NCEM. However, Contracting Parties may still be authorized by the Fisheries Commission to conduct exploratory bottom fishing activities in seamounts if their request for such activities is in accordance with Article 18 of the NCEM and the exploratory protocol (Annex I.E.)

As a consequence, and as underlined in its 2014 report of the Scientific Committee, "seamount protection zones provide no additional protection to these areas than the ones afforded by the exploratory fishing protocol for all areas outside the NAFO fishing footprint."

At the 2014 Annual Meeting, the Fisheries Commission (FC) referred the issue of exploratory fisheries in seamount areas to the WG on Ecosystem Approach Framework to Fisheries Management (WG EAFFM) for further consideration (FC Doc. 14/35).

The WG EAFFM, at its meeting of 15-17 July 2015, considered options to grant additional protection to seamounts including by further controlling bottom fishing within the seamount areas. It recommended in particular to remove the provision for exploratory bottom fisheries from Article 17 of the NCEM.

Proposed amendments

In relation to the closure of seamounts to all bottom fishing activity, it is proposed to amend Article 17 as follows:

Article 17 - Areas Restrictions for Bottom Fishing Activities

Seamount Closures

1. Until 31 December 2020, no vessel shall engage in bottom fishing activities in any of the areas illustrated in Figure 3 and defined by connecting the following coordinates specified in Table 5 in numerical order and back to coordinate 1. ~~except to conduct exploratory bottom fishing activities, in accordance with Article 18 and the Exploratory Protocol in accordance with Annex I.E.~~
2. ~~A request to conduct exploratory bottom fishing activities, in any of the areas defined by paragraph 1, shall be in accordance with Article 18 and the Exploratory Protocol (Annex I.E).~~
3. ~~If a vessel fishing in any of the areas defined in paragraph 1 encounter a VME indicator species, as defined in Article 22.1, the encounter provisions as set out in Article 22 shall apply.~~

Annex 12. Recommendations from the WG-CR to forward to the FC and SC

(FC-SC Working Paper 15/03 **now** FC-SC Doc. 15/06)

The Joint FC-SC Working Group on Catch Reporting met on 20-21 April 2015 in Halifax, Nova Scotia and agreed on the following recommendations (FC/SC Doc. 15/01):

It is recommended:

- 1) **that the Ad hoc Working Group on Catch Reporting continues, with the same goals and objectives for at least another year;**
- 2) **that SC and FC give consideration to the establishment of the Catch Data Advisory Group and adopt its Terms of Reference (Annex); and**
- 3) **that SC and FC or an appropriate subsidiary body review the utility of data collection more generally, noting that some newer data sets provide more reliable and/ or timely information, making others redundant.**

Annex. Proposed Terms of Reference of the Catch Data Advisory Group

Mindful that the availability of accurate catch data is critical for scientific assessment and the sustainable management of NAFO stocks;

Concerned that the reliability of catch data continues to be one of the most significant issues facing NAFO;

Recognizing the importance of communication between the Fisheries Commission and the Scientific Council and recent efforts to enhance this dialogue and information exchange through the establishment of joint working groups;

Recalling that the Peer-Review Expert Panel highlighted the need for a more coordinated analysis of data (GC Doc. 13/4);

Noting the positive steps taken by NAFO to improve data accuracy and data-sharing including sharing daily catch reports with the Scientific Council, as well as the establishment of the *Ad Hoc* Working Group on Catch Reporting

Further noting the positive steps taken by the *Ad hoc* Working Group on Catch Reporting during its initial meeting in February 2014, in particular, its review and evaluation of NAFO data sources which may be of utility for the validation of catch data;

Following on the instructions of the Fisheries Commission to the *Ad Hoc* Working Group on Catch Reporting to develop a framework for the validation of NAFO catch data and generation of catch estimates (FC Doc. 14/30)

Convinced of the need for a collaborative approach (Fisheries Commission and Scientific Council) to validate STATLANT data and where necessary, generate catch estimates for use in assessments and overall management of NAFO stocks;

It is **recommended** that:

A Catch Data Advisory Group is established subject to the following Terms of Reference:

Objectives:

1. to identify and provide guidance to the NAFO Secretariat on specific data inputs, gaps and parameters, in particular ensuring the representativeness of data for validating catch and/or developing catch estimates;
2. to provide oversight and endorsement of catch estimate methodology prepared by NAFO Secretariat;

Structure:

The Group shall be comprised of technical experts from Contracting Parties, with knowledge of data sources and reliability thereof and/or operational practices within the fishery, and the NAFO Secretariat.

Specific Duties:

In responding to requests from the Fisheries Commission or Scientific Council to undertake an assessment of catch for an individual stock(s), with initial priority given to SA2 + Div. 3KLMNO Greenland halibut, Div. 3LNO American plaice and Div. 3M cod, the Advisory Group shall:

- review available data sources with reference to Appendix 1 and establish parameters for catch data review; propose a methodology to be used by the Secretariat;

- Report to the Fisheries Commission and Scientific Council

The NAFO Secretariat shall:

- review the information and derive an estimate (possibly with support from designated experts or agreed upon resource persons), ensuring confidentiality of data;
- provide estimates to the Scientific Council for stock assessment purposes.

Meetings:

Meetings of the Catch Data Advisory Group may be held at the request of the Fisheries Commission or the Scientific Council, in consultation with Contracting Parties and the NAFO Secretariat. Timing should be decided on a case by case basis, recognizing the need to conduct catch validation in a time frame that will enable its use for stock assessments;

The Advisory Group shall communicate regularly through teleconferences and electronically (WebEx) as required.

Reporting

A summary report, highlighting data sources, parameters of analysis, and subsequent results shall be produced for broad dissemination. Such reports will be limited to aggregate and/or anonymized data/conclusions.

Detailed analytical data and assessments will remain with the NAFO Secretariat for internal use of the Advisory Group to ensure confidentiality.

Annex 13. Recommendations from the WG-BDS to forward to the Fisheries Commission

(FC Working Paper 15/04 Rev. 2 **now** FC Doc. 15/22 Rev.)

The Ad hoc Working Group on Bycatches, Discards, and Selectivity (WG-BDS) met on 13-14 July 2015 in Halifax, Nova Scotia and agreed on the following recommendations (FC Doc. 15/06):

1. **FC to encourage Contracting Parties to carry out selectivity experiments with sorting grids in the Div. 3M cod fishery (SCS Doc. 15/12, p.21);**
2. **FC to request SC, based on analysis of logbook data and patterns of fishing activity conducted by the Secretariat, to examine relative levels of bycatch and discards of 3M cod/redfish, and stocks under moratoria in the different circumstances (e.g. fisheries, area, season, fleets, depth, timing);**
3. **The Secretariat to analyze data for trends, patterns, anomalies:**
 - **In cases where bycatch thresholds (NCEM Article 6.3, Annex I.A footnote 21) are exceeded or trends are apparent, the analysis should provide additional information on the associated catch weights for the specific stocks (3NO Cod, 3M American Plaice, 3LNO A. Plaice);**
 - **Analysis should consider both historical and current CATs (2012 to current);**
 - **Trends in reported catch of non-Annex IA species (3M Witch Flounder and 3M Skate).**
4. **FC to consider a modification of the notification process outlined in NCEM Article 5.12.d to ensure timely closure of the fishery. While there was general agreement on the principle of closing the directed fishery (and the retention of bycatch) based on projected catches, there was recognition that the text modifications proposed below may need to be further refined and that the language should be forwarded to STACTIC for that purpose.**
 - **Delete the first "and then 100%";**
 - **Insert new paragraph (e) to read: *determines the date of closure of 3M redfish, and notifies all Contracting Parties 72 hours in advance. Closure date will be established by estimating the date on which the reported catch will reach 100% of the TAC, based on projected catches.***
5. **FC to adopt the Action Plan outlined below:**

Action plan

Overarching objectives:

- **Effective management and the minimization of bycatch and discards, and improvement of selectivity, in fisheries of the NRA**
- **Accurate reporting of target, non-target and incidental catch.**
- **Account for total catch (retained and non-retained) in scientific assessments and management measures**
- **Management regimes are adaptive and address changing fishery conditions over time, or differences among areas and fleets**
- **Management measures reflect the precautionary and ecosystem approaches to fisheries management**
- **Identify priority areas for bycatch management, in particular areas where there is a risk of causing serious harm to bycatch species**
- **Ensure linkage to other NAFO bodies doing work related to bycatch management (e.g. STACTIC, WG-EAFFM, SC, ~~WG-ESA~~, WG-CR)**

Issues for the Fisheries Commission to consider. These are the key themes of an action plan:

Data management

- **IT technical issues and capacity**
- **Standardised formats and transmission (including fixed and mobile gear)**
- **Logbook data**
- **Gap identification**
- **Completeness (retained and non-retained)**
- **Opportunities for data sharing**

Analysis and ongoing monitoring

- **Trends, patterns, anomalies**
- **Time, area, depth, fleet-specific issues, fishery-specific issues**
- **Identification of best practices**

Identification of priorities

- **Moratoria species**
- **Areas where there is a risk of causing serious harm to bycatch species**
- **High rates of discards**

Develop management options

- **Selectivity measures**
- **Time area management**
- **Fishery-specific solutions and identification of best practices**
- **Avoid measures that incentivize bycatch and discards**

Annex 14. Revision of Text in Article 9(STACTIC WP 15/30 **now** FC Doc. 15/14)

At the STACTIC intersessional Meeting in May 2015, Canada presented STACTIC WP 15/10 - Shrimp in Division 3L and referred to FC Doc. 11/23 and STACTIC WP 14/30. Canada noted that current text in Article 9.6 of the NAFO GEM does not match the text adopted by the FC in FC Doc. 11/23.

STACTIC **agreed** that:

- **the text in Article 9.6 should be revised to align with the adopted text as follows (Table 3 and Figure 1 will remain unchanged) and forwarded to the Fisheries Commission:**

“All fishing for shrimp in Division 3L shall take place in depths greater than 200m. The fishery in the Regulatory Area shall be restricted to an area east of a line bound by the following coordinates described in Table 3 and depicted in Figure 1(3).”

Annex 15. Review of the footnotes associated to Annex I.A – Annual Quota Table

(STACTIC WP 15/09 Rev. 2 now FC Doc. 15/08)

Background

During the 2014 NAFO Annual Meeting it was agreed that the Editorial Drafting Group (EDG) would conclude the major component of its original mandate by completing a review, and providing recommendations on, the footnotes associated to Annex IA – Annual Quota Table.

The EDG met in Montreal, Canada, April 14, 2015 to deliberate on the task. After reviewing the footnotes it was determined that 3 categories of footnotes existed in Annex I.A:

1. those that constitute actual measures, (which are recommended to be incorporated into the body of the CEMs)
2. those that maintain a historical record, such as providing historical information on quotas, moratoriums, etc. and
3. those that could be classified as “true” footnotes, providing clarification specific to the applicability of the quota.

The EDG discussed each footnote and agreed on an action that should be taken in each case. Following its review, the EDG would recommend to STACTIC the following:

- STACTIC review the EDG’s proposal, attached as Annex 1, with the view to accepting the amendments related to footnotes in Annex I.A and recommending its adoption to the Fisheries Commission;
- STACTIC consider the possibility of moving “historical” notes to a separate section of the CEM’s, or alternatively to another document of historical records/decisions; and
- STACTIC reconsider the ongoing role and mandate of the EDG and determine the function and utility of this working group moving forward.

EDG – working document on revision of **CEM Annex I.A - footnotes**

14 April 2015

ANNEX I – FISHERIES MANAGEMENT

Annex I.A – Annual Quota Table

CATCH LIMITATIONS – Article 5. Total allowable catches (TACs) and quotas (metric tons in live weight) for 2015 of particular stocks in Subareas 1-4 of the NAFO Convention Area.

Suggested interpretation			
* means TAC has not been set due to a ban on fishing (moratoria)			
0 means CP has a historic quota allocation, but = 0			
- means CP does not have a historic quota allocation			
DELETE: blank as meaning is the same as dash			
N.S. means Not Specified			
Footnote		Existent text	Action
N°	Stock/quotas concerned		
1	SQI 3_4 <i>Generic stock</i>	Any quota listed for squid may be increased by a transfer from any “coastal state” as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.	<p>Remarks:</p> <ol style="list-style-type: none"> 1. Reporting element already covered in 5.9 and 5.12(f) 2. Flag the limitation to "coastal States" <p>Recommendation:</p> <ol style="list-style-type: none"> 1. Remove footnote 2. Insert first sentence in a new 5.12 (current 5.12 becomes 5.13); <i>Is the reference to "Coastal State" still relevant? Flag to FC for consideration and possible deletion</i> 3. Second sentence replaced by adding "promptly" to 5.13(f) <p><u>New 5.13(f)</u> <i>(f) Promptly informs all Contracting Parties of notifications of quota transfers received.</i></p>
2	REB 1F_2_3K <i>All allocated quotas</i>	The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Remove – replaced by adding text to 5.12(d) <p><u>New text for current 5.12(d)</u> <i>(d) Notify all Contracting parties by electronic means 5 calendar days in advance of the date on which the available data indicates that the total reported catch, including discards, is estimated at 50 % and then 100 % for redfish in Divisions 3M and Sub-Area 2 and Divisions 1F + 3K, and ...</i></p>
3	REB 1F_2_3K	Quota to be shared by vessels from Denmark (Greenland and Faroe Islands),	Remarks:

	<i>Quotas allocated to DFG EU ICE NOR RUS</i>	European Union, Iceland, Norway and Russia. Catches in the NAFO Convention Area shall be deducted from the quotas allocated in the NEAFC Convention Area	<p>1. This is a NEAFC stock with a biological extension in the NAFO area. Permission is given to NAFO CP, members of NEAFC, to complete their NEAFC fishery with catch taken in NAFO Convention Area</p> <p>2. What is the rationale of the "NAFO Convention area"?</p> <p>Recommendation:</p> <p>1. Delete footnote #3 and add the following text to 5.3</p> <p><i>g) If also a CP of NEAFC, deduct 1F2+3K redfish catch taken in the NAFO Convention Area from its corresponding quota in the NEAFC Convention Area, as applicable.</i></p>
4	REB 1F_2_3K <i>Quotas allocated to CAN CUB SPM JAP KOR UKR USA</i>	Quota to be shared by vessels from Canada, Cuba, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA	<p><u>Remark:</u></p> <p>This footnote refers to CP's that are not members of NEAFC. Access rights to the stock falls under the management measures in place in the NRA, as confirmed by current footnote 17</p> <p>Recommendation:</p> <p>1. Leave as footnote</p>
5	YEL 3LNO <i>Quotas allocated to CAN SPM Others</i>	Contracting Parties shall inform the Executive Secretary before 1 December 2014 of the measures to be taken to ensure that total catches do not exceed the levels indicated	<p><u>Remark:</u></p> <p>Obsolete + administrative burden</p> <p>Recommendation:</p> <p>1. Delete footnote #6</p>
6	SQI 3_4 <i>N.S. quotas allocated to CAN EU (all MS except EST, LAV, LIT and POL)</i>	The allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC (= 29.458 tons)	<p><u>Remarks:</u></p> <p>1. The figure should be 29.467 instead of 29.458</p> <p>Recommendation:</p> <p>1. Leave as footnote</p>

<p>7</p>	<p>GHL 3LMNO</p> <p><i>Quota allocated to Others</i></p>	<p>In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1,300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005</p>	<p><u>Remark:</u></p> <p>The adoption of the GHL Rebuilding Plan in 2004 was associated to a reallocation in 2005 of the "others" quota of 935 tons to 3 CP (DFG: 244 tons, EU: 461 tons and SPM; 230 tons). If the TAC ever exceeded 30,000 tons, the Fisheries Commission will re-establish the "others" quota to a minimum level of 1,300 tons. The contribution of the 3 CP to that new "others" quota will take into account the benefit they received from the 2004 reallocation. Footnote 7 has never been implemented because since 2005 the GHL TAC has never exceeded 30,000 tons.</p> <p>Recommendation:</p> <p>1. Delete the footnote, but move the content to Article 10 (Greenland Halibut) as paragraph 10, with new text and chapeau as follows:</p> <p><i>Restoration of the "Others" quota</i></p> <p><i>10. When the TAC exceeds 30,000 tons, the next 1,300 t beyond 30,000 tons will be allocated to the "Others" quota. In deciding the relevant contributions of Contracting Parties to the 1,300 t "Others" quota, the Fisheries Commission will take into account the benefit that some Contracting Parties received from the assignment of the "Others" quota that occurred when the GHL Rebuilding plan was adopted.</i></p>
<p>8</p>	<p>RED 3M</p> <p><i>TAC</i></p>	<p>Notwithstanding Article 5.3(b), in 2015, the Executive Secretary shall inform Contracting Parties by electronic means 5 calendar days in advance of the date on which the available data indicates that total reported catch reaches 6500 t. Subsequently, directed fishery will cease when 6500 t has been taken as determined by the Executive Secretary. The remainder of the TAC can be retained as bycatch and shall be limited to 5% of catches of cod in Division 3M. When 100% of the TAC has been taken as determined by the Executive Secretary, no more redfish in Division 3M shall be retained on board in accordance with</p>	<p><u>Remarks:</u></p> <p>1. RED 3M TAC = 6.500 tons + an "extra" quantity of 200 tons, for a total TAC of 6.700 tons 2. the "extra" quantity of 200 tons can only be taken as bycatch at the rate of 5 %</p> <p>Recommendation:</p> <p>1. Leave this provision until the 2015 results can be assessed by STACTIC as part of its annual compliance review 2. This footnote may need to be deleted if Fisheries Commission adopts STACTIC WP 15/39Rev.</p>



		Article 5(3)(c).	
9	COD 3L COD 3NO PLA 3M WIT 3L CAP 3NO PRA 3NO <i>TAC</i>	The provisions of Article 6.3 of the Conservation and Enforcement Measures shall apply	Recommendation: 1. Remove – duplication with 6.3, which apply anyway
10	REB 1F_2_3K <i>TAC</i>	In the case of the NEAFC decision which modifies the level of TAC in 2015 as compared to 2014, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote	Recommendation: 1. Leave as footnote with revised text as follows: <i>Should NEAFC modify its level of TAC, these figures shall be adjusted accordingly by NAFO through a mail vote.</i> 2. Remove the date reference to account for a continuing and annual process
11	COD 3NO PLA 3M WIT 3NO CAP 3NO <i>Quota allocated to EU</i>	Including fishing entitlements of Estonia, Latvia, and Lithuania following their accession to the European Union and in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7)	Recommendation: 1. Leave as footnote; EU may provide recommendations
12	RED 3M <i>Quota allocated to EU</i>	Including allocations of 1571 tonnes each for Estonia, Latvia and Lithuania out of a sharing of 20,000 tonnes, following their accession to the European Union	Recommendation: 1. Leave as footnote; EU may provide recommendations
13	SQI 3_4 <i>Quota allocated to EU (only for EST, LAV, LIT and POL)</i>	Allocations of 128 tonnes each for Estonia, Latvia and Lithuania as well as 227 tonnes for Poland out of a TAC of 34,000 tonnes, following their accession to the European Union	Recommendation: 1. Leave as footnote; EU may provide recommendations
14	PRA 3L <i>Quota allocated to</i>	Including allocations of 1.11 % each for Estonia, Latvia, Lithuania and Poland out of the TAC, following their accession to	Recommendation: 1. Leave as footnote; EU may provide recommendations

	<i>EU</i>	the European Union	
15	REB 1F_2_3K <i>Quota allocated to EU (only for LIT and LAV)</i>	Allocation of 17.85% to Lithuania and 2.15% to Latvia following their accession to the European Union	Recommendation: 1. Leave as footnote; EU may provide recommendations
16	RED 3LN PLA 3LNO WIT 3L SKA 3LNO SQI 3_4 <i>TAC</i>	Applicable to 2015 and 2016	Recommendation: 1. Leave as footnote
17	REB 1F_2_3K <i>Contracting Parties in the Current footnote #4</i>	The quota shares in footnotes 4 and 15 can only be fished in the NAFO Regulatory Area. If an increase in the overall TAC as defined in footnote 10 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share referred to in footnote 4	<u>Remark:</u> This applies only to CP's that are not members of NEAFC, and to the Lithuania and Latvia Recommendation: 1. Leave footnote , revised as follows: <i>If an increase in the overall TAC as defined in footnote 10 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share.</i>
18	GHL 3LMNO <i>Quota allocated to EU</i>	Including an allocation of 379 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union	Recommendation: 1. Leave as footnote; EU may provide recommendations
19	RED 3M <i>Quotas allocated to DFG SPM KOR USA</i>	Notwithstanding the provisions of footnote 8 and Article 5.2 (b) and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties	Recommendation: 1. Leave as footnote but with corrected reference, 5.2 replaced by 5.3 2. If the Fisheries Commission adopts STACTIC WP 15/39 Rev. this text may need to be modified to reflect the possible deletion of footnote 8.
20	COD 3NO PLA 3M	Applicable to 2015, 2016 and 2017	Recommendation

