

Northwest Atlantic Fisheries Organization



**Report of the NAFO Editorial Drafting Group Meeting (EDG)**

17-18 October 2016  
Hafnarfjörður, Iceland

NAFO  
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## Report of the NAFO Editorial Drafting Group Meeting (EDG)

17-18 October 2016  
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### 1. Opening of the meeting

The meeting opened at 09:00 hrs on Monday, 17 October 2016 at the Directorate of Fisheries in Hafnarfjörður, Iceland with representatives from the following Contracting Parties – Canada, the European Union, Iceland, and the United States of America (Annex 1).

### 2. Appointment of Rapporteur

The NAFO Secretariat was appointed rapporteur.

### 3. Adoption of Agenda

The Agenda was adopted (Annex 2).

### 4. Review of Footnote 21 from the 2015 Quota Table (Annex I.A)

This item was included on the agenda following the recommendation from STACTIC made in FC Doc. 16-20. Representatives from the United States raised the issue, noting that the incorporation of the text from footnote 21 (Annex I.A) of the 2015 NAFO CEM into the text of Article 6.3.f of the 2016 NAFO CEM (FC Doc. 15-08: Review of the footnotes associated to Annex I.A – Annual Quota Table) did not accurately reflect the wording that was originally in the footnote. It was agreed that Canada and the United States would work intersessionally to resolve the issue, and present a proposal at the STACTIC Intersessional meeting in May 2017.

It was **agreed** that:

- **Representatives from the United States and Canada would work intersessionally to review the incorporation of footnote 21 from Annex I.A of the 2015 NAFO CEM into the text of Article 6.3.f in the 2016 NAFO CEM following the proposal adopted by the Fisheries Commission in FC Doc. 15-08.**
- **The United States would develop a proposal for presentation at the 2017 STACTIC Intersessional meeting to better reflect the text of footnote 21 from Annex I.A of the 2015 NAFO CEM in the text of Article 6.3.f in the NAFO CEM.**

### 5. Harmonization of At-Sea Inspection Forms

This item was included on the agenda following the recommendation from STACTIC made in FC Doc. 16-20. STACTIC WP 16-38 was presented to STACTIC at the 2016 Annual Meeting, but Canada highlighted, at that time, that the EDG had not had sufficient time to review the changes prior to the Annual Meeting. The EDG reviewed the proposed changes in the working paper and discussed the need for consistency in data collection in the at-sea inspection forms. There were discussions regarding the standardization of terms throughout the NAFO CEM (e.g. a standard definition of tow time) so that data collected from different sources could be compared. The group also discussed that some of the data collected in the at-sea inspection form may no longer be relevant given the updated data reporting requirements within NAFO that have taken place since the form was first developed (e.g. section 14 may be redundant given that CAT reports now occur). It was noted that as the PSC3 was developed to mirror that of NEAFC, perhaps it could be considered to do the same with the at-sea inspection form.

Contracting Parties with an inspection presence (presently the European Union and Canada) agreed to discuss the form with their inspectors to determine what data are currently necessary to be collected during an at-sea inspection, for the purpose of identifying non-compliance without adding unnecessary administrative burden. Canada and the European Union agreed to initiate the development of a proposal for the updated at-sea inspection form and present a draft to STACTIC at the Intersessional meeting in May 2017. However, it is

anticipated that the catch estimation methodology study, which will begin in 2017, may lead to a standard methodology applied by the inspectors to identify 'fish observed in last tow', whilst still on deck. This may influence the fields of information required to be reported by the inspectors. Therefore, the form may require further revision once the study is complete and the results are available.