	TAC		1. Leave as footnote
21	PLA 3LNO YEL 3LNO TAC	In lieu of Article 6.3 of the CEM, the following bycatch provisions for American plaice only in the 3LNO yellowtail fishery shall apply: Contracting Parties fishing for yellowtail flounder allocated under the NAFO allocation table will be restricted to an overall Am. plaice bycatch harvest limit equal to 15% of their total yellowtail fishery as calculated in accordance with Article 6.4. If a Scientific Council projection indicates that this rate is likely to undermine stock recovery or cause an unreasonable delay in reaching <i>Blim</i> , this rate may be subject to a reassessment by the Fisheries Commission	<u>Remark:</u> 1. The second sentence is deleted because the FC has the capacity to reassess at any time 2. As a bycatch measure, this provision should be inserted into Article 6 Recommendation: 1. Remove – provision on bycatch limit inserted in 6.3 as new (f) <i>New text for 6.3 (f)</i> <i>(f) While conducting a directed fishery for yellowtail in Divisions 3LNO: 15 % of American Plaice; otherwise bycatch provisions in 6.3 (d) apply.</i>
22	YEL 3LNO TAC	Following the NAFO annual meeting and prior to 1 January of the succeeding year, at the request of the USA, Canada will transfer 1000 tonnes of its 3LNO yellowtail quota to the USA	Recommendation: 1. Leave as footnote
23	COD 3M TAC	The allocation key of this stock is based on the 1998 Quota Table. In 1999, a moratorium on cod in Division 3M was declared	<u>Remark:</u> 1. Rationale of this footnote, since the allocation key has been inserted in Annex I.A 2. The second sentence is obsolete Recommendation: 1. Create a new Annex, (I.A (bis)) to capture “historical” statements
24	RED 3LN TAC	The allocation key of this stock is based on the 1997 Quota Table. In 1998, a moratorium on redfish in Division 3LN was declared	<u>Remark:</u> 1. Unclear rationale of this footnote, since the allocation key has been inserted in Annex I.A 2. The second sentence is obsolete Recommendation:

			1. Create a new Annex, (I.A (bis)) to capture “historical” statements
25	COD 3M <i>Quota allocated to EU</i>	Including fishing entitlements of 161 tons each for Estonia, Latvia, and Lithuania in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7) and allocation of 552 tons for Poland following their accession to the European Union	Recommendation: 1. Leave as footnote; EU may provide recommendations
26	RED 3LN <i>Quota allocated to EU</i>	Including fishing entitlements of 514 tonnes each for Estonia, Latvia, and Lithuania in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7) following their accession to the European Union	Recommendation: 1. Leave as footnote; EU may provide recommendations
27	HKW 3NO <i>TAC</i>	Should a Contracting Party experience higher than normal catches per unit of effort (CPUE) and conclude that a shift to high availability levels of white hake during the fishing season – such as what was apparently the case in 2002 and 2003 – is taking place, then that Contracting Party shall notify the Executive Secretary and submit a summary of evidence for its conclusion (higher than normal CPUE and any other additional relevant information) within one month. On this basis, a mail vote will be submitted to the Fisheries Commission as to whether an exceptional increase in the availability of fish occurs. The TAC shall remain at 1,000t until the results of the vote are complete and the catch limitation provided for in Annex I. A. of	Remarks: 1. This footnote represents a policy decision to adjust the 3NO white hake quota that is more suited as a conservation measure related to catch limitations. Recommendation: 1. Remove – Revised footnote moved to Article 5 as a new subheading and paragraph 13. <u><i>New text for Article 5.13:</i></u> <i>Adjustment to the 3NO White Hake Quota</i> 13. If a Contracting Party experiences a catch per unit of effort (CPUE) of 3NO white hake that is equal to or higher than that observed in 2002 and 2003 and concludes that there is a shift to high availability of white hake during the fishing season, the Contracting Party shall: (a) Notify the Executive Secretary of the higher CPUEs observed; and (b) Submit a summary of evidence for its conclusion (higher than normal CPUE and any other additional relevant information) to the Executive Secretary within one month. 14. The Executive Secretary shall provide the evidence submitted in accordance to paragraph 13(b) of this section to the Fisheries Commission for a mail vote as to whether an exceptional increase in the availability of white hake is occurring. The 3NO TAC for the remainder of the year shall:

		the NCEM will apply. In case of a positive vote, the TAC is confirmed to be 2,000 metric tons. In the case of negative vote, the TAC shall remain at 1,000 metric tons	(a) Be increased to 2,000 metric tons in the case of a positive vote; or (b) Remain at 1,000 metric tons in the case of a negative vote.
28	WIT 3NO <i>TAC</i>	The allocation key of this stock is based on the 1994 Quota Table. In 1995, a moratorium on witch flounder in Division 3 NO was declared	<u>Remark:</u> 1. Rationale of this footnote, since the allocation key has been inserted in Annex I.A 2. The second sentence is obsolete Recommendation: 1. Create a new Annex, (I.A (bis)) to capture “historical” statements
29	SKA 3LNO <i>TAC</i>	Should catches exceed 5,000 t, additional measures would be adopted to further restrain catches in 2016	<u>Remark:</u> 1. TAC is currently set at 7,000t – rationale? Recommendation: 1. Leave as footnote

Annex 16. Improvements in Reporting Apparent Infringements and follow up actions (Article 40)

(STACTIC WP 15/34 Rev. **now** FC Doc. 15/09)

Background

Currently Article 40.1(d) of the Measures state that each Contracting Party shall report “*the actions 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*”.

In the interest of highlighting compliance trends and issues with the CEM's, and to allow Contracting Parties, with an enforcement presence in the NAFO Regulatory Area, to conduct a more comprehensive assessment of compliance, particularly for the purposes of Article 31.6, Contracting Parties need a process to report infringement of the CEM committed by its own vessels.

Proposed Amendments

Amend Article 40 - *Contracting Party Reports on Inspection, Surveillance and Infringements* as follows:

40.1 (d) the action it has taken during the previous year, including a description of the specific terms of any penalties imposed, concerning:

- i. every infringement notified to it by a Contracting Party; and
- ii. **every infringement of the CEM by vessels entitled to fly its flag; and**
- iii. each Surveillance Reports it has received.

Annex 17. Improvements in Reporting Apparent Infringements and follow up actions (Article 40.4)

(STACTIC WP 15/35 Rev. **now** FC Doc. 15/10)

Background

Currently Article 40.4 of the Measures state that each Contracting Party shall provide an explanation when no action is taken regarding an infringement, however no explanation is required where a Flag State Contracting Party takes action but does not impose a penalty.

In the interest of improving the effectiveness of enforcing CEM compliance, an explanation, detailing the reasons for a flag State Contracting Party's inability to impose a penalty in the case of an infringement, would allow Contracting Parties with an enforcement presence in the NRA to adapt enforcement processes to better facilitate flag State Contracting Party follow-up.

Proposed Amendments

Amend Article 40.4 as follows:

4. A Contracting Party shall provide a **sufficiently detailed** explanation regarding every infringement for which it has taken no action **or where no penalties were imposed**.

Annex 18. Format of Haul by Haul Logbook Data to the Secretariat

(STACTIC WP 15/36 Rev. 3 **now** FC Doc. 15/11)

Background

Pursuant to Article 28.8(b), the NAFO Conservation and Enforcement Measures require that fishing vessels submit logbook information in an electronic format within 60 days following the completion of each trip. The provided information must at a minimum contain the information outlined in Annex II.N. It also stipulates that if the information is not available in an electronic format, it may be provided using the current observer program data format as outlined in Annex II.M.

In 2014, the Ad-Hoc Working Group to Reflect on the Rules Governing Bycatches, Selectivity and Discards noted that the provision of haul by haul data to the Secretariat would allow for more precise bycatch and discard analysis. At the July, 2015 meeting of that workgroup, the importance of the availability and quality of the information provided to the Secretariat was discussed. It was felt by the group that the current format being used in Annex II.N could be improved by using the revised observer program data format as attached in Annex II.M. Part 2 because it provides catch information on all species as opposed to limiting reported information to three species.

Proposed Amendments

Replace Article 28.8 with the following (text was adopted in STACTIC WP 15/42):

Each Contracting Party shall:

- a) report its provisional monthly catches by species and stock area, and its provisional monthly fishing days for the 3M shrimp fishery, whether or not it has quota or effort allocations for the relevant stocks. It shall transmit these reports to the Executive Secretary within 30 days of the end of the calendar month in which the catch was taken.
- b) ensure that logbook information is submitted in ~~an electronic format~~ either Extensible Markup Language (XML) or in a Microsoft Excel file format, to the Executive Secretary containing at a minimum the information outlined in Annex II.N within 60 days following the completion of each fishing trip. ~~If the information is not available electronically, it may be provided in the current observer program data format, as outlined in Annex II.M Part 2.~~

Replace Annex II. N Fishing Logbook Information by Haul with the attached table.

**Annex 19. Seamount Closures:
gear specification for the use of midwater trawls and reporting of VMEs**
(STACTIC WP 15/40 Rev. 2 now FC Doc. 15/13)

Explanatory memorandum

In its reply to a specific request for scientific advice as to the impacts of midwater trawling around seamount closures, the Scientific Council (SC) replied that midwater trawls around seamount closures have the potential to have bottom contact and therefore present a risk of causing Significant Adverse Impact on VMEs (NAFO SCS Doc. 15-12).

Based on the conclusion of the SC, the WG on Ecosystem Approach Framework for Fisheries Management (WG-EAFFM), in its meeting of 15-17 July 2015, recommended that the Fisheries Commission (FC) or STACTIC amend the NCEM to **broaden the scope of application of the meaning of 'midwater trawl'**, as referred to in Article 13.2.f, of the NCEM so that it would apply to midwater trawls in the seamount closures referred to in Article 17. In Article 13.2.f, it is stated that vessels operating in redfish fisheries in certain areas should use trawls with no discs, bobbins, or rollers on its footrope or any other attachment designed to make contact with the bottom.

In addition to modifications to midwater trawls, the WG-EAFFM also recommended to the Fisheries Commission (FC) to revise the NCEM in order to require **reporting of all quantities of VME indicator species** (Annex I.E.VI), in seamount closures (Article 17 of the NCEM), for example through logbooks or observer reports. Observers are best suited to identify VMEs indicator species and to record all quantities of VME indicator species in the observers' reports. Additional reporting obligations on all quantities of VMEs indicator species encountered in each haul when fishing in the seamount closures of Article 17(1) should therefore be included in the observer report. The report should include the VME indicator species, the quantity (total weight in the haul) and the location (including latitude / longitude) for any VME indicator species caught.

Proposed amendments

1. In relation to the use of midwater trawls, it is proposed to amend Article 13 as follows:

Article 13 - Gear Requirements

[...]

Use of Attachments

5. Strengthening ropes, splitting straps and codend floats may be used on trawls, as long as these attachments do not in any way restrict the authorized mesh or obstruct the mesh opening.
6. No vessel shall use any means or device that obstructs or diminishes the size of the meshes. However, vessels may attach devices described in Annex III.B to the upper side of the codend in a manner that does not obstruct the meshes of the codend including any lengthener(s). Canvas, netting or other material may be attached to the underside of the codend of a net only to the extent required to prevent or minimize damage to the codend.
7. Vessels fishing for shrimp in Divisions 3L or 3M shall use sorting grids or grates with a maximum bar spacing of 22 mm. Vessels fishing for shrimp in Division 3L shall also be equipped with toggle chains with a minimum length of 72 cm as measured in accordance with Annex III.B.
8. **When fishing in the seamount closures defined in Article 17(1), only gear that is designed to fish for pelagic species, no portion of which is designed to be or is operated in contact with the bottom at any time is allowed. The gear shall not include discs, bobbins or rollers on its footrope or any other attachments designed to make contact with the bottom. The trawl may have chafing gear attached.**

2. In relation to the additional reporting obligation on VMEs, it is proposed to amend Article 30 and Annex II.M. (Standardized Observer Report Template) as follows:

Article 30 - Observer Program

A. General provisions

Duty to Carry Observer

1. Subject to Article 30.B.1 every fishing vessel shall at all times in the Regulatory Area carry at least one independent and impartial observer.

Duties of the Flag State Contracting Party

2. Every flag State Contracting Party shall provide to the Executive Secretary a list of the observers it intends to deploy to the vessels entitled to fly its flag operating in the Regulatory Area and shall ensure that the observers on board such vessels carry out only the following duties:
 - a) monitor compliance with the CEM, in particular verify logbook entries including the composition of catch by species, quantities, live and processed weight; and haul and VMS reports;
 - b) maintain detailed records of the daily activity of the vessel whether fishing or not;
 - c) for each haul, record the gear type, mesh size, attachments, catch and effort data, coordinates, depth, time of gear on the bottom, catch composition, discards and retained undersized fish;
 - d) **when fishing on seamount closures as referred to in Article 17(1), report in the comments section of the observer report referred to in Annex II.M., for each haul, all quantities of all VME indicator species as referred to in Annex I.E.VI;**
 - e) monitor the functioning of the satellite tracking system and report on any interruptions or interference therewith;
 - f) use a pre-agreed code to report to an inspection vessel within 24 hours, any infringement of the CEM;
 - g) perform such scientific work as the Fisheries Commission may request; and
 - h) as soon as possible after leaving the Regulatory Area, and at the latest at arrival of the vessel in port, submit the report, as set out in Annex II.M, in electronic format, to the flag State Contracting Party and, if an inspection in port occurs, to the local port inspection authority. The flag State Contracting Party forwards the report to the Executive Secretary within 30 days following the arrival of the vessel in port.

Annex 20. Notification process for the closure of the redfish fishery in NAFO Division 3M

(STACTIC WP 15/39 Rev. 2 **now** FC Doc. 15/12)

Explanatory memorandum

The closure of the 3M redfish fishery relies heavily on timely notifications from the NAFO Executive Secretary.

In its July 2015 meeting, the Working Group on Bycatch, Selectivity and Discards (WG BDS) adopted a recommendation (recommendation no. 4 in NAFO/FC Doc. 15/06) that requests the Fisheries Commission to consider amendments to Article 5.12 of the NAFO Conservation and Enforcement Measures (NCEM). Those amendments should ensure a speedy closure of the 3M redfish fishery by relying on NAFO notifications based on projected catches, not actual catches. The WG BDS also recommended that STACTIC reviews the modifications prior to their possible adoption by the Fisheries Commission; notably in order to ensure consistency with other existing rules in the NCEM.

The amendments outlined below establish a system whereby, at 100% of the Redfish 3M TAC, the current 5-day notification becomes a closure notice. This would allow Contracting Parties to initiate closing procedures promptly and in advance to the exhaustion of the TAC.

The text proposed includes two new subparagraphs:

- A new edit of Art 5.12 (d) for clarification and to regulate the 100 % closure of redfish 3M separately. No changes in the substance of the 5-day notification process for the other notifications that currently exists.
- A new subparagraph (e), to convert the 100% redfish 3M notification into a closure notice by which the Executive Secretary, 5 days in advance.

Proposed amendments

1. New edit of Article 5.12 (d) – *Duties of the Executive Secretary*

- d) notifies all Contracting Parties by electronic means 5 calendar days in advance of the date on which the available data indicates that total reported catch, including discards,
- i. is estimated at 50% of the TAC, for redfish in Division 3M;
 - ii. is equal to 80% and then 100% for any particular stock subject to an "Others" quota, when such quota exists in accordance with Annex I.A;

2. Insert a new subparagraph (e)

- e) establishes and notifies all Contracting Parties, by electronic means, ~~72~~ 96 hours in advance, the date of closure of the fishery for redfish in Division 3M. The date shall be determined on the basis of projections derived from reported catches, including discards, and indicate when those catches may reach 100% of the TAC.

3. Renumber subparagraphs (e) and (f)

Annex 21. Annual Compliance Review 2015
(Compliance Report for Fishing Year 2014)
 (STACTIC WP 15/15 Rev. 2 now FC Doc. 15/21)

1. Introduction

This compliance review is being undertaken in accordance with Rules 5.1 and 5.2 of the Fisheries Commission Rules of Procedure. The scope of the review is to determine how international fisheries complied with the annually updated NAFO Conservation and Enforcement Measures (NCEM) when fishing in the NAFO Regulatory Area (NRA), and assess the performance of NAFO Contracting Parties with regard to their reporting obligations.¹

This review utilizes information for the years 2004 to 2014 from the following sources: vessel monitoring system (VMS) and hail messages delivered by the vessels (Vessel Transmitted Information – VTI), Port Inspection Reports, At-sea Inspection Reports and Reports on Dispositions of Apparent Infringements provided by the Contracting Parties, and Observer Reports sent to the Secretariat. It starts with the description of the fisheries in the NAFO Regulatory Area.

2. Fishing effort and fishing trends in the NAFO Regulatory Area

NAFO identifies three main fisheries in its Regulatory Area: the groundfish (GRO - primarily in Div. 3LMNO), shrimp (PRA - primarily in Div. 3LM) and pelagic redfish fisheries (REB - primarily in Div. 1F and 2J). Shrimp and pelagic redfish fisheries utilize shrimp trawls and midwater trawl gears, respectively. In 2014, there were 59 fishing vessels spending a total of 4822 days in the NRA (Table 1), and 140 trips were identified.

Table 1. *2013-2014 Comparison of Fishing Effort in the NAFO Regulatory Area.*

Number of fishing vessels					Fishing effort (days present)				
Year	Groundfish (GRO)	Shrimp (PRA)	Pelagic Redfish (REB)	TOTAL	Year	Groundfish (GRO)	Shrimp (PRA)	Pelagic Redfish (REB)	TOTAL
2013	54	7	4	64	2013	4510	190	79	4779
2014	52	3	5	59	2014	4699	67	56	4822
% change	-3.7%	-57.1%	25.0%	-7.8%	% change	4.2%	-64.7%	-29.1%	0.9%

The groundfish fishery accounted for 97.4% of the total fishing effort (in terms of fishing days), shrimp for around 1.4%, and the pelagic redfish fishery for around 1.2%. The groundfish fishing effort increased by 4%, while shrimp and pelagic redfish effort decreased by 65% and 29% respectively. The big decrease in the shrimp effort is largely attributed to the 50% of the Total Allowance Catch (TAC) in 2014. In all, a slight increase (0.9%) of the total fishing effort was observed (Table 1) compared to 2013.

For the period 2004–2014, the overall fishing activities in the NRA show a declining trend, from 134 active vessels in 2004 to 59 in 2014, representing a 56% decrease. The decline in terms of overall fishing days was a 71% decrease for the same period from 16 480 days in 2004 to 4 822 days in 2014. The average number of days each vessel operates in the NAFO Regulatory Area also declined from 123 days in 2004 to 82 days in 2014.

¹For the purpose of this compliance analysis, only fishing trips which ended in 2014 were considered. Fishing trip for a fishing vessel includes “the time from its entry into until its departure from the Regulatory Area and continues until all catch on board from the Regulatory Area is unloaded or transhipped” (NCEM Art. 1.7).

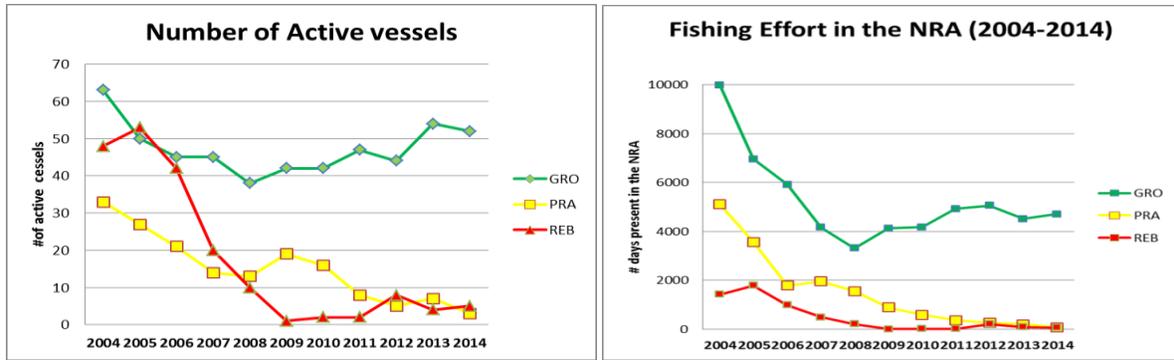


Figure 1. *The trend of fishing effort in the NAFO Regulatory Area in the period 2004-2014.*

Figure 1 illustrates the changes described above for each of the major fisheries. NAFO fisheries remain dominated by the groundfish category. After five years of steep decline, the groundfish effort has been stable since 2009. Figure 2 illustrates the current effort distribution compared to 2004 and the 2004-2014 average. By 2014, the fishing effort contribution of shrimp fisheries was reduced to 1% largely due to the shrimp fishing moratorium in Division established in 2011 and a reduction of the TAC in 2014.

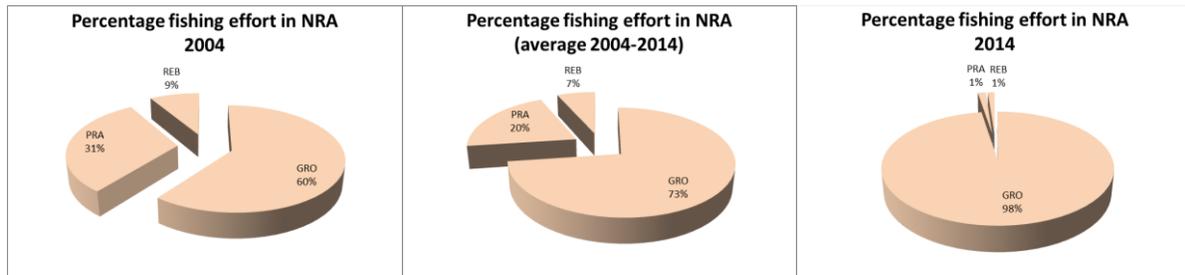


Figure 2. *Fishing effort proportions of the three different fishery types (2004-2014) suggesting a shift in fisheries over the years).*

Effort distribution by depth of groundfish vessels

The requirement of providing the speed and course information in the Vessel Monitoring System (VMS) reports facilitated the estimation of fishing effort in terms of fishing hours. Speeds between 1 and 5 knots were considered fishing speeds. In Figure 3, the distribution of fishing effort in hours of groundfish vessel is presented. Figure 3 shows that about half of all groundfish effort is at depths 400 meters and below (skates, redfish and cod).

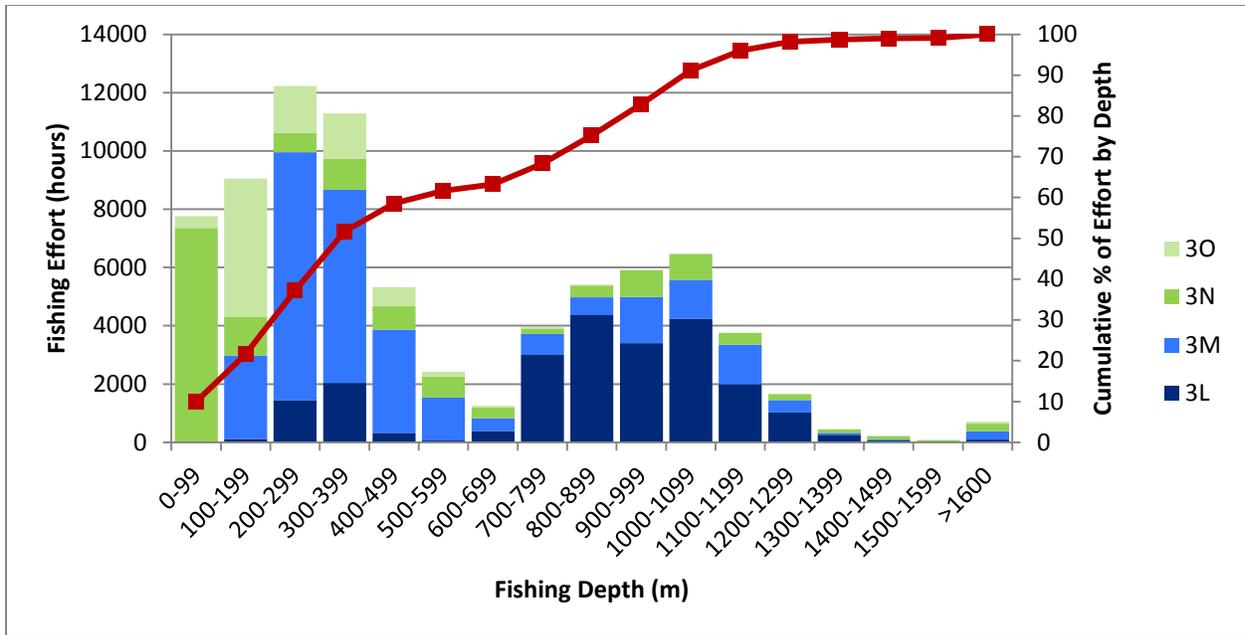


Figure 3. Distribution of groundfish fishing effort by depth in the NRA in 2014 (Divisions 3L, 3M, 3N, and 3O).

Catch Trends

The 2012 CATs represent the first year of complete and generally correct daily catch reports submitted to the Secretariat. With three years of CAT reports, it is now possible to conduct preliminary analysis for catch trends.

Figure 4 shows the plot of groundfish annual catches in Divisions 3LMNO in the years 2012-2014. Major species that are managed through TAC and two species of grenadiers are included in the plot. The examination of Figure 4 revealed the following characteristics of the groundfish fisheries in the NRA Divisions 3LMNO.

- Except for the catches of 3LN Redfish in Division 3L, 3LMNO Greenland halibut in Division 3N and 3LNO Skates in Division 3O, the 2014 catches of the major stocks in the four Divisions decreased in 2014 compared to 2013.
- Division 3M (Flemish Cap) was the most productive (in terms of fish catch) during the three years compared to other Divisions 3LNO.
- Cod in the Flemish Cap represented the most predominant catch, followed by redfish.
- Redfish was the most predominant catch in Division 3O.
- Redfish was a major species caught in all four divisions.
- The fish stocks 3NO Skates and 3LNO Yellowtail were mostly caught in Division 3N.
- A major portion of the 3LMNO GHL catch came from Division 3L.
- More catch of grenadiers occurred in Divisions 3LM than in Divisions 3NO.

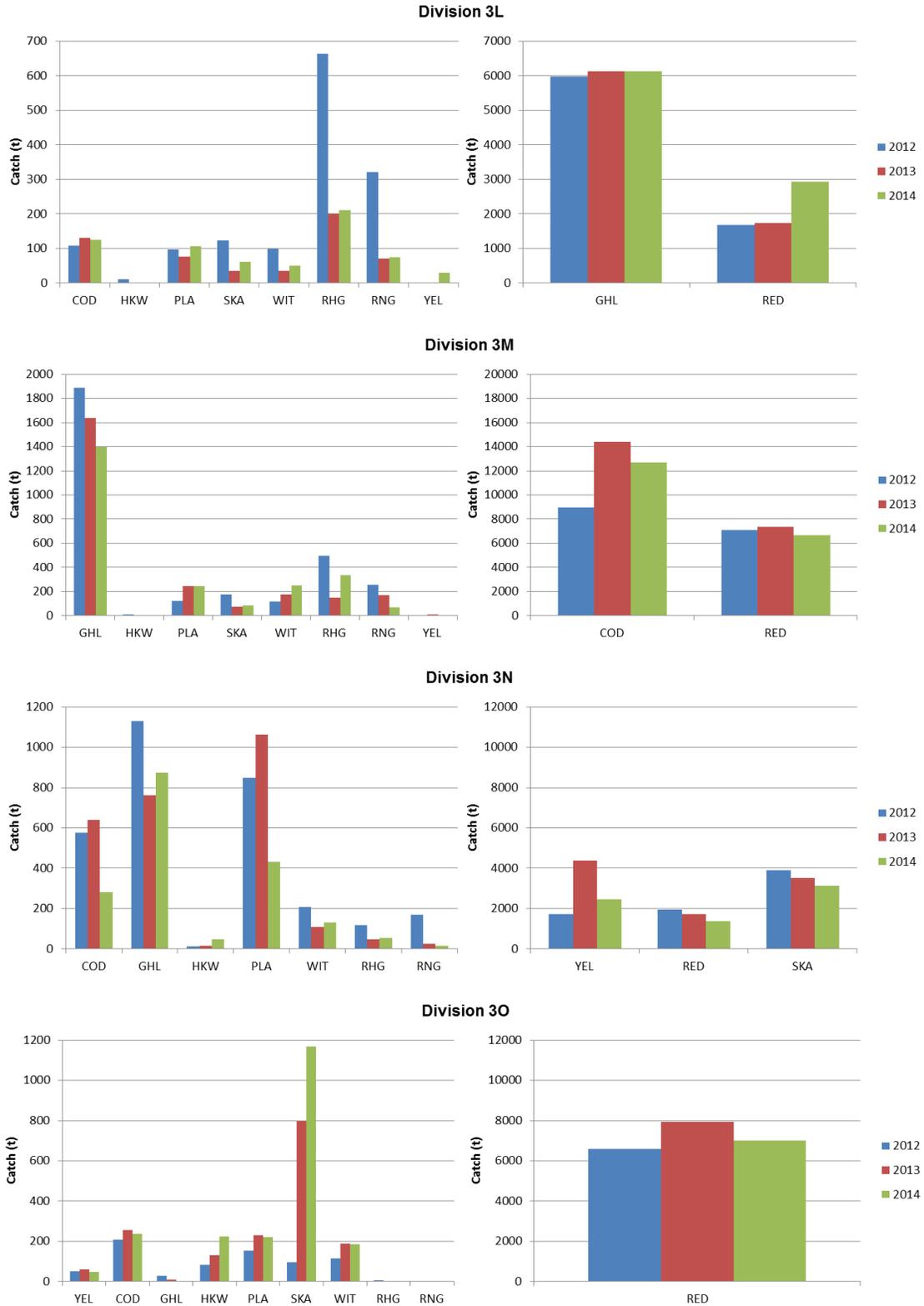


Figure 4. Trends in groundfish catches of selected major species in Divisions 3LMNO (2012-2014).



3. Compliance by Fishing Vessels

Monitoring, Control and Surveillance (MCS) measures are spelled out in Chapters III-VII of the NCEM. Through the at-sea and port inspections, NAFO monitors, controls and conducts surveillance of the fisheries in the NRA exposing infringements of the NAFO regulations and collecting evidence for the following prosecution within the legal system of each NAFO flag State Contracting Party.

Position reporting – Vessel Monitoring System (VMS)

Vessels in the NRA are required to transmit position reports at one hour intervals. In addition, the course and speed information must be included in the position reports. Examination of the position reports revealed that vessels were compliant to this requirement. The position reports were received by the Secretariat in practically real-time through the Fisheries Monitoring Centres (FMC) of individual flag States. When technical difficulties were encountered by the vessels in complying with the position reporting requirements, the position reports were transmitted electronically by email and promptly entered into the VMS database by the Secretariat. In cases of technical difficulties, VMS reports can be sent at least once every four hours. Generally, the technical issues were resolved at most within a few days through the coordination and communication between the Secretariat and the FMCs. The timeliness of submission of position reports was not an issue since VMS reports were being received by the Secretariat and CPs with inspection presence in real-time through satellite technology.

With an estimated total fishing effort of 4822 vessel-days, the expected number of VMS reports is 115 728. A total of 124 968 VMS position reports within the vessel-days were received in 2014 fishing trips. This amount suggests that some vessels transmitted their positions more frequently than the required hourly interval. Some vessels which were landing or calling on Canadian ports continued to transmit VMS reports. This also contributed to the higher-than-expected number of VMS reports received in the Secretariat. From compliance perspective, this is not an issue.

Activity and catch reporting – Vessel Transmitted Information (VTI): Catch-on-Entry, Catch-on-Exit, Daily Catches

Catch quantities on board upon entry to (COE) and exit from (COX) the NRA must be reported for each fishing trip. While fishing in the NRA, fishing vessels are required to transmit daily catch reports (CAT) detailing catch quantities by species and division. Catch reports are transmitted through the same technology and communication channel as the transmission of VMS (positions) reports. (See section *Vessel Transmitted Information (VTI) – Catch-on-Entry (COE), Catch-on Exit (COX), Daily catch reports (CAT)* below.)

Daily catch reports are not limited to species listed in Annex I.A of the NCEM (under TAC or moratorium). Vessels are required to report catches (and discards) at the species level to the extent possible. The catches of regulated and selected non-regulated species are presented in Table 2.

Table 2. *Total reported catches (in tons) of regulated and selected non-regulated species in 2014 (Source: CAT reports).*

Division	1F	3L	3M	3N	3O	4Vn	6G	?
Species (3-alpha FAO code)								
CAP		0.0		0.4	0.3			
COD		124.4	12719.9	280.9	235.3	0.0		
GHL		6130.8	1395.3	874.7	0.3			
HKW		0.3	3.8	46.7	222.4			
PLA		106.9	245.7	431.1	220.6	0.0		
PRA		475.9						19.0
REB	686.1		1.2					
RED		2929.5	6670.5	1361.6	7021.3	2.8		
SKA		60.5	85.5	3128.9	1168.9	0.7		
WIT		49.3	248.5	131.9	184.9			
YEL		29.3	0.3	2458.7	47.9			
ALF							90.0	
ANG			0.2	34.1	170.8			
CAT		26.8	20.1	10.2	1.5			
HAD		0.1	156.9	20.2	190.8			
HAL		58.4	80.4	288.1	120.9			
RHG		211.0	336.7	53.4	0.6			
RNG		73.6	66.2	14.6				
Grand Total	686.1	10276.7	22031.1	9135.6	9586.6	3.6	90.0	19.0

Vessel activity after 3M redfish 100%-TAC-uptake notification

The stock 3M Redfish is the only regulated stock which Total Allowable Catch (TAC) is considerably less than the sum of the quotas. The Secretariat monitors the TAC uptake through the daily catch reports (CATs) it receives from the fishing vessels. When the TAC is reached, Contracting Parties are notified required to instruct their vessels to cease directed fishery on the stock.

According to Footnote 8 of the Quota Table (Annex I.A of the 2014 NCEM), not more than 50% of the TAC may be fished before 1st July. On 13th March 2014, a 50%-TAC uptake notification was circulated by the Secretariat, on which time the fishery would be suspended until 30th June. Figure 5 shows the total daily catches and the percentage cumulative catch derived from CAT reports. On 8th July 2014, a 100% TAC uptake notification (6500 t) was sent effective 10th July. By the closure date, the TAC was exceeded by 4%.

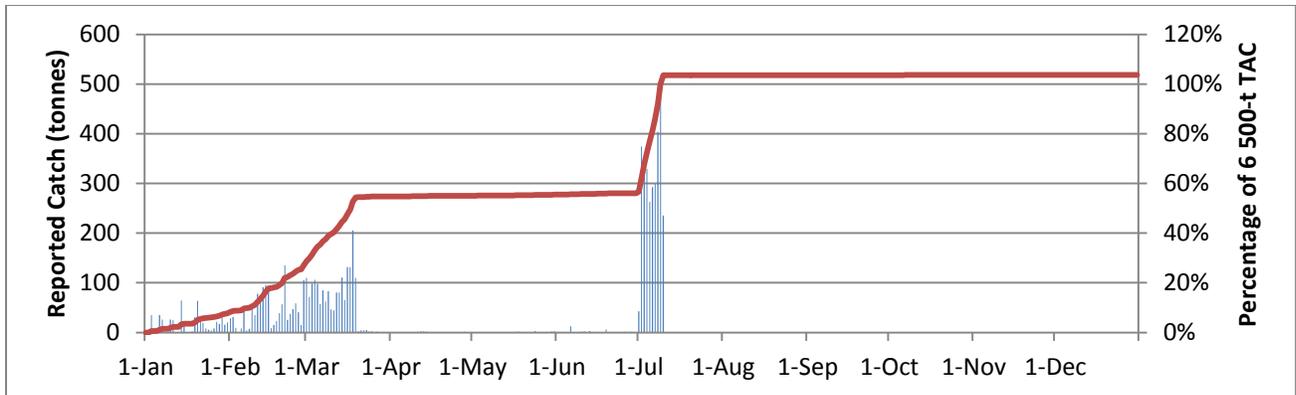


Figure 5. Daily 3M redfish catches of all vessels in 2014.

Shrimp vessels

Shrimp in Division 3M has been under moratorium since 2011. Examination of the VMS and VTI reports revealed that the moratorium is being respected. All fishing were confined in Division 3L. According to NCEM Art. 9.7, no vessel shall fish at the depth less than 200 meters. Figure 6 confirms that shrimp vessels complied with this regulation. Majority of shrimp fishing took place at depths 300-400m.

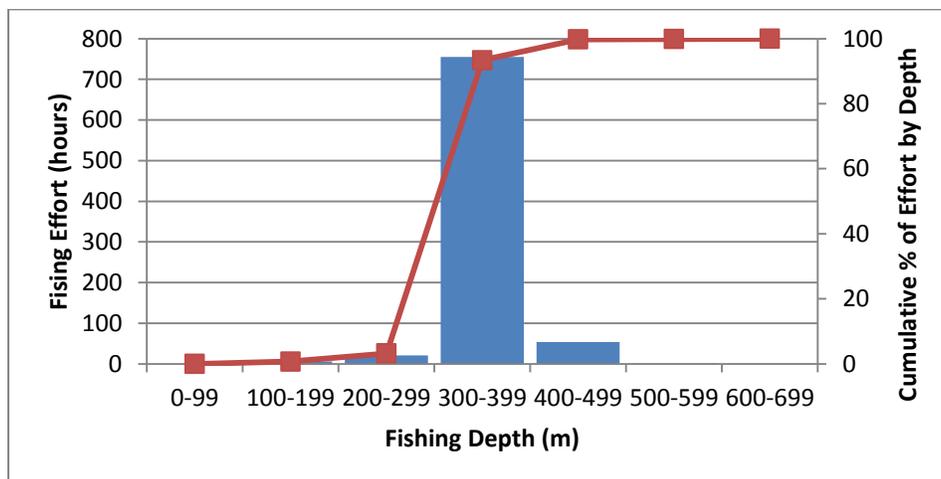


Figure 6. Distribution of shrimp fishing effort by depth in the NRA in 2014.

Closed areas and Exploratory Fisheries

Since 2007, in total 19 areas in NAFO have been closed to bottom fishing including 12 significant coral and sponge areas, one coral protection zone and six seamounts. The conservation and enforcement measures concerning the protection of the VMEs are stipulated in Chapter II of the NCEM.

An examination of the VMS position reports revealed that the closed areas were respected (Figure 7). Fishing activities were confined within the footprint, except for one vessel which fished in Division 6G (in the environs of the closed Corner Seamounts) for 13 days in February 2014 (Figure 7.D). According to the observer report of this fishing trip in Division 6G, the fishing gear that was used was a mid-water trawl (OTM). The main species caught was splendid alfonsinos. With the use of non-bottom fishing gear, NCEM Chapter II provisions (more specifically relating to Exploratory Fisheries) would not apply. Possible management measures concerning fishing stocks associated with seamounts are currently under discussions at the Joint FC-SC Working Group on Ecosystem Approach Framework to Fisheries Management.