It was **agreed** that:

- **Canada and the European Union would discuss the at-sea inspection forms outlined in Annex IV.B of the NAFO CEM with their inspectors to determine what relevant information is required to be collected in the form for the purpose of completing an at-sea inspection to identify non-compliance without adding unnecessary administrative burden.**
- **Canada and the European Union would develop a proposal for an updated at-sea inspection form with input from at-sea inspectors for presentation to STACTIC at the 2017 Intersessional meeting.**

## 6. Port Inspection – Access rights to relevant information

The discussion was started during STACTIC at the 2016 Annual Meeting regarding access to information for conducting an inspection in port. Iceland agreed that as a port State it would be beneficial to have the rights of access not only to inspection reports for the last trip of a vessel (as is the current right), but also to historical at-sea inspection reports (which is not the current right). It was acknowledged by the European Union that having access to at-sea inspection reports for other Contracting Party vessels would also be of benefit to those with an at-sea inspection presence. It was noted that Canada, at the Annual Meeting agreed to draft a proposal in relation to the areas of the NAFO CEM where the access rights required clarity, as highlighted in STACTIC WP 16-37. It was also noted that Denmark (in Respect of the Faroe Islands and Greenland) had agreed to draft a proposal regarding access rights to information and data within the NAFO CEM (FC Doc. 16-20). Both papers will be presented at the 2017 STACTIC Intersessional. Canada also agreed to draft a proposal on the process for apparent infringements detected in port.

Iceland also flagged that the text in the NAFO CEM relating to the coverage of port inspections where vessels have Greenland halibut onboard is not entirely clear. Article 10.5.e states:

*10.5 The following measures apply to vessels 24 meters or greater in overall length engaged in the Greenland halibut fishery in Subarea 2 and Divisions 3KLMNO:*

- e. Each Contracting Party shall inspect each landing of Greenland halibut in its ports and prepare an inspection report in the format prescribed in Annex IV.C, which it shall transmit to the Executive Secretary within 14 working days from the date on which the inspection was completed.

Iceland noted that in the text of the chapeau gives the impression that it is only vessels engaged in a fishery for Greenland halibut that have to comply with these measures, but discussions with the group resulted in the common understanding that it is all vessels over 24 metres with any amount (including bycatch) of Greenland halibut onboard that require port inspection. Iceland noted that this language needs to be clarified and offered to draft a proposal to clarify the language with the assistance from EDG participants.

It was **agreed** that:

- **Canada would draft a proposal on the process for apparent infringements detected in port.**
- **Iceland would draft a proposal to clarify the language in Article 10.5.e of the NAFO CEM.**

## 7. Minor amendments to the MCS Website Proposal

Representatives from the European Union highlighted some minor amendments were needed within the MCS website proposal that was adopted by the Fisheries Commission (FC Doc. 16-08) to better reflect the existing access rights and current processes within the NAFO CEM. Those changes were made and are reflected in

STACTIC EDG WP 16-01. During this review, representatives from the United States noted that there is some confusion relating to the use of the term “automatically” throughout the proposal, and now within the NAFO CEM, and noted that this may need clarification. The EDG agreed that this was something that should be reviewed in 2017. The European Union noted that there were some other items that would be good to have included on the MCS Website and agreed to draft a proposal with assistance from the NAFO Secretariat to have the additional items included, as well as review the term “automatically” throughout the NAFO CEM.

The group also noted that since there is going to be a large amount of changes to the MCS Website for 2017, that there may be a need for some training or tutorials on how to use the new functionality. The NAFO Secretariat offered to provide a virtual tutorial to teach users how to use the new functionality of the MCS Website before 01 January 2017.

It was **agreed** that:

- **The edits proposed in STACTIC EDG WP 16-01 be incorporated into the 2017 version of the NAFO CEM.**
- **The NAFO Secretariat would provide an online tutorial on how to use the new functionality of the MCS Website before 01 January 2017.**
- **The European Union, with the assistance from the NAFO Secretariat, would draft a proposal for the inclusion of additional items on the NAFO MCS Website, as well as review the term “automatically” throughout the NAFO CEM as it relates to the NAFO MCS website.**

## **8. Edits to the NAFO CEM Highlighted by the Secretariat**

The NAFO Secretariat presented edits to the NAFO CEM for correction/clarification and those were presented in STACTIC EDG WP 16-02. The EDG reviewed and agreed with the edits, and clarified an issue regarding footnote 10 of Annex I.A, noting that the reference to footnote 4 was inadvertently removed in FC Doc. 15-08. The reference was re-inserted to the CEM, and the correction was reflected in STACTIC EDG WP 16-02 Rev.