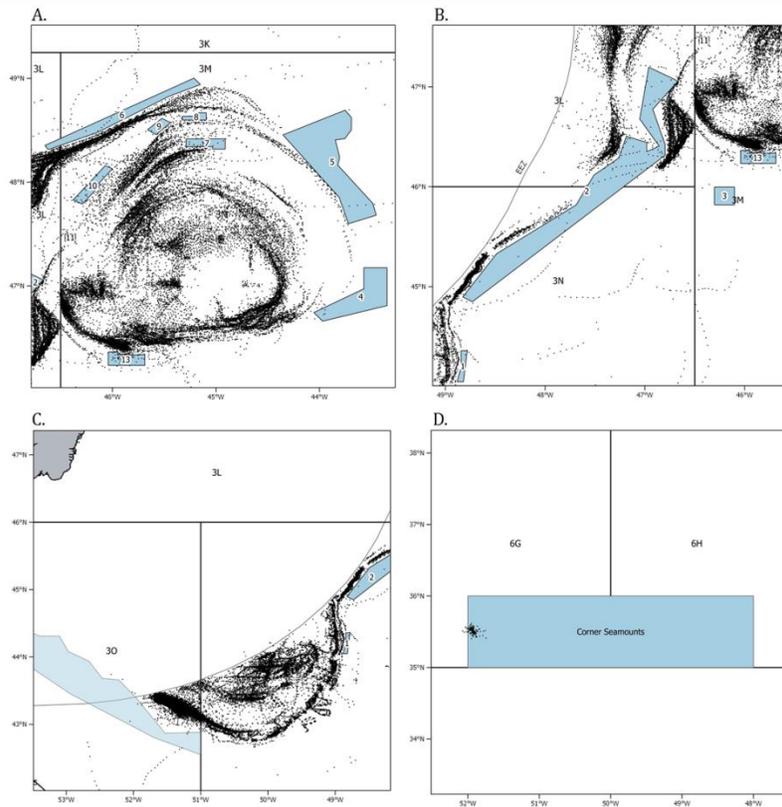


Figure 7. VMS position plots of all vessels at speed 0.5 -5.0 knots in the NRA in 2014 in relation to the VME closed areas and Corner Seamount. A: Flemish Cap, B: Flemish Pass, C: Division 30 Coral Zone, D: Corner Seamount

Catch reporting on sharks

Fishing for the purpose of collecting shark fins is prohibited under NCEM Art. 12. Sharks species taken in NAFO fisheries are not associated with shark finning practices, and there has never been an incident of shark finning observed in the NRA. It has been noted that there has been a lack of species-specific reporting of shark catches in the NRA. In this regard, it became a requirement in 2012 to report, the extent possible, all shark catches at the species level (NCEM Art. 28.2.g).

All 2014 CAT reports were examined. Not all sharks catches were reported to the species levels. About half of all shark catches were reported as dogfishes (Table 4). It is not known how many species of shark were lumped into DGX.

Table 4. Amount of shark catches (in tons) as reported in CATs.

FAO 3- Alpha Code	English Name	Reported catches in 2014 (t)	Percentage
BSH	Great Blue Shark	0.6	0.94%
BSK	Basking Shark	5.0	7.99%
DGX	Dogfishes (NS)	28.4	45.28%
GSK	Greenland Shark	21.6	34.45%
POR	Porbeagle	7.0	11.18%
SHX	Large Sharks (NS)	0.1	0.16%

At-sea inspections

The NAFO Joint Inspection and Surveillance Scheme is implemented to ensure management and enforcement measures are complied with by fishing vessels fishing in the NRA. Inspectors are appointed by Contracting Parties and assigned to fishery patrol vessels tasked to carry out NAFO inspection duties at sea (Chapter VI of NCEM).

The total number of at-sea inspections dropped from 169 in 2013 to 135 in 2014. With the slight increase of total fishing effort (1%, from 4779 days in 2013 to 4822 days in 2014), the inspection rate (number of inspections/fishing effort) decreased from 3.5% to 2.8% (Figure 8).

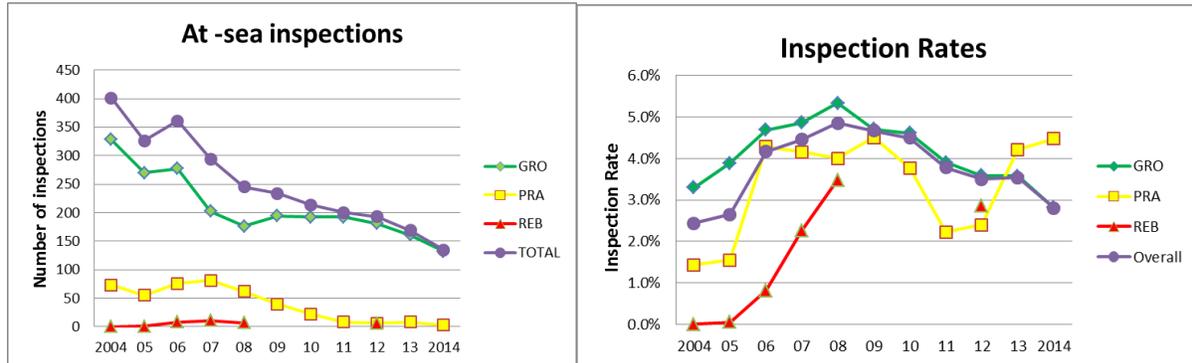


Figure 8. Number of At-Sea Inspections and Inspection rates (number of at-sea inspection/vessel-days) in the NAFO Regulatory Area by fishery type.

Port inspections

Prior to 2009, port State Contracting Parties were required to conduct port inspections on *all* vessels landing or transshipping fish species from the NRA, i.e. 100% coverage. Since the adoption of the Port State Control measures in 2009, the 100% coverage has been maintained for vessels landing NAFO species under recovery plans, in particular Greenland halibut. When landing catch species not under recovery plans, port inspections are not required if the vessel flag State Contracting Party and the port State Contracting Party are the same; if the flag State and the port State are different, the latter is required to conduct port inspections only 15 % of the total fish landing port of call in a year.

In 2014, 98 port inspection reports were received by the Secretariat, 97 of which were associated with groundfish and one with shrimp landings. Some port States submitted port inspection reports on their own vessels making the coverage considerably more than 15% (see Section 4).

Apparent infringements

Each citation issued by at-sea or port inspectors can list one or more apparent infringements (AI). NCEM Art. 38 lists fifteen kinds Apparent Infringements (AI's) considered serious. In 2014, eleven vessels were issued with apparent infringement/s either at sea or at port. There were twenty one AIs issued. The nature of the AIs ranges from expired capacity plans (considered non-serious) to mis-recording of catches (considered serious). Inspectors determine during the time of inspection whether the AI is considered non-serious or serious. Table 5 give details of the AIs issued at-sea and at ports in 2014 (See Section 5 for follow-up actions and disposition of the AI cases).

In Figure 9, the composite list of AIs and the frequency of the cases since 2004 are shown. The black and the blue dots represent AIs issued by at-sea inspectors and port authorities, respectively. Product mis-labelling, expired vessel capacity plans, and mis-recording of catches are the most frequent AI.

Table 5. *Details of Apparent Infringements (AI) detected in 2014 by at-sea inspectors and port authorities.**AIs detected at sea*

AI	Vessel Code	Directed Species (according to CAT)	Insp. CP	Division in NRA or Port Location	Insp. Date	Apparent Infringement	Serious AI? According to Inspectors	Article (2014 NCEM)	Disposition/Followup/update as of Apr 2014	Reference of Disposition
1	4	COD, RED	CAN	3M	13-Apr	Failed to maintain accurate logbook catch	No	Art. 28.2 b)	Infringement confirmed at landing inspection (Aveiro 14-21 Apr). Case pending.	2014 EU Report on Sea Inspections and on follow-up to Infringements.
2	4	COD, RED	CAN	3M	13-Apr	Failed to report catches accurately in CAT	No	Art. 28.6 c)	"	"
3	3	COD, GHL, RED	CAN	3L	19-Apr	Small mesh size and illegal attachment to gear	Yes	Art. 13.2 and 13.6	Not verified in Port Inspection in Aviero completed 01/08/14. Case Closed.	"
4	2	GHL	CAN	3L	03-May	Mis-recording of catch in the fishing logbook	Yes	Art. 28.2 a) b)	Art. 28.2 (a)(b) verified in EU port inspection (Vigo 12/05/14). Case pending.	
5	2	GHL	CAN	3L	03-May	Failure to maintain a stowage plan.	No	Art. 28.5	Not verified in port inspection(Vigo, 12/05/14)	
6	1	PRA	CAN	3L	18-Aug	Failure to maintain a stowage plan.	No	Art 28.5	The Faroese Fisheries Inspection decided to issue a warning with a notification that infringements of the NCEM should not be repeated.	Faroese Disposition Report - 5 Sep 2014
7	1	PRA	CAN	3L	18-Aug	No Observer on board while committing AI (Failure to maintain stowage plan)	Yes	Art. 38.1 m	"	"
8	1	PRA	EU	3L	12-Sep	Out-of-date capacity plans	No	Art 25.8 h)	The Faroese Fisheries Inspection decided to issue a warning.	Faroese Disposition Report - 31 Oct 2014
9	1	PRA	EU	3L	12-Sep	Product Labelling	No	Art. 27	"	"
10	1	PRA	EU	3L	12-Sep	Failure to transmit COE and COX.	Yes	Art. 28.6.a-b and Art 38-1.k	Circumstances were comparable with a force majeure situation. The Faroese Fisheries Inspection decided to issue a warning.	"

AIs detected at ports

AI	Vessel Code	Directed Species (according to CAT)	Insp. CP	Division in NRA or Port Location	Date of insp.	Apparent Infringement (Section E.1.B.c)	Serious AI? As considered by Inspectors	Article (2014 NCEM)	Disposition/Followup/update as of May2014, as reported by flag State Contracting Party	Reference of Disposition
11	6	SKA, GHL	EU	Vigo	04-Feb	Mis-recording of catch HKW and HAD	Yes	Art. 38.1.i	<i>-to be clarified-</i>	
12	11	GHL, SKA	EU	Vigo	21-Mar	>5% of YEL	No	Art. 6.3.d	<i>-to be clarified-</i>	
13	10	COD, GHL, RED	CAN	Argentia	05-May	Exceeding bycatch COD 3N	No	Art. 6.3.b	Fined 101 000 Russian rubles.	Russian Disposition Report - 18 Dec 2014
14	10	COD, GHL, RED	CAN	Argentia	05-May	Failure to leave the division	No	Art. 6.6.ii	Fined 101 000 Russian rubles.	Russian Disposition Report - 18 Dec 2014
15	4	COD, RED	EU	Aveiro	21-May	Mis-recording of catches	Yes	Art. 38.1	<i>-to be clarified-</i>	
16	9	GHL, RED	EU	Vigo	16-Jun	Incorrect labelling, 3-alpha code of the species missing	No	Art. 27.1.b	<i>-to be clarified-</i>	
17	5	GHL, SKA	EU	Vigo	11-Jul	Labelling not correct regarding the Division of fishing and the 3-Alpha code for Atlantic Halibut	No	Art. 27	<i>-to be clarified-</i>	
18	7	GHL, PRA, COD, RED	EU	Vigo	29-Jul	Mis-recording of catches	Yes	Art. 38.1.i	<i>-to be clarified-</i>	
19	7	GHL, PRA, COD, RED	EU	Vigo	29-Jul	Tampering with evidence.	Yes	Art. 38.1.n	<i>-to be clarified-</i>	
20	6	SKA	EU	Vigo	06-Aug	Mis-recording of several species (COD, HAD, SKA, HAL, WIT, ANG)	Yes	Art. 38.1.i and 6.3 d	<i>-to be clarified-</i>	
21	8	COD, GHL, RED	EU	Vigo	03-Dec	Failure to record one of the production types of HAL in logbook.	No	Art. 28.3.b	<i>-to be clarified-</i>	

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Greenland halibut measures				•					•		
Mis-recording of catches -stowage		•••••	••••••	•••••	••	•••••	•	•••••	•		••
Product labelling	•	•••	••••••••	•••••	••	••		•	•••••	•••••	•••
Vessel requirements - capacity plans	•••	••	•	••••••	•••	•••••	••	•	•••	•••••	•
Bycatch - move-away										•	•
Bycatch - retaining 3m Redfish										••••••••	
By-catch requirements	••••	•••••	•••••	••••	•	•		•		•	••
Catch communication violations			•	••••							
Fishing without authorization	••	•									
Gear requirements - illegal attachments	•	•••	•••••	••			•				
Gear requirements - mesh size	•••••••	•••••	•			•	•	•			•
Inspection protocol	••	•••••	•			•••			•	•	
Mis-recording of catches - inaccurate recording	•••••••	•••••••	•••••••• ••••	•••••••• ••••••	•••••••• ••••••	••	•••	••	••	••••	•••••••• ••••
Observer requirements	•	•									•
Quota requirements	•		•						••		
VMS requirements	••	•							•		•
Falsification of documents										•	
Evidence tampering									•	•	•

Figure 9. Frequency of AI cases detected by NAFO at-sea and port inspectors in 2004 -2014 (black and blue dots represent AIs issued at sea and at port, respectively).



4. Reporting obligations by NAFO Contracting Parties and Observers

The NCEM obliges vessels and Contracting Parties to provide reports on their activity within a determined time frame. The completeness and regular delivery of those reports in time are of key importance to evaluating overall compliance. In evaluating the completeness, reports were examined to determine which fishing trips were covered by the reports. Each fishing trip must have Vessel Transmitted Information and Observer reports; vessels landing Greenland halibut must have port inspection reports. The percentage coverage is computed as a ratio of fishing days accounted for by the reports and total fishing days effort in the NRA. Less than 100% coverage suggests that there were missing reports that should have been received by the Secretariat.

Vessel Transmitted Information (VTI) – Catch-on-Entry (COE), Catch-on Exit (COX), Daily catch reports (CAT)

The FMCs of flag States are responsible in transmitting the VTI reports to the Secretariat (see also section *Activity and Catch Reporting*). The COE and COX are transmitted signifying the start and end of a fishing trip. A 100% coverage would mean that all expected COEs are paired up with all expected COXs. For the purpose of evaluating the coverage, a trip with a missing COE or COX would not account for the number of days of a fishing trip in the NRA.

In Table 6, the number of COE, COX, and CAT, as well as of the fishing trips and fishing effort-day in the NRA, is presented. Ideally, the number of COE and COX should correspond to the number of fishing trips. The higher-than-expected numbers suggest that duplicates and erroneous reports are occasionally sent. The VMS-VTI system features a cancel report (CAN) which allow vessels and FMCs to withdraw or correct previously sent VTI report but this feature is not widely used. Nonetheless, all identified fishing trips had the corresponding COE and COX report, representing 100% coverage (see also Figure 9).

Table 6. *Fishing effort and VTI statistics in the NRA, 2014.*

Number of fishing trips identified	140
Days Present in the Regulatory Area	4822
Number of Daily Catch Reports (CATs)	4975
Number of Catch on Entry Reports (COEs)	172
Number of Catch on Exit Reports (COXs)	163

In total 4975 CATs were received, more than the total effort of 4822 vessel days. This indicates that vessels which fished in two or more Divisions in a day transmitted multiple reports, consistent with the requirement that fishing vessels shall report daily their catches by species and by Divisions. The CAT reports have proven to be useful in monitoring quota uptakes of the Contracting Parties. In long fishing trips, some vessels which visited Canadian ports not to land but to obtain provisions transmitted COEs and COXs. This account for the higher number of COEs and COXs than the fishing trips.

Port inspection reports

When vessels land their catches, the port inspectors report on the quantity of catches as well as the fishing trip details (see *Port Inspections*). However, a port inspection is not automatically required for every landing from NAFO fisheries except when the landings include species under a recovery plan such as Greenland halibut (see Art. 43.10).

In evaluating the compliance of port State authorities in conducting inspections, only trips with Greenland halibut onboard were considered. The identification of these trips was done by examining COX reports. Of the 140 fishing trips identified, COXs of 71 fishing trips indicated Greenland halibut on board. Of the 71 fishing trips (3476 days effort), 57 (3099 days effort) have corresponding port inspection reports – an 89% coverage (see Figure 9).

Observer reports

Under the “traditional” scheme, vessels are required to have an independent observer on board at all times (i.e. 100% coverage) in every fishing trip (NCEM Art. 30.A). Observers in this scheme are committed to deliver within 30 days after their assignment period their observer report, which contains information on date of fishing trip as well as catch and effort.

Since 2007, Contracting Parties have the option of the electronic reporting scheme. Under this electronic scheme, CPs may allow their vessels in a single year to have observers onboard at least 25% of the time the vessels are on a fishing trip (NCEM Art. 30.B). CPs must give prior notification to the Secretariat of which vessels participate in the electronic scheme. Observers under this scheme are required to report daily the catches and discards (OBR) while the fishing master transmits the daily catch reports (CAT) every trip. The CAT and OBR reports are transmitted through the same technology and communication channels as the VMS. In 2014, three (3) vessels participated under this scheme.

In evaluating compliance of observer reports submission, only reports from vessels under the “traditional” scheme were considered. As in the port inspection reports, percentage coverage was computed as the ratio of the fishing days accounted for by the observers and the total fishing days (of the trips under this scheme) in the NRA. In 2014, the percentage was 80%, i.e. only 3797 out of 4763 days were covered by observer reports (Figure 10).

Catch information in observer reports may be crosschecked with other data sources (e.g. port inspection reports and CATs). According to NCEM Art. 30.A.2.(c), the observers shall record, among others, the catch, effort, and discard information *for* each haul. The Secretariat has noted a vast improvement in this regard. Whereas there were only 12 out of 79 reports contained haul by haul information in 2013; in 2014, 83 out of 87 observer reports received by the Secretariat contained haul by haul information.

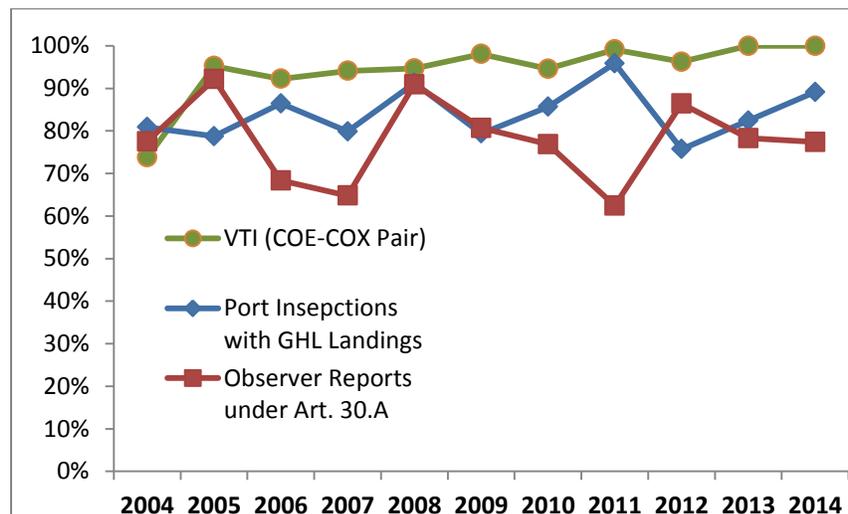


Figure 10. Percentage coverage of fishing effort by VTI (COE-COX Pairs), Port Inspection and Observer Reports as a measure of compliance to report submission requirements.

Timeliness of submission of reports

The timeliness of reports submitted to the NAFO Secretariat is an important issue. VMS messages are required to be provided every hour; hail messages at each entry and exit from the NRA as well catch reports on a daily basis; observers and at-sea inspection reports are expected to be submitted within 30 days and port inspection reports (PSC3 forms) should be sent to the Executive Secretary “without delay.” For the purpose of timeliness analysis, PSC 3 forms, as well as at-sea inspection reports received more than 30 days after the date of inspection were considered late. VMS and VTI messages were not included in the timeliness analysis as they are received practically in real time through satellite technology.

Figure 11 shows the timeliness of submission of at sea inspection, observer and port inspection reports. Less than half of the number of observer reports was received on time (22%). Timeliness in the submission of at-sea and port inspection reports was 94% and 48%, respectively.

At-sea and port inspection reports containing citations of infringements were always transmitted to the Secretariat without delay.

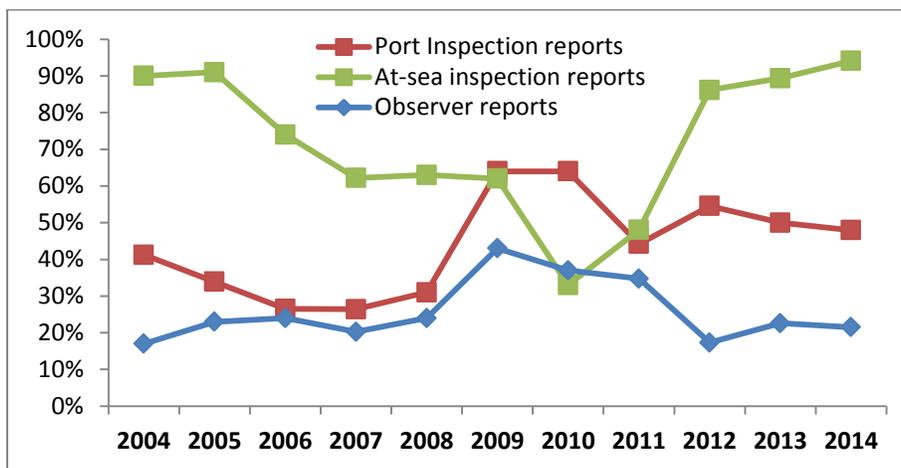


Figure 11. *Timeliness of submission of reports. Reports received 30 days after assignment or inspection are considered late.*

5. Follow-up to infringements

NCEM Art. 39 spells out obligations of a flag State Contracting Party that has been notified of an infringement. It includes taking immediate judicial or administrative action in conformity with their national legislations and ensuring that sanctions applicable in respect of infringements are adequate in severity. In 2014, five (5) citations were issued by at-sea-inspectors. Of the 5 citations, 1 contained a single AI, 2 citations contained 2 AIs, and 1 citation contained 3 AIs. In all 10 AIs were detected by at-sea inspectors. The nature of the AI range from a non-serious case of expired capacity plans to a serious AI involving mesh size or illegal attachments to gears (See Table 5 for details).

In compliance with NCEM Art. 40, the status of each AI case must be reported to the Secretariat annually until the case is resolved. The follow-up actions on AIs detected in 2014 are presented in Table 5. During the review of the follow-up actions by CPs at the STACTIC Intersessional Meeting in May 2014, procedural questions arose with regards to dealing with AIs issued at ports. For example, some port AI citations might have been a violation of domestic port measures rather than an infringement of the NAFO regulations. At the STACTIC Intersessional Meeting in May 2015, questions arose as the provisions in the NCEM are not clear on the reporting obligations of the flag States concerning follow-up actions on vessels issued with AI at port.

It must be noted that legal resolution of AIs may take more than a year. In Table 7, a summary of the status of AI cases in the last five years and their resolution are presented. Pending clarification on follow-up of AIs detected at ports, the statistics for the year 2013 and 2014 includes only AIs detected at sea.

Table 7. *Legal resolution of citations against vessels fishing in the NAFO Regulatory Area by year in which the citations were issued (as of August 2015). A citation is an inspection report (from at-sea or port inspectors) that lists one or more infringements. Inspections carried out for confirming a previous citation are not included. For years 2013 and 2014, only citations at sea are included pending procedural clarifications regarding citations issued by port authorities.*

Year	Number of Reports with AI Citation/s	Resolved cases		Pending cases
		Number	%	
2010	7	7	100%	0
2011	8	8	100%	0
2012	11	10	91%	1
2013	13	13	100%	0
2014	5	3	60%	2
Total	44	41	81%	

6. Trends, Conclusions and Recommendations

General Trends

- From 2004 to 2008 there has been an observed decline in fishing effort, trend that stabilizing in 2009 with ~5000 days of effort since that time. Fishing effort showed a slight increase in 2014 (+0.9%) compared with the previous year. Fishing days in the NRA increased from 4779 days in 2013 to 4822 days in 2014. The number of vessels has decreased by 7.8% from 64 vessels in 2013 to 59 vessels in 2014.
- In the 3L shrimp fishery, 2014 only saw 3 vessels operating which is a decrease from 7 vessels in 2013 and the overall fishing effort has reduced a further 64.7% from 190 days in 2013 to just 67 days in 2014.
- The re-emergence of fishing effort for the Pelagic Redfish Fishery (REB) observed in 2012 has continued but on a reduced scale. Comparing the previous two years, vessel numbers operating in this fishery has increased by 25%, with 5 vessels fishing in 2014 compared to 4 in 2013. However, despite an increase in vessel numbers, effort has been reduced by 29.1%, down from 79 days in 2013 to 56 days in 2014.
- Analysis of groundfish activity by water depth shows that about half of all groundfish effort in 2014 was at depths of <400m. Fishing effort in water depths >greater than 700m continue to decline. This is consistent with a reduced effort for deep water fisheries, such as Greenland halibut. Despite a notable decrease in effort, distribution in the shallower depths (0-99 m), there was no significant change regarding the effort distribution by water depth recorded in 2013.
- A considerable amount of both American plaice and cod was caught in 3N, while in comparison a lesser amount of cod was caught in 3O. Both species are under moratoria. Existing analysis did not indicate whether the bycatch of either stocks exceeded existing bycatch limits outlined in Article 6.3. Additional analysis should be developed for the 2015 compliance report to ensure that bycatch is held within existing limits and does not compromise efforts to rebuild these stocks.

Compliance by Fishing Vessels

- Based on CAT reports the total catches reported by regulated and non-regulated species can be used to identify fishing trends.
- Table 2 of the Compliance Review indicates that PRA were reported without an associated NAFO division in daily catch (CAT) reports submitted by vessel masters. This is a big improvement on 2013 when catches for 8 regulated and unregulated species were recorded. However, it remains that Contracting Parties should ensure that vessel masters are accurately reporting catch of each species by NAFO division in their daily CAT reports.
- Based on VTI reports for 2014, 3M redfish TAC (6500 t) continues to be exceeded, in 2014 by 4%. On 8th July 2014, a 100% TAC uptake notification was sent effective 10th July. By the closure date, and based on VTI reports, the redfish TAC was exceeded by 4% (260 t), this was a significant

improvement over 2013, where the TAC was exceeded by 16% (1040 t). However, given that the TAC continues to be exceeded, the Secretariat should consider whether catch projection protocols should include more precautionary (i.e., higher) catch rates when projecting future closure dates.

- Based on 2014 VMS and VTI data, the 3M shrimp fishery moratorium is being respected
- Based on water depth, 3L shrimp fishing vessels continues to comply with a ban of fishing in depths less than 200m.
- Based on VMS reports for 2014, closed areas are being respected.
- Shark species taken in NAFO fisheries are not associated with shark finning practices, and there has never been an incident of shark finning observed in the NRA.
- Reporting of shark captures by species became a requirement in 2012. However about 50% (70% in 2013) of all shark catches were reported as non-specified dogfishes. While this is an improvement in the amount of sharks identified by species compared to 2013, species identification should be improved. Contracting Parties should explore ways to improve species identification of shark species, as required in the CEM.

Inspections and Apparent Infringements

- The number of sea inspections has declined from 169 in 2013 to 135 in 2014 and the corresponding inspection rate has decreased slightly from 3.5% in 2013 to 2.8% in 2014.
- In 2014, 98 port inspection reports were received by the secretariat, 97 of which were associated with landings of groundfish species. Port inspections remain high due to the species subject to 100 percent inspection coverage such as Greenland halibut, which is subject to a rebuilding plan. However despite achieving improvements on the previous year, 2014 data indicates that 100 percent coverage is still not being met. This will require additional investigation. CPs should investigate why it appears the inspection rate for vessels landing Greenland halibut is only 89% (57 of 71 trips).
- For species being landed which are not subject to a recovery plan, the minimum port inspection coverage rate is 15% as required by NAFO CEM Article 43.10. The coverage rate achieved is considerably higher than this 15% requirement, due in large part to the fact that many Port States are reporting on inspections of their own vessels.
- In 2014, 12 Apparent Infringements (AI's) were detected at sea. Of these 10 were associated with violations of the NAFO CEM relating to fishing logbook, CAT reports, mesh size and attachments, stowage plans and labelling. A further 2 were considered as serious AI's in accordance with NAFO CEM Article 38 and were attributed to committing an infringement without an observer and failure to communicate messages.
- In 2014, 11 Apparent Infringements were detected in port, with the majority (45%) associated with misreporting. In 2013, the majority (50%) of AIs in port were associated with product labelling and capacity plans. This year, only 18% of AIs in port were associated with product labelling and capacity plans.

Reporting Obligations by CPs and Observers

- In 2014, 85% of fishing days were covered by observer reports. This is a significant improvement on the previous year. Additionally, 83 out of 87 observer reports received by the secretariat contained haul by haul information. This is also a positive improvement on the previous year when only 12 out of 79 reports contained haul by haul information. However, the timeliness of submission of reports still needs improvement.
- No analysis is available to determine the observer coverage rate or compliance with the OBR reporting requirements for Contracting Parties employing the electronic reporting protocol under Article 30.B. Additional analysis is necessary to ensure that Contracting Parties are complying with minimum observer coverage levels and submitting the required reports. In 2014 only 3 vessels took part in this scheme compared with 16 vessels in 2013.

Follow-up to infringements

- Contracting Parties have an obligation to resolve reported AIs. In recent years there has been improvement in the reporting of the follow-up to infringements; however there are still pending cases with little to no additional detail provided on status.
- Timeliness of port inspection reports submitted to the Secretariat needs to be improved.

Annex 22. Improving Efficiency of NAFO Working Group Process

(FC WP 15/22 now FC Doc. 15/18)

Recognizing the value of the work completed by the NAFO Working Groups on matters integral to the core mandate of the organization;

Mindful that Contracting Parties must be prudent in expenditures and cognizant of the existing work commitments of Contracting Party representatives;

Noting the importance of ensuring that the participation of representatives of all Contracting Parties is enabled to the highest degree;

It is recommended that:

the NAFO Secretariat organize and chair a virtual meeting and invite the current and immediate past chairs of the:

- Joint Fisheries Commission–Scientific Council Working Group on Ecosystem Approach Framework to Fisheries (WG-EAFFM);
- the Ad hoc Working Group to Reflect on the Rules Governing Bycatches, Discards and Selectivity (WG-BDS);
- the Joint Fisheries Commission-Scientific Council Working Group on Risk-Based Management Strategies (FC-SC WG-RBMS) and;
- Joint Fisheries Commission and Scientific Council Ad hoc Working Group on Catch Reporting (FC-SC WG-CR);

This group would be mandated to:

1. identify mechanisms to improve efficiencies, maximize meeting opportunities, and share best practices including advanced sharing of meeting materials (e.g. working papers), scheduling options, utilization of virtual meetings, use of SharePoint sites, etc;

The NAFO Secretariat should prepare a report of outcomes and suggested best practices to be shared with Contracting Parties so they can be considered to the extent possible for the planned activities of the Working Groups in 2016;

2. identify possible overlaps in the Terms of Reference of the above noted Working Groups

and request the NAFO Secretariat to report on these identified overlaps during the Joint Meeting of Fisheries Commission-Scientific Council at the 2016 NAFO Annual Meeting.

PART II.

Report of the Standing Committee on International Control (STACTIC)

37th Annual Meeting of NAFO, 21-25 September 2015
Halifax, Canada

1. Opening by the Chair

The Chair, Gene Martin (USA) opened the meeting at 14:13pm on Monday, 21 September 2015 at the Westin Nova Scotian in Halifax, Nova Scotia, Canada. The Chair welcomed representatives from the following Contracting Parties (CPs): Canada, Denmark (in respect of Faroe Islands and Greenland), the European Union, Iceland, Japan, Norway, Russian Federation, and the United States of America (Annex 1).

2. Appointment of Rapporteur

The NAFO Secretariat was appointed as Rapporteur.

3. Adoption of Agenda

The following amendments were made to the agenda:

Under agenda Item 12:

- a) Instructions from FC (STACTIC WP 15/37)
- b) Bycatch limits (revision of STACTIC WP 14/24) (STACTIC WP 15/38)
- c) Improving Reporting of Infringements (STACTIC WP 15/34, STACTIC WP 15/35)
- d) Reconfirm adoption of text in Article 9.6

Under agenda Item 16:

- a) International Monitoring, Control and Surveillance Network (IMCS) Global Fisheries Enforcement Training Workshop (GFETW)

The Agenda was adopted, as amended (Annex 2).
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At the request of Contracting Parties, an informal summary of the end of meeting status of the working papers discussed at this meeting has been included in Annex 3.

4. Compliance review 2015 including review of reports of Apparent Infringements

The Chair noted that STACTIC WP 15/12 outlines the information that was distributed to Contracting Parties in June 2015 and was used in the completion of the draft Annual Compliance Review. The Chair then opened the floor for discussions on the 2015 draft Annual Compliance Review 2015 (STACTIC WP 15/15 Rev.). Canada noted that it would be useful to include trends analyses based on various data sources and they noted that they would formalize the request at the next STACTIC Intersessional meeting.

The United States noted concerns regarding Table 4 of STACTIC WP 15/15 (Rev.) in terms of the percentage of shark species that were recorded as DGX (Dogfishes NS). The United States asked STACTIC if a shark species identification guide (similar to the VME indicator species guide) would be useful to Contracting Parties to help progress the identification of shark species. The European Union suggested that Table 4 of STACTIC WP 15/15 (Rev.) include the amount of discards of shark species as well as shark species caught.

It was **agreed:**

To accept the United States offer to develop a draft shark species identification guide (including 3-alpha codes) for presentation at the next STACTIC Intersessional meeting.

Representatives from several Contracting Parties volunteered to complete STACTIC WP 15/15 (Rev.) in terms of summarizing the compliance review in Part 6: Trends, Conclusions and Recommendations. The text was provided and reviewed by Contracting Parties during the meeting.

At the STACTIC Intersessional meeting in May 2015, it was agreed that:

“the Secretariat would develop a pilot chart for trends of species catches for each year, to review at the 2015 Annual Meeting for possible inclusion in future compliance reports.”

The Secretariat presented STACTIC WP 15/16 (Rev.) Groundfish Catch Trends (2012-2014) in Divisions 3LMNO. STACTIC members agreed that this analysis should be included in the Compliance Review this year, and similar trends analyses could be done for other stocks in the future. It was requested that two of the bullets in the working paper be used in section 6 of the Compliance Review, but that the remaining text and graphs presented in Figure 1 of STACTIC WP 15/16 (Rev.) be included in section 2 of the Compliance Review.

It was **agreed:**

That the Secretariat would include the trends graphs and text presented in STACTIC WP 15/16 (Rev.) in the Annual Compliance Review (STACTIC WP 15/15 (Rev.)).

To accept the text provided by the Contracting Parties for inclusion in section 6 of the Annual Compliance Review.

To recommend STACTIC WP 15/15 (Rev. 2) Annual Compliance Review be forwarded to the Fisheries Commission for adoption.

The Chair introduced STACTIC WP 15/28 Summary of Inspection (At-Sea) Information for 2014 and noted that Part 1 of the working paper contained the summary of Apparent Infringements (AIs) and Part 2 contained the disposition of AIs. This working paper was presented for information purposes. Contracting Parties felt that this information and the format used have greatly improved. Contracting Parties also agreed to be prepared to discuss outstanding cases at the next STACTIC Intersessional meeting.

It was **agreed:**

That Contracting Parties be prepared to discuss outstanding cases at the next STACTIC Intersessional meeting.

5. Report and Recommendations of the Ad Hoc Working Group on Port State Control Alignment (WG-PSCA), May 2015

At the Intersessional meeting in May 2015, the WG-PSCA presented STACTIC WP 15/08 with the suggested changes agreed upon by the working group, with reservations noted by Japan. STACTIC made changes to incorporate Annex IV.H into the text of the NAFO CEM and the changes were incorporated into STACTIC WP 15/08 (Rev.). The status of the recommendations forwarded to STACTIC were presented in STACTIC WP 15/17 and the comments from Contracting Parties on the draft alignment document (STACTIC WP 15/08 Rev.) that were received by the Secretariat by the 01 July 2015 deadline were presented in STACTIC WP 15/13 (which is attached to this report in Annex 4).

Japan presented its proposal for clarification of and amendments to STACTIC WP 15/13 (which is attached in Annex 5 of this report) and noted that its proposal should be incorporated in its entirety by STACTIC into a revision of STACTIC WP 15/13 in order for Japan to be able to go along with STACTIC WP 15/13 in accordance with its current laws and regulations. The suggested changes were included in STACTIC WP 15/13 (Rev.). Several Contracting Parties stated that they could not accept Japan's new text in part because it seemed to weaken the effectiveness of the proposed alignment. United States and the European Union then developed clarifying text presented in STACTIC WP 15/13 (Rev. 2) for review by Contracting Parties in an attempt to accommodate the request made by Japan. The EU, in this version of the document, also made a suggestion to copy the text in Article 48.3 for inclusion in Article 42. Following extensive discussion and attempts to add additional text that would be acceptable to address Japan's concerns, there was no consensus on the issue. Contracting Parties highlighted the fact that the more the text was edited the further away the document came from the original text presented in STACTIC WP 15/13, which was agreed to by the STACTIC Working Group on Port State Control Alignment, noting the reservation that was made by Japan.

The Chair suggested that, due to the lack of consensus to adopt the Port State Alignment document, he would report to the Fisheries Commission: that the draft document with a reservation from Japan (STACTIC WP 15/13) was agreed upon at the May 2015 STACTIC Intersessional meeting; that there was an attempt by STACTIC in this meeting to develop language so that there could be unanimous consent to forward the draft document to the Fisheries Commission; and that in the absence of consensus, STACTIC seeks guidance from the Fisheries Commission on a way forward. Contracting Parties agreed and endorsed the Chair's suggestion.

It was **agreed**:

To refer the Fisheries Commission to STACTIC WP 15/13 (Annex 4) (the Russian Federation and Norwegian comments received after the Intersessional but before the Annual meeting were not objected to by STACTIC) noting that the draft document with a reservation from Japan (STACTIC WP 15/13) was agreed upon at the May 2015 STACTIC Intersessional meeting;

That there was an attempt in STACTIC to develop language to address Japan's proposal (Annex 5) so that there could be unanimous consent to forward the draft document to the Fisheries Commission; and

That in the absence of consensus, STACTIC seeks guidance from the Fisheries Commission on a way forward.

STACTIC WP 15/18 (Port State Control Alignment Advice from JAGDM) was presented for informational purposes.

6. Review and evaluation of Practices and Procedures

The Secretariat presented STACTIC WP 15/19 Practices and Procedures which is a standing agenda item. The Secretariat explained that they added five items to the Practices and Procedures list since the last STACTIC meeting based on presentations from various Working Group meetings. The Chair asked if any Contracting Party was opposed to the inclusion of the five additions and there were no objections. The European Union noted that Denmark (in respect of the Faroe Islands and Greenland) gave a presentation at the STACTIC Intersessional meeting that would be useful to add to the webpage. Canada noted that at the Intersessional meeting, it was discussed that Contracting Parties may provide their Fisheries Monitoring Centres (FMC) best practices and procedures to the Secretariat to be uploaded to the webpage. Other Contracting Parties thought this was a good idea for purposes of comparison.

It was **agreed**:

That Canada would submit its FMC best practices to be uploaded to the Practices and Procedures webpage.

That other Contracting Parties are invited to submit their FMC best practices to be uploaded to the webpage, so that they could be compared at the next STACTIC Intersessional meeting.

7. Review of current IUU list pursuant to NAFO CEM (NCEM) Article 53

At the Intersessional meeting in May 2015, STACTIC discussed the usefulness of displaying other relevant RFMO IUU lists on the NAFO website and agreed that:

“the NAFO Secretariat will complete a draft web page of IUU listed vessels from other relevant RFMOs (CCAMLR, SEAFO, and NEAFC) and provide it to STACTIC members for review at the 2015 NAFO Annual Meeting.”

The Secretariat presented STACTIC WP 15/20 NAFO IUU Draft Webpage and showed the draft webpage to STACTIC participants. Contracting Parties were supportive of including the other RFMO IUU vessel lists on the NAFO Webpage so as to have as much information as possible on IUU Vessels available. It was also noted that if any Contracting Party is aware of an update to a particular vessel on the IUU list, that they should encourage flag States to provide the relevant information for review.

It was **agreed**:

To recommend to the Fisheries Commission that the Secretariat add the IUU lists of other RFMOs to the NAFO website with explanatory text pointing users to other RFMO lists for the most up to date information.

The Secretariat presented STACTIC WP 15/21 NAFO IUU List Update, and noted that there has been an update since the last STACTIC meeting. The vessel Trinity (IMO 7321374) is currently listed as registered to the Republic of Ghana, and the Secretariat received a notification from the Republic of Ghana stating that the vessel was deleted from the Ghanaian Register of Ships on 28 August 2013. The Republic of Ghana has requested that they be removed as the current flag State on the NAFO IUU list.