It was **agreed** that:

- **The edits proposed in STACTIC EDG WP 16-02 Rev. be incorporated into the 2017 version of the NAFO CEM.**

## **9. 2017 NAFO CEM**

The NAFO Secretariat presented the first draft of the 2017 NAFO CEM with all of the measures that were adopted at the 2016 Annual Meeting (GFS 16-274) incorporated as track changes.

The insertion of the new Article for the 3LN Redfish Conservation Plan and Harvest Control Rule (FC Doc. 16-15) highlighted the need for having separate sections within the NAFO CEM that outline the distinction between the conservation elements and the enforcement elements of the measures. It was decided that for 2017, the new 3LN Redfish measures would be inserted as Article 10 Bis. with a reference to Annex I.H that contains the 3LN Redfish Conservation Plan and Harvest Control Rule, and that the United States would draft a proposal to reconfigure the NAFO CEM to have one section solely for conservation measures, and one section solely for enforcement measures.

The group noted that the insertion of the new text in Article 12 - Conservation and Management of Sharks (FC Doc. 16-11) was not formatted in a consistent manner with other similar articles in the NAFO CEM. It was agreed that the EDG would develop a proposal to re-draft that article for presentation at the 2017 STACTIC Intersessional.

The group also reviewed FC Doc. 15-04 and STACTIC WP 15-17 which contained a list of terms from the STACTIC Ad hoc Working Group on Port State Control Alignment that the EDG should review throughout the

NAFO CEM to ensure consistency with the updated text in the Port State Chapter. The group began to review the terms within the NAFO CEM, and felt that changing some of the terms for consistency resulted in a larger change than what was not believed to be the intention. It was decided that the NAFO Secretariat would follow up on the intention of the review before going through the NAFO CEM and changing all of the terms. The group did decide to align the term “entitled to fly its flag” throughout the NAFO CEM as they felt this change was strictly for consistency.

The group reviewed the insertion of the new text in Article 29.10.g.ii that was adopted by the Fisheries Commission in FC Doc. 16-13. The group noted that there are duties of the Executive Secretary as well as Contracting Parties within the paragraph, and there should be a distinction between them. The last sentence of the paragraph was very clearly a duty of the Contracting Party, so it was decided to separate that sentence into a new Article 29.12, but that further work was needed to align that text to make it consistent with the rest of the NAFO CEM. The European Union agreed to work on a re-draft of this text for presentation at the 2017 STACTIC Intersessional.

The remaining changes for 2017 were reviewed and some editorial changes were made by the EDG for consistency. The draft of the NAFO CEM was reviewed by EDG participants and finalized during a WebEx meeting on 18 November 2016. Items that the EDG agreed to review further in 2017 are outlined in Annex 3.

It was **agreed** that:

- **The United States would draft a proposal to reconfigure the NAFO CEM to have one section for conservation measures and one section for enforcement measures for presentation to STACTIC at the 2017 Intersessional meeting.**
- **The EDG would develop a proposal to re-draft the text for Article 12 adopted in FC Doc. 16-11, in order to make the text consistent with other sections of the NAFO CEM, for presentation at the 2017 STACTIC Intersessional.**
- **The NAFO Secretariat would follow up on the intention of reviewing the list of terms for consistency presented in FC Doc. 15-04 and STACTIC WP 15-17.**
- **The European Union would develop a draft revision of the text that was adopted in FC Doc. 16-13 in order to make it consistent with the rest of the CEM.**

## **10. Time and Place of Next Meeting**

The next meeting of the EDG will take place as and when required.

## **11. Adoption of the Report**

The report was adopted by the group via correspondence.

## **12. Adjournment**

The meeting was adjourned via WebEx on 18 November 2016.

**Annex 1. List of Participants****CANADA**

Dwyer, Judy. Director, Enforcement, Conservation and Protection, Fisheries and Oceans Canada, 200 Kent Street,  
Ottawa, Ontario K1A 0E6

Tel: +1 613 993 3371 – Email: [judy.dwyer@dfo-mpo.gc.ca](mailto:judy.dwyer@dfo-mpo.gc.ca)

Lambert, Robert. Director - Conservation & Protection, NL Region, Fisheries & Oceans Canada, 80 East White  
Hills Road, P. O. Box 5667, St. John's, NL A1X 5X1

Tel: +1 709 772 4494 – Email: [robert.lambert@dfo-mpo.gc.ca](mailto:robert.lambert@dfo-mpo.gc.ca)

Slaney, Lloyd. Conservation and Protection, NL Region, Fisheries and Oceans Canada, 80 East White Hills Road,  
P. O. Box 5667, St. John's, NL A1X 5X1

Email: [Lloyd.Slaney@dfo-mpo.gc.ca](mailto:Lloyd.Slaney@dfo-mpo.gc.ca)

**EUROPEAN UNION**

Jury, Justine. European Commission, Directorate General for Fisheries and Maritime Affairs (DG MARE.B.1), Rue  
Joseph II, 99, 1000 Brussels, Belgium

Tel.: +32 2 295 86929 – Email: [justine.jury@ec.europa.eu](mailto:justine.jury@ec.europa.eu)

Spezzani, Aronne, European Commission, Directorate-General for Maritime Affairs and Fisheries, 99 Rue Joseph  
II, B-1049, Brussels, Belgium

Tel.: +32 2 295 9629 – E-mail: [aronne.spezzani@ec.europa.eu](mailto:aronne.spezzani@ec.europa.eu)

**ICELAND**

Asgeirsson, Hrannar Mar. Directorate of Fisheries, Surveillance Department, Fiskistofa, Dalshrauni 1, 220  
Hafnarfjordur, Iceland

Email: [hrannar@fiskistofa.is](mailto:hrannar@fiskistofa.is)

**UNITED STATES OF AMERICA**

Heckwolf, Joseph. Attorney, Enforcement Section, National Oceanic and Atmospheric Administration (NOAA)  
General Counsel, 55 Great Republic Drive, Gloucester, MA 01930, USA

Tel: +1 978 281 9241 – Email: [joseph.heckwolf@noaa.gov](mailto:joseph.heckwolf@noaa.gov)

Martin, Gene. Section Chief, Northeast Section, National Oceanic and Atmospheric Administration (NOAA)  
General Counsel, 55 Great Republic Drive, Suite 02-400, Gloucester, MA 01930

Tel: + 978 281 9242 – Email: [gene.s.martin@noaa.gov](mailto:gene.s.martin@noaa.gov)

**NAFO SECRETARIAT**

2 Morris Drive, Suite 100, Dartmouth, Nova Scotia, Canada – Tel: +1 902 468-5590

Aker, Jana, Fisheries Information Administrator

[jaker@nafo.int](mailto:jaker@nafo.int)

## **Annex 2. Agenda**

1. Opening of the meeting
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Footnote 21 from the 2015 Quota Table (Annex I.A)
5. Harmonization of At-Sea Inspection Forms
6. Port Inspection Access
7. Clarifications to the MCS Website Proposal
8. Edits to the NAFO CEM Highlighted by the Secretariat
9. 2017 NAFO CEM
10. Time and Place of Next Meeting
11. Adoption of the Report
12. Adjournment



### **Annex 3. Items for review in 2017**

The group agreed further review the following items in 2017:

1. Review of the incorporation of footnote 21 from the 2015 Annual Quota table into Article 6.3.f of the 2016 NAFO CEM – Lead: United States of America, Assistance from: Canada
2. Review and development of a draft At-Sea Inspection form for presentation at the May 2017 STACTIC Intersessional – Leads: Canada and the European Union
3. Clarification of the port inspection coverage where vessels have Greenland halibut onboard (Article 10.5.e) – Lead: Iceland; Assistance from: EDG members
4. Draft a proposal for the additional items that could be included on the NAFO MCS website and review the use of the term “automatically” throughout the NAFO CEM in relation to the MCS Website. – Lead: European Union; Assistance from: NAFO Secretariat.
5. Draft a proposal for the revision of the text in Article 29.10.g.ii and 29.12 to make it consistent with other sections of the NAFO CEM. – Lead: European Union; Assistance from: NAFO Secretariat.
6. Clarifying the text in Article 54.c. – Lead: EDG members
7. Clarifying the lists in Article 46.1.c-d. – Lead: EDG members