It was **agreed**:

To advise the Fisheries Commission to recommend to the General Council, in accordance with Article 53, that Ghana be removed as the current flag State for the vessel Trinity (IMO 7321374) on the NAFO IUU list, and replace the current flag State with “Unknown”.

8. Review of the implementation of new NAFO CEM measures

The NAFO Secretariat presented STACTIC WP 15/22 Review of the implementation of the new measures in the 2015 NAFO CEM as a follow up to what was presented at the May 2015 Intersessional meeting (STACTIC WP 15/03 Rev.) discussing the implementation of two new measures in the NAFO CEM:

- *Article 28.8 (b) and Annex II.N - Fishing Logbook Information by Haul to be submitted to the Secretariat in an electronic format, and*
- *Annex II.C – Format for authorization to conduct fishing activities (AUT report). The data element TA – (Targeted species and Area) – species and area allowed for regulated and un-regulated species.*

The problems presented in implementing these new measures and how to address them was deferred to this meeting. At the May 2015 STACTIC Intersessional meeting, it was agreed that Contracting Parties reflect further on how to address these problems. It was also agreed that the Joint Advisory Group on Data Management (JAGDM) be asked for guidance on technical issues in implementing these new measures. The Secretariat highlighted that the template of Annex II.N was not intuitive, which has resulted in several inconsistencies in the way Contracting Parties were filling out the template. The Secretariat presented examples of some of the inconsistencies and noted that these inconsistencies make it extremely difficult to process the data. The Secretariat also noted that the FLUX system between the European Union and the Secretariat should be ready for testing in October.

The Secretariat presented STACTIC WP 15/42, which incorporated the changes to the text in Article 28.8.b suggested by JAGDM in order to clarify the submission of reports in “electronic format”.

At the Ad-Hoc Working Group to Reflect on the Rules Governing By-catches, Selectivity and Discards (WG-BDS) meeting in July 2015, it was noted that the current format being used in Annex II.N could be improved, specifically noting the restriction of including only three species. Canada presented STACTIC WP 15/36 (Rev.) with a proposal to use the Annex II.M Part 2 of the observer report template instead of Annex II.N. The European Union noted that there are some issues in using this template with their Electronic Reporting System (ERS). Canada then revised the template and presented it in STACTIC WP 15/36 (Rev. 2) and Contracting Parties made some minor revisions to the template. The final version of the template to serve as a replacement for Annex II.N and the changes to the text in Article 28.8.b (presented in STACTIC WP 15/42) were incorporated in STACTIC WP 15/36 (Rev. 3). Denmark (in respect of the Faroe Islands and Greenland) took some minor reservation on the timing of the submission of the reports (60 days).

It was **agreed:**

That the proposed changes in STACTIC WP 15/42 be adopted and incorporated into STACTIC WP 15/36 (Rev.3).

To recommend STACTIC WP 15/36 (Rev. 3), which includes changes to the text in Article 28.8.b and a new version of Annex II.N, be forwarded to the Fisheries Commission for adoption.

The Secretariat noted that the issue with the TA field was a result of an internal processing issue and they are working with the service provider to resolve it.

9. International Maritime Organization (IMO) Numbering Scheme

This agenda item was included to give Contracting Parties an opportunity to make any comments regarding the implementation of the IMO numbering scheme requirements that will enter into force on 01 January 2016. Contracting Parties did not have any comments on this agenda Item.

10. NAFO Monitoring Control and Surveillance (MCS) Website

At the Intersessional meeting in May 2015, it was agreed that

- ***“the Secretariat would continue to consider technical improvements to the [MCS] website suggested by the CPs, and give a demonstration on the current functionality of MCS website at the Annual Meeting.”***

The Secretariat presented STACTIC WP 15/23 NAFO MCS Website Comments. The Secretariat compiled all of the comments that Contracting Parties provided on the MCS website and provided an update on the status of each. The European Union submitted the original comments in this working paper, and they provided clarification on the comments that the Secretariat was unsure on how to address. Some of the noted issues were that there was some information missing for vessels on the vessel registry page and that there are inconsistencies with the number of notified vessels on the MSC website versus the NAFO website. Canada

noted that because the use of the MCS website for Contracting Parties is not mandatory, there will be some missing information. The Chair thanked the European Union for the review of the MCS website and encouraged Contracting Parties to ensure that the information on the website is as accurate and up-to-date as possible.

The Secretariat then presented STACTIC WP 15/24 and gave a demonstration on the functionality of the PSC 1 and PSC 2 exchange on the MCS website. The Chair thanked the Secretariat for their continued work on the MCS website.

The European Union presented STACTIC WP 15/32 which proposed that the MCS website be used as a central hub for information. The United States supports expanded access to data, but notes that currently only those Contracting Parties with an Inspection Presence can access this site, suggesting that changes to access may require consideration of changes to confidentiality rules and roles. Iceland asked if it was possible for Contracting Parties to have access to information regarding its flag State vessels. After reviewing the proposed changes to the NAFO CEM text in the working paper, Contracting Parties felt that more time was needed to fully understand the implications of the proposed changes, including the revision of the access rights.

It was **agreed**:

That the proposal outlined in STACTIC WP 15/32 on the use of the MCS website as a central hub, including a revision of the access rights, be deferred for discussion at the next STACTIC Intersessional meeting.

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

The Chair highlighted STACTIC WP 15/09 proposing EDG suggested changes to the footnotes to the Annual Quota Table that was presented for review at the May 2015 STACTIC Intersessional meeting. At the Intersessional meeting, Contracting Parties were asked to submit comments on the proposed changes for all footnotes with the exception of certain footnotes relating to pelagic redfish (REB), which would be discussed at this meeting. There were no comments on this working paper from Contracting Parties since the Intersessional meeting; however, there were some concerns raised on some of the proposed changes in the working paper. Specifically that footnote 4 be kept as a footnote, and that the European Union requested that the footnotes pertaining to their review be kept in the 2016 NAFO CEM in order to facilitate their full review. Contracting Parties also discussed the changes to footnote 27 specifically, as representatives from the EDG expressed concerns that the changes as written relating to the 2002-03 baseline for CPUE for catch of white hake may be a substantive change to the NAFO CEM. Contracting Parties agreed that the possible substantive nature of this change should be pointed out to the Fisheries Commission so that the Fisheries Commission would be fully informed of the nature of this proposed changes. Contracting Parties also agreed to changes regarding footnotes relating to pelagic redfish (REB). These changes were reflected in STACTIC WP 15/09 (Rev. 2).

It was **agreed**:

To recommend STACTIC WP 15/09 (Rev. 2) (Review of the footnotes associated to Annex I.A – Annual Quota Table) be forwarded to the Fisheries Commission for adoption noting that the text in Footnote 27 (of STACTIC WP 15/09 (Rev. 2)) may potentially be a substantive change.

12. New and Pending Proposals on Enforcement Measures: Possible revisions of the NAFO CEM

a) Instructions from FC

The Chair highlighted STACTIC WP 15/37, which contained three recommendations from working groups that met intersessionally since the last Annual Meeting. The Fisheries Commission referred these recommendations to STACTIC on the first day of this year's Annual Meeting so that STACTIC could have time to address them.

The first recommendation was from the Working Group on the Ecosystem Approach Framework to Fisheries Management (WG-EAFFM) requesting to broaden the scope of the application of the meaning of midwater trawl in the NAFO CEM. The European Union presented STACTIC WP 15/40 in response to this request. The Contracting Parties discussed the details of the request and agreed upon the text presented in STACTIC WP 15/40 (Rev. 2).

It was **agreed:**

That STACTIC WP 15/40 (Rev. 2), which was in response to the WG-EAFFM recommendation, be forwarded to the Fisheries Commission for adoption.

The second recommendation was from the Working Group to Reflect on the Rules Governing Bycatches, Discards and Selectivity in the NAFO Regulatory Area (WG-BDS) and was to review the proposed changes to the text of Article 5.12.d of the NAFO CEM regarding the 3M redfish closure. The European Union presented STACTIC WP 15/39 in response to this recommendation. There were several discussions regarding the rewording of this measure, and STACTIC agreed on the text that is presented in STACTIC WP 15/39 (Rev.).

It was **agreed:**

That STACTIC WP 15/39 (Rev.), which was in response to the WG-BDS recommendation, be forwarded to the Fisheries Commission for adoption.

The third recommendation was from the FC-SC Ad hoc Working Group on Catch Reporting (WG-CR) and was that the FC or SC review the utility of the various data sets, with the consideration that the addition of new data submission requirements may make other data requirements redundant. Contracting Parties discussed this recommendation and noted that it was not entirely clear what the WG-CR was asking.

It was **agreed**:

To forward the following text to the Fisheries Commission in response to the Recommendation of the WG-CR:

STACTIC is committed to improving the reliability of catch and monitoring data reported by fishing vessels operating in the NAFO Regulatory Area. The Committee has achieved some significant success in this area in recent years, such as enhancements to the haul by haul catch data in 2015.

In continuation of these efforts, STACTIC is now working on the revision of the NAFO Observer Program, with a particular emphasis on the quality and the standardization of the data to be collected by the observers and made available to NAFO users.

STACTIC is also working with the North East Atlantic Fisheries Commission to advance the harmonization of data elements between the 2 RFMOs in an effort to facilitate an efficient exchange of compliance related data.

It is appropriate for STACTIC to review the utility of data collection in respect of control and management purposes. However, utility and compatibility for other purposes, i.e. science, must be considered in collaboration with other relevant NAFO, and NAFO related bodies (JAGDM), as required.

b) Bycatch limits (revision of STACTIC WP 14/24).

The European Union presented STACTIC WP 15/38 which was an update of STACTIC WP 14/24 on the deletion of the Others quota reference in Article 6. Canada and the United States noted that the changes to the NAFO CEM that were presented in the working paper were more substantive than editorial and that it would be more appropriate for the Fisheries Commission to consider these changes.

It was **agreed**:

That STACTIC WP 15/38 be deferred for discussion at another time and possibly by the Fisheries Commission or an appropriate working group.

That the matter of enforceability on bycatch measures be included as an agenda item for discussion at the next STACTIC Intersessional meeting.

c) Improvements on reporting of infringements

Canada presented STACTIC WP 15/34 (Rev.) regarding improvements in reporting Apparent Infringements and highlighting changes to the text in Article 40.1 of the NAFO CEM. Canada noted that there are no clear requirements for reporting of follow up of infringements for flag States dealing with the infringements of vessels entitled to fly their flag in domestic court.

Canada presented STACTIC WP 15/35 (Rev.) regarding improvements in reporting Apparent Infringements and highlighting changes to the text in Article 40.4 of the NAFO CEM. Canada noted the importance of following up on infringements issued at-sea. If such infringements are not confirmed in port, it is important for the Contracting Parties with Inspection Presence to have detailed information on why.

It was **agreed**:

To recommend STACTIC WP 15/34 (Rev.), which includes changes to the text in Article 40.1 of the NAFO CEM, be forwarded to the Fisheries Commission for adoption.

To recommend STACTIC WP 15/35 (Rev.), which includes changes to the text in Article 40.4 of the NAFO CEM, be forwarded to the Fisheries Commission for adoption.

d) Reconfirm adoption of text in Article 9.6

The Chair highlighted that changes to Article 9.6 regarding the definition of the shrimp line were accepted by STACTIC at the May 2015 Intersessional meeting.

It was **agreed** (at the May 2015 Intersessional meeting) that:

- **the text in Article 9.6 should be revised to align with the adopted text as follows (Table 3 and Figure 1 will remain unchanged) and forwarded to the Fisheries Commission:**

All fishing for shrimp in Division 3L shall take place in depths greater than 200m. The fishery in the Regulatory Area shall be restricted to an area east of a line bound by the following coordinates described in Table 3 and depicted in Figure 1(3).

13. Report and Recommendations of the Working Group to Review the NAFO Observer Scheme, April 2015

Douglas Christel (USA), on behalf of the Working Group to Review the NAFO Observer Scheme presented STACTIC WP 15/41 which outlined a proposed work plan for the working group.

It was **agreed**:

To recommend to the Fisheries Commission that the Working Group to Review the NAFO Observer Scheme continue to meet in accordance with STACTIC WP 15/41, which outlines the proposed work plan for the Working Group.

At the May 2015 Intersessional meeting, to forward the recommendations presented in STACTIC WP 15/07 (Rev.) for adoption to the Fisheries Commission.

14. Report of the Joint Advisory Group on Data Management (JAGDM), May 2015

The Chair of JAGDM, Brent Napier (Canada), presented STACTIC WP 15/26 which outlined the specific recommendations made by JAGDM in response to requests by STACTIC at the May 2015 Intersessional meeting regarding the new haul by haul reporting requirements. The JAGDM Chair noted that the recommendation on the text in Article 28.8.b regarding the electronic format of the haul by haul submissions and the rules of confidentiality issues regarding data sharing between NAFO and NEAFC are of importance to STACTIC and warrant further consideration. STACTIC WP 15/31 was presented as information on the discussion that JAGDM had on the topic of data sharing between NAFO and NEAFC. The Chair of JAGDM suggested STACTIC reflect on possible data elements (e.g. COE/COX) to advance the NAFO and NEAFC data exchange. A specific proposal from JAGDM regarding changes to the CEM was provided in STACTIC WP 15/29. Contracting Parties noted that these are changes related to the NAF format and they need to be closely reviewed before being accepted. It was also noted that the intent is for the VTI reports between NAFO and NEAFC to be aligned in order to facilitate future data sharing and that NEAFC would also have to accept the changes presented in the working paper. The Chair of JAGDM noted that the working paper (STACTIC WP 15/29) will be presented at the NEAFC Annual meeting in November.

It was **agreed**:

To defer discussions on STACTIC WP 15/29, and that it be recast as a proposal for consideration and adoption at the next STACTIC Intersessional meeting.

15. Information Security Management System (ISMS)

a) Recommendations arising from the external Information Technology (IT) Audit

The Secretariat presented STACTIC WP 15/05 (Rev.) which was deferred from the May 2015 STACTIC Intersessional meeting. The Secretariat noted that the changes included comments from JAGDM on the specific recommendations from the External IT Audit, an update on what the Secretariat has done regarding ISMS since the Intersessional meeting, and changes to the three suggestions from the Secretariat which were:

- 1) STACTIC approve in principle the recommendations table.
- 2) STACTIC recommend that the NAFO Secretariat continue to address as a matter of priority those items in the recommendations table designated for action by the Secretariat.
- 3) The NAFO ISMS be an item on the next STACTIC agenda, in particular to consider how to move forward with addressing the items designated to STACTIC on the recommendations table.

The Chair noted that it would be beneficial for Contracting Parties to review the recommendations that are designated to STACTIC on the recommendations table and that those be highlighted at the Intersessional meeting taking into account considerations for prioritizing the recommendations, while also considering the costs and time associated with each.

It was **agreed**:

To recommend to the Fisheries Commission to endorse the suggestions put forward by the NAFO Secretariat in STACTIC WP 15/05 (Rev.).

That the ISMS be an agenda item at the next STACTIC Intersessional meeting and the recommendations designated to STACTIC in the recommendations table of STACTIC WP 15/05 (Rev.) be discussed.

b) Implementation Update

The Secretariat presented STACTIC WP 15/27, which provided an update on the recommendations from the External IT Audit presented in STACTIC WP 15/05 (Rev.) that have already been, or will be addressed soon, by the Secretariat.

16. Other Matters

a) International Monitoring, Control and Surveillance Network (IMCS) Global Fisheries Enforcement Training Workshop (GFETW)

The Chair highlighted STACTIC WP 15/33 which discussed the International Monitoring, Control and Surveillance Network (IMCS) 5th Global Fisheries Enforcement Training Workshop (GFETW). The Secretariat received an invitation for NAFO to participate in the workshop and wished to clarify if there was an intent to have a NAFO representative attend the workshop. Canada and the European Union noted that there will be members of their Contracting Parties attending the workshop.

17. Election of Chair

At the 2014 Annual Meeting, Gene Martin (USA) agreed to extend his term as Chair for one additional year in order to provide sufficient transition time for CPs to find an adequate replacement. The Chair noted that the one year period has ended and opened the floor for nominations.

The United States nominated Judy Dwyer (Canada) to serve as the next Chair of STACTIC. Several Contracting Parties expressed their support for the election of Judy Dwyer as the Chair and she was elected by acclamation.

It was **agreed:**

That Judy Dwyer (Canada) would be the next STACTIC Chair and that Aronne Spezzani (European Union) remain Vice Chair at least until the next Annual Meeting.

Several Contracting Parties noted their thanks to the outgoing Chair for his service over the last few years.

18. Time and Place of next meeting

The location of the next Intersessional meeting is to be determined.

The time will be around the 01 May 2016, but the exact date remains to be determined.

19. Adoption of Report

The report was adopted on 24 September 2015.

20. Adjournment

The meeting was adjourned at 11:31am on 24 September 2015. The Chair thanked the Secretariat for their support and the meeting participants for their cooperation and input. The participants likewise expressed their thanks and appreciation to the Chair for his leadership.

Annex 1. List of Participants

Judy Dwyer Robert Lambert Marie-Pier Levesque Brent Napier Lloyd Slaney Chad Ward	Canada
Meinhard Gaardlykke Petur Jacobsen Mads T. Nedergaard	Denmark (in respect of the Faroe Islands and Greenland)
Genadijus Babcionis Carlos Chamizo Timo Kark Jon Lansley Aronne Spezzani	European Union
Áslaug Hólmgeirsdóttir Björgólfur H. Ingason Anna Thormar	Iceland
Kenro Iino Tadaaki Kakinuma Makoto Kato Takahisa Tanabe Junichiro Okamoto Masanori Wada	Japan
Hanne Østgård	Norway
Ilya Skryabin	Russian Federation
Douglas Christel Britta Hinrichsen Gene Martin Ellen Motoi Richard Usher	United States of America
Fred Kingston Jana Aker Ricardo Federizon Mark Harley Matt Kendall	NAFO Secretariat

Annex 2. Agenda

1. Opening by the Chair
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compliance review 2015 including review of reports of Apparent Infringements
5. Report and recommendations of the Ad Hoc Working Group on Port State Control Alignment, May 2015
6. Review and evaluation of Practices and Procedures
7. Review of current IUU list pursuant to NAFO CEM Article 53
8. Review of the implementation of new NAFO CEM measures
9. International Maritime Organization (IMO) Numbering Scheme
10. NAFO Monitoring, Control and Surveillance (MCS) Website
11. Editorial Drafting Group (EDG) of the NAFO CEM
12. New and Pending Proposals on Enforcement Measures: Possible Revisions of the NAFO CEM
 - a) Instructions from FC
 - b) Bycatch limits (revision of STACTIC WP 14/24)
 - c) Improving reporting of infringements
 - d) Reconfirm adoption of text in Article 9.6
13. Report and Recommendations of the Working Group to Review the NAFO Observer Scheme, April 2015
14. Report and Advice of the Joint Advisory Group on Data Management (JAGDM), May 2015
15. Information Security Management System (ISMS)
 - a) Recommendations arising from the external Information Technology (IT) Audit
 - b) Implementation Update
16. Other Matters
 - a) International Monitoring, Control and Surveillance Network (IMCS) Global Fisheries Enforcement Training Workshop (GFETW)
17. Election of Chair
18. Time and place of next meeting
19. Adoption of Report
20. Adjournment

Annex 3. Status of STACTIC Working Papers

Agenda Item	WP Number	Status	
4. Compliance review 2015 including review of reports of Apparent Infringements	WP 15-12	No action	
	WP 15-15Rev2	Adopted	
	WP 15-16Rev	Incorporated into WP 15-15Rev	
	WP 15-28	No action	
5. Report and recommendations of the Ad Hoc Working Group on Port State Control Alignment, May 2015	WP 15-13Rev2	Ask FC for advice on how to proceed	
	WP 15-17	Adopted	
	WP 15-18	No action	
6. Review and evaluation of Practices and Procedures	WP 15-19	No action	
7. Review of current IUU list pursuant to NAFO CEM Article 53	WP 15-20	Adopted	
	WP 15-21	Adopted	
8. Review of the implementation of new NAFO CEM measures	WP 15-22	No action	
	WP 15-36Rev3	Adopted	
	WP 15-42	Adopted	
9. IMO Numbering Scheme	None	None	
10. NAFO MCS Website	WP 15-23	No action	
	WP 15-24	No action	
	WP 15-32	Defer to intersessional	
11. Editorial Drafting Group (EDG) of the NAFO CEM	WP 15-09Rev2	Adopted	
	WP 15-25	No action	
12. New and Pending Proposals on Enforcement Measures: Possible Revisions of the NAFO CEM	a) Instructions from FC	WP 15-37	No action
		WP 15-39Rev	Adopted
	b) Bycatch limits (revision of STACTIC WP 14/24)	WP 15-40Rev2	Adopted
	c) Improving Reporting of infringements		

d) Reconfirm adoption of text in Article 9.6	WP 15-38	Defer to intersessional
	WP 15-34Rev	Adopted
	WP 15-35Rev	Adopted
	WP 15-30	No action
13. Report and Recommendations of the Working Group to Review the NAFO Observer Scheme, April 2015	WP 15-14	No action
	WP 15-41	Adopted
	WP 15-07Rev	Adopted at Intersessional
14. Report and Advice of the Joint Advisory Group on Data Management (JAGDM), May 2015	WP 15-26	No action
	WP 15-29	Defer to intersessional
	WP 15-31	No action
15. Information Security Management System (ISMS) a. Recommendations arising from the external IT Audit b. Implementation Update	WP 15-05Rev	Adopted
	WP 15-27	No action
16. Other Matters a. GFETW	WP 15-33	No action

**Annex 4. STACTIC WP 15/13 -
Proposed amendments to Chapter VII (Port State Control) and Chapter VIII
(Non-Contracting Party Scheme) of the NCEM to align with the FAO Port State
Measures Agreement**

Preamble

The *ad hoc Working Group on Port State Control Alignment (WG-PSCA)* met on 04-05 May 2015 in Tallinn, Estonia and recommended:

2. *STACTIC to accept the draft document developed by the working group with reservation noted for the purposes of receiving further comment from Contracting Parties by 01 July 2015. See Annex 1.*

STACTIC WP 15/08 included the proposed amendments to NCEM as *Annex 1. Proposed amendments to Chapter VII (Port State Control) and Chapter VIII (Non-Contracting Party Scheme) of the NCEM to align with the FAO Port State Measures Agreement.*

In response to the WG-PSCA recommendation above, STACTIC revised Annex 1 at its *Intersessional meeting* in May 2015 in Tallinn, Estonia. The revision was presented in Annex 1 of STACTIC Working Paper 15/08 (Revised), which was circulated to all meeting participants for review. Comments were received from Norway and the Russian Federation by the 01 July 2015 deadline.

Proposed Amendments

This working paper uses Annex 1 from STACTIC Working Paper 15/08 (Revised) as its basis with all of the track changes accepted, and the comments from Norway and the Russian Federation incorporated.

Please note further that Japan expressed their reservations on both STACTIC WP 15/08 and STACTIC WP 15/08 (Revised).

Northwest Atlantic Fisheries Organization Conservation and Enforcement Measures

Article 1 - Definitions

1. "Bottom fishing activities" means bottom fishing activities where the fishing gear is likely to contact the seafloor during the normal course of fishing operations;
2. "CEM" refers to these Conservation and Enforcement Measures;
3. "Convention" means the 1979 Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, as amended from time to time;
4. "FMC" means a land-based fisheries monitoring centre of the flag State Contracting Party;
5. "Fishing activities" means harvesting or processing fishery resources, landing or transshipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fisheries resources in the Regulatory Area, including;
 - (i) the actual or attempted searching for, catching or taking of fishery resources;
 - (ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose, and
 - (iii) any operation at sea in support of, or in preparation for, any activity described in this definition,

but does not include any operations related to emergencies involving the health and safety of the crew members or the safety of a vessel.
6. "Fishing day" means any calendar day or any fraction of a calendar day in which a fishing vessel is present in any Division in the Regulatory Area;
7. "Fishing trip" for a fishing vessel includes the time from its entry into until its departure from the Regulatory Area and continues until all catch on board from the Regulatory Area has been landed or transhipped;
8. "Fishing vessel" means any vessel equipped for, intended for, or engaged in fishing activities, including fish processing, transshipment or any other activity in preparation for or related to fishing activities, including experimental or exploratory fishing activities;
9. "Inspector", unless otherwise specified, means an inspector of the fishery control services of a Contracting Party assigned to the Joint Inspection and Surveillance Scheme;
10. "IUU fishing" means activities as defined in paragraph 3 of the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing;
11. "IUU Vessel List" means the list, established in accordance with Articles 52 and 53;
12. "Non-Contracting Party vessel" means a vessel entitled to fly the flag of a State that is not a Contracting Party or a vessel suspected to be without nationality;
13. "Port" includes offshore terminals and other installations for landing, transshipping, packaging, processing, refueling or resupplying.
14. "Processed fish" means any marine organism that has been physically altered since capture, including fish that has been filleted, gutted, packaged, canned, frozen, smoked, salted, cooked, pickled, dried or prepared for market in any other manner;
15. "Research vessel" means a vessel permanently used for research or a vessel normally used for fishing activities or fisheries support activity that is for the time being used for fisheries research;
16. "Transshipment" means transfer, over the side, from one fishing vessel to another, of fisheries resources or products;

Article 2 - Scope

1. The CEM shall, unless otherwise provided, apply to all fishing vessels used or intended for use for the purposes of commercial fishing activities conducted on fisheries resources in the Regulatory Area.
2. Unless otherwise provided, research vessels shall not be restricted by conservation and management measures pertaining to the taking of fish, in particular, concerning mesh size, size limits, closed areas and seasons.

Article 3 - Duties of the Contracting Parties

1. Each Contracting Party shall ensure that every fishing vessel entitled to fly its flag operating in the Regulatory Area complies with the relevant provisions of the CEM; and
2. Each fishing vessel operating in the Regulatory Area shall perform the relevant duties set out in the CEM and comply with the relevant provisions of the CEM.

Article 38 - Additional Procedures for Serious Infringements

List of Serious Infringements

1. Each of the following violations constitutes a serious infringement:
 - (a) fishing an "Others" quota without prior notification to the Executive Secretary contrary to Article 5;
 - (b) fishing an "Others" quota more than seven working days following closure by the Executive Secretary contrary to Article 5;
 - (c) directed fishing for a stock which is subject to a moratorium, or for which fishing is otherwise prohibited, contrary to Article 6;
 - (d) directed fishing for stocks or species after the date of closure by the flag State Contracting Party notified to the Executive Secretary contrary to Article 5;
 - (e) fishing in a closed area, contrary to Article 9.6 and Article 11;
 - (f) fishing with a bottom fishing gear in an area closed to bottom fishing activities, contrary to Chapter II;
 - (g) using an unauthorized mesh size contrary to Article 13;
 - (h) fishing without a valid authorization issued by the flag State Contracting Party contrary to Article 25;
 - (i) mis-recording of catches contrary to Article 28;
 - (j) failing to carry or interfering with the operation of the satellite monitoring system contrary to Article 29;
 - (k) failure to communicate messages related to catch contrary to Article 10.6 or Article 28;
 - (l) obstructing, intimidating, interfering with or otherwise preventing inspectors or observers from performing their duties;
 - (m) committing an infringement where there is no observer on board;
 - (n) concealing, tampering with or disposing of evidence related to an investigation, including the breaking or tampering of seals or gaining access to sealed areas;
 - (o) presentation of falsified documents or providing false information to an inspector that would prevent a serious infringement from being detected;
 - (p) landing, transshipping or making use of other port services in a port not designated in accordance with the provisions of Article 43.1;
 - (q) failure to comply with the provisions of Article 45.1; and

- (r) landing, transshipping or making use of other port services without authorization of the port State as referred to in Article 43.6.

Duties and Authority of the Inspectors

2. Where the inspectors cite a vessel for having committed a serious infringement, they shall:
 - (a) seek to notify the competent authority of the flag State Contracting Party;
 - (b) report the serious infringement to the Executive Secretary;
 - (c) take all measures necessary to ensure security and continuity of the evidence, including, as appropriate, sealing the vessel's hold for further inspection;
 - (d) request that the master cease all fishing activity that appears to constitute a serious infringement;
3. The inspectors may remain on board to provide information and assistance to the inspector designated by the flag State Contracting Party (designated inspector). During this time, the inspectors shall complete the original inspection provided that, following the arrival of the designated inspector, the competent authority of the flag State Contracting Party does not require the inspectors to leave the vessel.

Duties of the Flag State Contracting Party

4. Where notified of a serious infringement, the flag State Contracting Party shall:
 - (a) acknowledge receipt of the notification without delay;
 - (b) ensure the fishing vessel does not resume fishing until the inspectors have notified the master that they are satisfied that the infringement will not be repeated; and
 - (c) ensure that the vessel is inspected within 72 hours by an inspector designated by the flag State Contracting Party.
5. Where justified, the flag State Contracting Party shall, where authorized to do so, require the vessel to proceed immediately to a port for a thorough inspection under its authority in the presence of an inspector from any other Contracting Party that wishes to participate.
6. Where the flag State Contracting Party does not order the fishing vessel to port, it shall provide written justification to the Executive Secretary no later than 3 working days following the notice of infringement.
7. Where the flag State Contracting Party orders the fishing vessel to port, an inspector from another Contracting Party may board or remain onboard the vessel as it proceeds to port, provided that the competent authority of the flag State Contracting Party does not require the inspector to leave the vessel.
8. (a) Where, in accordance with the inspection referred to in paragraph 3, the designated inspector issues a notice of infringement for:
 - (i) directed fishing for a stock which is subject to a moratorium
 - (ii) directed fishing for a stock for which fishing is prohibited under Article 6
 - (iii) mis-recording of catch, contrary to Article 28 or
 - (iv) repetition of the same serious infringement during a 100 days period or a single fishing trip, whichever is shorter

the flag State Contracting Party shall order the vessel to cease all fishing activities and shall forthwith initiate a full investigation.

- (b) In this paragraph, "mis-recording of catches" means a difference of at least 10 tonnes or 20%, whichever is greater, between the inspectors' estimates of processed catch on board, by species or in total, and the figures recorded in the production logbook, calculated as a percentage of the production logbook figures. In order to calculate the estimate of the catch on board, the inspectors shall apply a stowage factor agreed between them and the designated inspector.

9. (a) Where the flag State Contracting Party is unable to conduct a full investigation in the Regulatory Area, or where the serious infringement is mis-recording of catches, it shall order the vessel to proceed immediately to a port where it shall conduct a full investigation ensuring that the physical inspection and enumeration of total catch on board takes place under its authority;
- (b) Subject to the consent of the flag State Contracting Party, inspectors of another Contracting Party may participate in the inspection and enumeration of the catch.

Duties of the Executive Secretary

10. The Executive Secretary:
- (a) informs without delay the Contracting Parties having an inspection presence in the Regulatory Area of the serious infringement referred by its inspectors;
- (b) informs without delay to the inspecting Contracting Party, the justification provided by the flag State Contracting Party, where it did not order its vessel to port in response to the finding of a serious infringement; and
- (c) makes available to any Contracting Party, on request, the justification provided by the flag State Contracting Party where it did not order its vessel to port in response to the finding of a serious infringement.

Article 39 – Follow-up to Infringements

1. A flag State Contracting Party that has been notified of an infringement committed by a fishing vessel entitled to fly its flag shall:
- (a) investigate immediately and fully, including as appropriate, by physically inspecting the fishing vessel at the earliest opportunity;
- (b) cooperate with the inspecting Contracting Party to preserve the evidence in a form that will facilitate proceedings in accordance with its laws;
- (c) take immediate judicial or administrative action in conformity with its national legislation against the persons responsible for the vessel entitled to fly its flag where the CEM have not been respected; and
- (d) ensure that sanctions applicable in respect of infringements are adequate in severity to be effective in securing compliance, deterring further infringements and depriving the offenders of the benefits accruing from the infringement.
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.
3. Each Contracting Party shall take enforcement measures with respect to a vessel entitled to fly its flag, where it has been established in accordance with domestic law, that the vessel committed a serious infringement listed in Article 38.8.
4. The measures referred to in paragraph 3 and the sanctions referred to in paragraph 1(d) may include the following depending on the gravity of the offence and in accordance with domestic law:
- (a) fines;
- (b) seizure of the vessel, illegal fishing gear and catches;
- (c) suspension or withdrawal of authorization to conduct fishing activities; and
- (d) reduction or cancellation of any fishing allocations.
5. The flag State Contracting Party shall immediately notify the Executive Secretary of the measures taken against its vessel in accordance with paragraphs 3 and 4.

CHAPTER VII PORT STATE CONTROL

Article 42 - Scope

Subject to the right of the port State Contracting Party to impose requirements of its own for access to its ports, the provisions in this Chapter apply to port entries and the use of ports of Contracting Parties by fishing vessels entitled to fly the flag of another Contracting Party, conducting fishing activities in the Regulatory Area. The provisions apply to fish, or fish products originating from such fish, that have not been previously landed or transhipped at a port.

This Chapter also sets out the respective duties of the flag State Contracting Party and obligations of the master of fishing vessels requesting entry to a port of a Contracting Party.

Article 43 - Duties of the Port State Contracting Party

1. The port State Contracting Party shall designate ports to which fishing vessels may be permitted entry for the purpose of landing, transhipment and/or provision of port services and shall [to the greatest extent possible] ensure that each designated port has sufficient capacity to conduct inspections pursuant to this Chapter. It shall transmit to the Executive Secretary a list of these ports. Any subsequent changes to the list shall be notified to the Executive Secretary no less than fifteen days before the change comes into effect.
2. The port State Contracting Party shall establish a minimum prior request period. The prior request period should be 3 working days before the estimated time of arrival. However the port State Contracting Party may make provisions for another prior request period, taking into account, inter alia, catch product type or the distance between fishing grounds and its ports. The port State Contracting Party shall advise the Executive Secretary of the prior request period.
3. The port State Contracting Party shall designate the competent authority which shall act as the contact point for the purposes of receiving requests in accordance with Article 45 (1, 2 and/or 3), receiving confirmations in accordance with Article 44.2 and issuing authorizations in accordance with paragraph 6. The port State Contracting Party shall advise the Executive Secretary about the competent authority name and its contact information.
4. The requirements contained in paragraphs 1, 2 and 3 do not apply to a Contracting Party that does not permit any port entries in its ports by vessels entitled to fly the flag of another Contracting Party.
5. The port State Contracting Party shall forward a copy of the form as referred to in Article 45 (1 and 2) without delay to the flag State Contracting Party of the vessel and to the flag State Contracting Party of donor vessels where the vessel has engaged in transhipment operations.
6. Fishing vessels may not enter port without prior authorization by the competent authorities of the port State Contracting Party. Authorization to land or tranship shall only be given if the confirmation from the flag State Contracting Party as referred to in Article 44.2 has been received.
7. By way of derogation from paragraph 6 the port State Contracting Party may authorize all or part of a landing in the absence of the confirmation referred to in paragraph 6. In such cases the fish concerned shall be kept in storage under the control of the competent authorities. The fish shall only be released to be sold, taken over, produced or transported once the confirmation referred to in paragraph 6 has been received. If the confirmation has not been received within 14 days of the landing the port State Contracting Party may confiscate and dispose of the fish in accordance with national rules.
8. The port State Contracting Party shall without delay notify the master of the fishing vessel of its decision on whether to authorize or deny the port entry, or if the vessel is in port, the landing, transhipment and other use of port. If the vessel entry is authorized the port state returns to the master a copy of the form PSC 1 or 2 with Part C duly completed. This copy shall also be transmitted to the Executive Secretary without delay. In case of a denial the port state shall also notify the flag State Contracting Party.
9. In case of cancellation of the prior request referred to in Article 45, paragraph 2, the port State Contracting Party shall forward a copy of the cancelled PSC 1 or 2 to the flag State Contracting Party and the Executive Secretary.
10. Unless otherwise required in a recovery plan, the port State Contracting Party shall carry out inspections of at least 15 % of all such landings or transhipments during each reporting year.

In determining which vessels to inspect, port state Contracting Parties shall give priority to:

- (a) vessels that have been denied entry or use of a port in accordance with this Chapter or any other provision of the CEM; and
 - (b) requests from other Contracting Parties, States or RFMOs that a particular vessel be inspected.
11. Inspections shall be conducted by authorized Contracting Party inspectors who shall present credentials to the master of the vessel prior to the inspection.
 12. The port State Contracting Party may invite inspectors of other Contracting Parties to accompany their own inspectors and observe the inspection.
 13. An inspection of a vessel in port by a port State Contracting Party shall involve the monitoring of the entire landing or transshipment of fishery resources in that port, as applicable. During any such inspection, the port State Contracting Party shall, at a minimum:
 - (a) verify, to the extent possible, that the vessel identification documentation on board and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
 - (b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
 - (c) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or RFMOs. Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
 - (d) verify, to the extent possible, that the authorizations for fishing activities are true, complete, correct and consistent with the information provided in accordance with the CEM provisions including, but not limited to, Articles 25, 44, 45 and 51;
 - (e) determine, to the extent possible, whether any fishery resources on board were harvested in accordance with applicable authorizations for the vessel;
 - (f) examine any fishery resources on board the vessel, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fishery resources have been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
 - (g) cross-check against the quantities of each species landed or transhipped,
 - (i) the quantities by species recorded in the logbook;
 - (ii) catch and activity reports; and
 - (iii) all information on catches provided in the prior notification (PSC 1 or 2);
 - (h) verify and record the quantities by species of catch remaining on board upon completion of landing or transshipment;
 - (i) verify any information from inspections carried out in accordance with Chapter VI;
 - (j) examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook

sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;

- (k) verify fish size for compliance with minimum size requirements;
 - (l) evaluate whether there is clear evidence for believing that a non-Contracting Party vessel has engaged in IUU fishing activities; and
 - (m) arrange, where necessary and possible, for translation of relevant documentation.
14. Each inspection shall be documented by completing form PSC 3 (port State Control inspection form) as set out in Annex IV.C. The inspectors may insert any comments they consider relevant. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. The inspectors shall sign the report and request that the master sign the report. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master of the vessel shall be provided with a copy of the report containing the result of the inspection, including possible measures that could be taken. A copy of the report shall be provided to the master.
 15. The port State Contracting Party shall without delay transmit a copy of each port State Control inspection report and, upon request, an original or a certified copy thereof, to the flag State Contracting Party and to the flag State of any vessel that transhipped catch to the inspected fishing vessel. A copy shall also be sent to the Executive Secretary without delay.
 16. Inspections shall be conducted in a fair, transparent and non-discriminatory manner and shall not constitute harassment of any vessel. Inspectors shall not interfere with the master's ability to communicate with the authorities of the flag State Contracting Party.
 17. The port State Contracting Party shall make all possible effort to communicate with the master or senior crew members of the vessel, including where possible and where needed, that the inspector is accompanied by an interpreter.
 18. The port State Contracting Party shall make all possible efforts to avoid unduly delaying the fishing vessel and ensure that the vessel suffers the minimum interference and inconvenience and that unnecessary degradation of the quality of the fish is avoided.

Article 44 - Duties of the Flag State Contracting Party

1. The flag State Contracting Party shall ensure that the master of any fishing vessel entitled to fly its flag complies with the obligations relating to masters set out in Article 45.
2. The flag State Contracting Party of a fishing vessel intending to land or tranship, or where the vessel has engaged in transshipment operations outside a port, the flag State Contracting Party or parties, shall confirm by returning a copy of the form, PSC 1 or 2, transmitted in accordance with Article 43.5 with part B duly completed, stating that:
 - (a) the fishing vessel declared to have caught the fish had sufficient quota for the species declared;
 - (b) the declared quantity of fish on board has been duly reported by species and taken into account for the calculation of any catch or effort limitations that may be applicable;
 - (c) the fishing vessel declared to have caught the fish had authorization to fish in the areas declared; and
 - (d) the presence of the vessel in the area in which it has declared to have taken its catch has been verified by VMS data.
3. The flag State Contracting Party shall designate the competent authority, which shall act as the contact point for the purposes of receiving requests in accordance with Article 43.5 and providing confirmation in accordance with Article 43.6, and communicate this information to the NAFO Secretariat for dissemination to Contracting Parties.

Article 45 - Obligations of the Master of a Fishing Vessel

1. The master or the agent of any fishing vessel intending to enter port shall forward the request for entry to the competent authorities of the port State Contracting Party within the request period referred to in Article 43.2. Such request shall be accompanied by the form provided for in Annex II.L with Part A duly completed as follows:
 - (a) Form PSC 1, as referred to in Annex II.L.A shall be used where the vessel is carrying, landing or transshipping its own catch; and
 - (b) Form PSC 2, as referred to in Annex II.L.B, shall be used where the vessel has engaged in transshipment operations. A separate form shall be used for each donor vessel.
 - (c) Both forms PSC 1 and PSC 2 shall be completed in cases where a vessel carries, lands or transships or is intending to land or transship both its own catch and catch that was received through transshipment.
2. A master or the agent may cancel a prior request by notifying the competent authorities of the port they intended to use. The request shall be accompanied by a copy of the original PSC 1 or 2 with the word "cancelled" written across it.
3. The master of a fishing vessel shall:
 - (a) co-operate with and assist in the inspection of the fishing vessel conducted in accordance with these procedures and shall not obstruct, intimidate or interfere with the port State inspectors in the performance of their duties;
 - (b) provide access to any areas, decks, rooms, catch, nets or other gear or equipment, and provide any relevant information which the port State inspectors request including copies of any relevant documents.

Comment [JA1]: Comment from the Russian Federation

Article 46 - Duties of the Executive Secretary

1. The Executive Secretary shall without delay post on the NAFO website:
 - (a) the list of designated ports and any changes thereto;
 - (b) the prior request periods established by each Contracting Party;
 - (c) the information about the designated competent authorities in each port State Contracting Party; and,
 - (d) the information about the designated competent authorities in each flag State Contracting Party.
2. The Executive Secretary shall without delay post on the secure part of the NAFO website:
 - (a) copies of all PSC 1 and 2 forms transmitted by port State Contracting Parties;
 - (b) copies of all inspection reports, as referred to in Annex IV.C (PSC 3 form), transmitted by port State Contracting Parties.
3. All forms related to a specific landing or transshipment shall be posted together.

Article 47 - Serious Infringements Detected During In-Port Inspections

1. The provisions in Articles 39 and 40 shall apply to any serious infringements listed in Article 38 detected during in-port inspections.
2. Serious infringements detected during in-port inspections shall be followed up in accordance with domestic law.

CHAPTER VIII NON-CONTRACTING PARTY SCHEME

Article 48 - General Provisions

1. The purpose of this Chapter is to promote compliance with non-Contracting Party vessels with recommendations established by NAFO and to prevent, deter and eliminate IUU fishing by non-Contracting Party vessels (hereinafter referred to as "NCP" vessels) that undermine the effectiveness of the Conservation and Enforcement Measures established by the Organization.

2. Nothing in this Chapter shall be construed to:
 - (a) affect the sovereign right of any Contracting Party to take additional measures to prevent, deter and eliminate IUU fishing by NCP vessels or, where evidence so warrants, take such action as may be appropriate, consistent with international law; or
 - (b) prevent a Contracting Party from allowing an NCP vessel entry into its ports for the purpose of conducting an inspection of, or taking appropriate enforcement action, which, if there is sufficient proof of IUU fishing, is at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing.
3. This Chapter shall be:
 - (a) interpreted in a manner consistent with international law, including the right of port access in case of force majeure or distress; and
 - (b) applied in a fair and transparent manner.
4. Each Contracting Party shall ensure that vessels entitled to fly its flag do not engage in joint fishing activities with NCP vessels referred to in Article 49, including receiving or delivering transshipments of fish to or from a NCP vessel.

Article 49 – Presumption of IUU fishing

1. An NCP vessel is presumed to have undermined the effectiveness of the CEM, and to have engaged in IUU fishing, if it has been:
 - (a) sighted or identified by other means as engaged in fishing activities in the Regulatory Area;
 - (b) involved in transshipment with another NCP vessel sighted or identified as engaged in fishing activities inside or outside the Regulatory Area; and/or
 - (c) included in the IUU list of the North East Atlantic Fisheries Commission (NEAFC);

Article 50 – Sighting and Inspection of NCP Vessels in the NRA

1. Each Contracting Party with an inspection and/or surveillance presence in the Regulatory Area authorized under the Joint Inspection and Surveillance Scheme that sights or identifies an NCP vessel engaged in fishing activities in the NRA shall:
 - (a) transmit immediately the information to the Executive Secretary using the format of the surveillance report set out in Annex IV.A;
 - (b) attempt to inform the Master that the vessel is presumed to be engaged in IUU fishing and that this information will be distributed to all Contracting Parties, relevant Regional Fisheries Management Organizations (RFMOs) and the flag State of the vessel;
 - (c) if appropriate, request permission from the Master to board the vessel for inspection; and
 - (d) where the Master agrees to inspection:
 - (i) transmit the inspector's findings to the Executive Secretary without delay, using the inspection report form set out in Annex IV.B; and
 - (ii) provide a copy to the inspection report to the Master.

Duties of the Executive Secretary

2. The Executive Secretary, within one business day, posts the information received pursuant to this Article to the secure part of the NAFO website and distributes it to all Contracting Parties, other relevant RFMOs, and to the flag State of the vessel as soon as possible.

Article 51 – Port Entry and Inspection of NCP vessels

Duties of the Master of a NCP vessel

1. Each Master of a NCP vessel shall request permission to enter port from the competent authority of the port State Contracting Party in accordance with the provisions of Article 45.

Duties of the Port State Contracting Party

2. Each port State Contracting Party shall:
 - (a) forward without delay to the flag State of the vessel and to the Executive Secretary the information it has received pursuant to Article 45;
 - (b) refuse port entry to any NCP vessel where:
 - (i) the Master has not fulfilled the requirements set out in Article 45 paragraph 1; or
 - (ii) the flag State has not confirmed the vessel's fishing activities in accordance with Article 44 paragraph 2;
 - (c) inform the Master or agent, the flag State of that vessel, and the Executive Secretary of its decision to refuse port entry, landing, transshipment or other use of port of any NCP vessel;
 - (d) withdraw denial of port entry only if the port State has determined there is sufficient proof that the grounds on which entry was denied were inadequate or erroneous or that such grounds no longer apply.
 - (e) inform the Master or agent, the flag State of that vessel, and the Executive Secretary of its decision to withdraw denial of port entry, landing, transshipment or other use of port of any NCP vessel;
 - (f) where it permits entry, ensure the vessel is inspected by duly authorized officials knowledgeable in the CEM and that the inspection is carried out in accordance with Article 43 paragraphs 11 – 18 : and
 - (g) send a copy of the inspection report and details of any subsequent action it has taken to the Executive Secretary without delay.
3. Each port State Contracting Party shall ensure that no NCP vessel engages in landing, or transshipment operations or other use of port in its ports unless the vessel has been inspected by its duly authorized officials knowledgeable in the CEM and the Master establishes that the fish species on board subject to the NAFO Convention were harvested outside the Regulatory Area or in compliance with the CEM.

Comment [JA2]: Comment from Norway

Duties of the Executive Secretary

4. The Executive Secretary shall without delay post the information received pursuant to this Article to the secure part of the NAFO website, and distributes it to all Contracting Parties, relevant RFMOs, the flag State of the vessel and the state of which the vessel's master is a national, if known.

Article 52 - Provisional IUU Vessel List

1. In addition to information submitted from Contracting Parties in accordance with Articles 49 and 51, each Contracting Party may, without delay, transmit to the Executive Secretary any information that may assist in identification of any NCP vessel that might be carrying out IUU fishing in the Regulatory Area.
2. If a Contracting Party objects to a NEAFC IUU-listed vessel being incorporated into or deleted from the NAFO IUU Vessel List in accordance with Article 53, such vessel shall be placed on the Provisional IUU Vessel List.

Duties of the Executive Secretary

3. The Executive Secretary:
 - (a) establishes and maintains a list of NCP vessels presumed to have engaged in IUU fishing in the Regulatory Area referred to as the Provisional IUU Vessel List;

- (b) upon receipt, records the information received pursuant to paragraph 1, including, if available, the name of the vessel, its flag State, call sign and registration number, and any other identifying features, in the Provisional IUU Vessel List;
- (c) posts the Provisional IUU Vessel List and all updates to the secure part of the NAFO website; and
- (d) advises the flag State of the NCP vessel listing, including:
 - (i) the reasons and supporting evidence;
 - (ii) a copy of the CEM and a link to its place on the NAFO website;
- (e) requests that the flag State of the NCP vessel:
 - (i) take all measures to ensure that the vessel immediately ceases all fishing activities that undermine the effectiveness of the CEM;
 - (ii) report within 30 days from the date of the request on the measures it has taken with respect to the vessel concerned; and
 - (iii) state any objections it may have to including the vessel in the IUU Vessel List;
- (f) transmits to the flag State of the NCP vessel any additional information received pursuant to Articles 49-51 in respect of vessels entitled to fly their flag that have already been included in the Provisional IUU Vessel List;
- (g) distributes any information received from the flag State to all Contracting Parties;
- (h) advises the flag State of the NCP vessel of the dates STACTIC and the General Council will consider listing the vessel in the IUU Vessel List, and invites the flag State to attend the meeting as an observer where it will be given the opportunity to respond to the report submitted in accordance with paragraph 3(e)(ii);
- (i) transfers the vessel from the Provisional IUU Vessel List to the IUU Vessel List in accordance with Article 53 if the flag State does not object; and
- (j) places all vessels included in the NEAFC IUU List on the IUU Vessel List unless a Contracting Party objects to such inclusion, in which case it places the vessel on the Provisional IUU Vessel List. Article 53 shall not apply to vessels placed on the Provisional IUU Vessel List in accordance with this paragraph.

Article 53 - IUU Vessel List

Listing a Vessel on the IUU Vessel List

1. STACTIC recommends to the Fisheries Commission whether each vessel listed in the Provisional IUU Vessel List should be:
 - (a) deleted from the Provisional IUU Vessel List;
 - (b) retained in the Provisional IUU Vessel List, pending receipt of further information from the flag State, or
 - (c) transferred to the IUU Vessel List only upon expiration of the period referred to in Article 52.3(e)(ii).

Deleting a Vessel from the IUU Vessel List

2. STACTIC may advise that the Fisheries Commission recommend that General Council delete a vessel from either the Provisional IUU Vessel List or the IUU Vessel List where it is satisfied that the flag State of a vessel concerned has provided sufficient evidence to establish that:
 - (a) it has taken effective action to address the IUU fishing of such vessel, including prosecution and imposition of sanctions of adequate severity;
 - (b) it has taken measures to prevent such vessel from engaging in further IUU fishing under its flag;
 - (c) such vessel has changed ownership, and

- (i) the previous owner no longer has any legal, financial or real interest in such vessel, or exercises no control over it; or
 - (ii) the new owner has no legal, financial or real interest in, nor exercises control over, another vessel listed in the IUU Vessel List or any similar IUU list maintained by an RFMO, and has not otherwise been engaged in IUU activities;
- (d) such vessel did not take part in IUU fishing; or,
- (e) such vessel has sunk, been scrapped, or been permanently reassigned for purposes other than fishing activities.
3. The Fisheries Commission may recommend to the General Council any changes to listings in the IUU Vessel List. The General Council determines the final composition of the IUU Vessel List.

Duties of the Executive Secretary

4. The Executive Secretary:
- (a) posts the IUU Vessel List on the NAFO website, including the name and flag State and, if available, the call sign, hull number, IMO number, previous name(s) and flag(s) or any other identifying features for each vessel;
 - (b) notifies the flag State of the name of each vessel entitled to fly its flag listed in the IUU Vessel List;
 - (c) transmits the IUU Vessel List and any relevant information, including the reasons for listing or de-listing each vessel, to other RFMOs, including, in particular, the NEAFC, the South East Atlantic Fisheries Organisation (SEAFO), and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR);
 - (d) transmits the amendments to the NEAFC IUU list, upon receipt, to all Contracting Parties and amends the IUU Vessel List consistent with amendments to the NEAFC IUU List, within 30 days of such transmittal; unless within the 30 days the Executive Secretary receives from a Contracting Party a written submission establishing that:
 - (i) any of the requirements in paragraph 2(a)-(d) of this Article have been met with regard to a vessel placed on the NEAFC IUU List; or
 - (ii) none of the requirements in paragraph 2(a)-(d) of this Article have been met with regard to a vessel taken off the NEAFC IUU List; and
 - (e) advises STACTIC of any action taken pursuant to this Article.

Article 54 - Action against vessels listed in the IUU Vessel List

Each Contracting Parties shall take all measures necessary to deter, prevent, and eliminate IUU fishing, in relation to any vessel listed in the IUU Vessel List, including:

- (a) prohibiting any vessel entitled to fly its flag, from, except in the case of force majeure, participating in fishing activities with such vessel, including but not limited to joint fishing operations;
- (b) prohibiting the supply of provisions, fuel or other services to such vessel, both at sea and in port;
- (c) prohibiting entry into its ports of such vessel, and if the vessel is in port, prohibiting use of port, except in the case of force majeure, distress, for the purposes of inspection, or for taking appropriate enforcement action;
- (d) prohibiting change of crew, except as required in relation to force majeure;
- (e) refusing to authorize such vessel to fish in waters under its national jurisdiction;
- (f) prohibiting chartering of such vessel;
- (g) refusing to entitle such vessels to fly its flag;
- (h) prohibiting landing and importation of fish from onboard or traceable to such vessel;

- (i) encouraging importers, transporters and other sectors concerned, to refrain from negotiating transshipment of fish with such vessels; and
- (j) collecting and exchanging any appropriate information regarding such vessel with the other Contracting Parties, non-Contracting Parties and RFMOs with the aim of detecting, deterring and preventing the use of false import or export certificates in relation to fish or fish product from such vessels.

Article 55 - Action Against Flag States

1. Contracting Parties shall jointly and/or individually request the cooperation of the flag State of each NCP vessel listed in the IUU Vessel List with a view to prevent, deter and eliminate future IUU activities by such vessel.
2. The Fisheries Commission shall review annually the actions taken by the flag States referred to in paragraph 1 with a view to identifying for follow-up action any that has not taken action sufficient to prevent deter and eliminate IUU activities by any vessel entitled to fly its flag listed in the IUU Vessel List.
3. Each Contracting Parties should, to the extent possible and consistent with its international obligations and in accordance with applicable legislation, restrict the export and transfer of any fishing vessel entitled to fly its flag to any State identified pursuant to paragraph 2.

Signature:		Official Stamp:			
PART C: For official use only - to be completed by the Port State					
Name of Port State:					
Authorisation:	Yes:		No:		Date:
Signature:		Official Stamp:			
¹ Fishing vessels not assigned an IMO number shall provide their external registration number ² If necessary an additional form or forms shall be used ³ FAO Species Codes - NEAFC Annex V - NAFO Annex I.C ⁴ Product presentations - NEAFC Appendix 1 to Annex IV - NAFO Annex II.K					



Signature:		Official Stamp:			
PART C: For official use only - to be completed by the Port State					
Name of Port State:					
Authorisation:	Yes:		No:		Date:
Signature:		Official Stamp:			
<p>1. Fishing vessels not assigned an IMO number shall provide their external registration number</p> <p>2. If necessary an additional form or forms shall be used</p> <p>3. FAO Species Codes – NEAFC Annex V - NAFO Annex II</p> <p>4. Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex II ILKY (G)</p>					

Comment [JA3]: Comment from the Russian Federation



Annex IV c
Report on Port State Control inspection (PSC 3)
(Please use black ink)

A. INSPECTION REFERENCE.						Inspection report number:	
Landing	Yes	No	Transshipment	Yes	No	Other reason for port entry	
Port State						Port of landing or transshipment	
Vessel name			Flag State			IMO Number ²	International Radio call sign
Landing / transshipment Start Date						Landing / transshipment Start Time (UTC)	
Landing / transshipment End Date						Landing / transshipment End Time (UTC)	
Vessel master's name:		Vessel master's nationality:		Vessel's owner/operator:		Certificate of Registry ID:	
VMS:		Port of registry:		Fishing master's name:		Fishing master's nationality:	
Vessel' beneficial owner ³ :		Vessel's agent:		Vessel Type:			
Last port of call:				Date:			
B. INSPECTION DETAILS							
Name of donor vessel ⁴		IMO Number ¹		Radio call sign		Flag State	
B 1. CATCH RECORDED IN THE LOGBOOK							
Species ⁵		Area of catch		Declared live weight kg		Conversion factor used	

² Fishing vessels not assigned an IMO number shall provide their external registration number

³ If known and if different from vessel's owner

⁴ In case where a vessel has engaged in transshipment operations, a separate form shall be used for each donor vessel.

⁵ FAO Species Codes – NEAFC Annex V - NAFO Annex I.C



Comment [JA4]: Comment from Norway

C2. GEAR INSPECTION IN PORT (In accordance with Article 43.13 (j)Annex IV.H)				
A. General data				
Number of gear inspected		Date gear inspection		
Has the vessel been cited?	Yes	No	If yes, complete the full "verification of inspection in port form. If no, complete the form with the exception of the NAFO seal details	
B. Otter Trawl details				
NAFO Seal number		Is seal undamaged?		
Gear type		Yes	No	
Attachments				
Grate Bar Spacing (mm).				
Mesh type				
Average mesh sizes (mm)				
Trawl part				
Wings				
Body				
Lenghtening Piece				
Codend				
D. Observations by the master:				
<p>I,the undersigned, Master of the vesselhereby confirm that a copy of this report have been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of this report, except my own observations, if any.</p> <p>Signature: _____ Date : _____</p>				
E. INFRINGEMENTS AND FOLLOW-UP				
E.1 NAFO				
E.1 A At Sea Inspection				
Infringements resulting from Inspections inside NAFO R.A.				
Inspection Party	Date of inspection	Division	NAFO CEM infringement legal reference	
E.1 B Port Inspection Infringements results				
(a) - Confirmation of Infringements found at sea inspection				
NAFO CEM infringement legal reference		National Infringement legal reference		
(b) - Infringements found at sea inspection and not possible to be confirmed during the Port Inspection.				
Comments :				
(c) - Additional infringements found during the Port Inspection				
NAFO CEM infringement legal reference		National Infringement legal reference		

E2. NEAFC INFRINGEMENT NOTED		
Article	NEAFC provision(s) violated and summary of pertinent facts	
Inspector's observations:		
Action taken:		
Inspecting authority / agency:		
Inspectors Name	Inspectors signature	Date and place
F. DISTRIBUTION		
Copy to flag State	Copy to NEAFC Secretary	Copy to NAFO Executive Secretary



Annex 5. Japan's proposal for clarification of and amendments to STACTIC WP 15/13

1. Article 42 - Scope*

(Following footnote should be added to Article 42.)

* In this Chapter, each Contracting Party may fulfill its obligations of taking necessary measures relating to the use of ports and the use of port services by means of denying port entries of the fishing vessels in accordance with its domestic laws and regulations.

(reason: the provisions in this chapter apply not only to port entries but also to the use of ports and port services of Contracting Parties by fishing vessels entitled to fly the flag of another Contracting parties, conducting fishing activities in the Regulatory Area. Since Japan has no legislation to directly control the use of ports and port services of the fishing vessels, we hope that denial of port entries constitutes the denial of the use of ports and port services.)

2. paragraphs 10 (2nd sentence), 13 and 16 of Article 43

(Following statement should be put on record in the STACTIC Report.)

It is confirmed by the Contracting Parties that details of implementation of provisions of paragraphs 10, 13 and 16 of Article 43 are left to the discretion of each Contracting Party.

(reason: If these provisions require domestic laws and regulations, Japan is not able to accept the proposed amendments at this point. If above interpretation is shared by NAFO Contracting Parties, Japan may be able to join other Contracting Parties for adoption.)

3. Article 43 paragraph 1

“[to the great extent possible]” should be retained.

(reason: If “[to the great extent possible]” is not retained, this provision may go beyond the scope of the Japanese national laws and regulations as they stand now, and therefore, we may not be able to legally implement it.)

4. Article 54 paragraph (b)

“both at sea and” should be deleted.

(reason: If “both at sea and” is not deleted, this provision goes beyond the scope of the Japanese national laws and regulations as they stand now, and therefore, we are not able to legally implement it.)