

Northwest Atlantic Fisheries Organization



**Report of the NAFO Standing Committee on International Control (STACTIC)
Intersessional Meeting**

09-11 May 2017
Boston, MA, USA

NAFO
Dartmouth, Nova Scotia, Canada
2017

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1. Opening by the Chair, Judy Dwyer (Canada)

The Chair opened the meeting at 10:00 hours on Tuesday, 09 May 2017 at the Mariners House in Boston, United States of America. 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, the Russian Federation, and the United States of America (Annex 1). The Chair thanked the United States for hosting and welcomed the Chair and vice-Chair of the Fisheries Commission and the Chair of the Scientific Council.

2. Appointment of Rapporteur

Jana Aker (NAFO Secretariat) was appointed as rapporteur.

3. Adoption of Agenda

The following amendments were made to the agenda under agenda Item 17 – Other Matters:

- a) NAFO Working Group on Improving Efficiency of NAFO Working Group Process
- b) NAFO Amended Convention
- c) Transboundary reporting of catch

The agenda was adopted, as amended (Annex 2).

4. Compilation of fisheries reports for compliance review (2016), including review of Apparent Infringements

The Secretariat presented the draft compilation tables (STACTIC WP 17-03) and Contracting Parties are asked to further review the information presented in STACTIC WP 17-03 and provide comments and corrections to the NAFO Secretariat no later than 12 June 2017. Compilation tables will be transmitted to Contracting Parties on 19 June 2017, as per Rule 4.1 of the Fisheries Commission Rules of Procedure. Contracting Parties will be provided with their own vessel specific details. Contracting Parties provided comments on the draft compilation, the most significant being GHL landings not associated to PSC3 reports, fishing trips with no Observer reference, and the inclusion of Apparent Infringements that were detected during Port Inspections.

Regarding the trip catches, the Secretariat informed that for the first time, the catch estimates derived from the STACTIC catch data will be provided to the Scientific Council for its task in performing fish stock assessment. The catch estimates were derived using the methodology developed by the Catch Data Advisory Group (CDAG) of the Joint FC-SC Working Group on Catch Reporting (FC-SC Doc. 17-01).

The NAFO Secretariat presented STACTIC WP 17-22, which was the annual presentation of fisheries and compliance information for 2016. This presentation included several graphs and analyses that will eventually be incorporated into the draft Annual Compliance Review. The European Union highlighted the necessity to clarify the distinction of VMS and VTI information. The NAFO Secretariat also presented STACTIC WP 17-17 in response to a request from STACTIC to continue conducting specific analyses on declared and landed catches to facilitate compliance discussions. Iceland highlighted an issue relating to double counting by the Secretariat for one trip and the working paper was revised accordingly (STACTIC WP 17-17 (Revised)). Where anomalies in catch reporting are present, the NAFO Secretariat will investigate and provide a report at the next Annual

Meeting. The amount of bycatch of Greenland shark was highlighted, and a representative from the Scientific Council noted that the Scientific Council will be discussing Greenland shark bycatch at their June meeting.

The NAFO Secretariat also presented the information received in accordance with Article 40.1 in STACTIC WP 17-01 (Revised) as well as the compilation of Apparent Infringements detected at-sea since 2012 (STACTIC WP 17-02 (Revised)) for information. It was recalled that Contracting Parties must report annually at-sea and in port Apparent Infringements and provide information on their related follow-up. Contracting Parties are requested to update the information in STACTIC WP 17-01 (Revised) and STACTIC WP 17-02 (Revised) accordingly. STACTIC WP 17-01 (Revised), STACTIC WP 17-02 (Revised) and STACTIC WP 17-03 will subsequently all include Apparent Infringements detected at-sea and in port.

The NAFO Secretariat presented STACTIC WP 17-13 outlining the information that is currently being presented in the Annual Compliance Review. Canada presented STACTIC WP 17-26 proposing a modified process for the development of the Annual Compliance Review that would be incorporated into the proposed work planning process, which will be a collaboration between Contracting Parties engaged in the Joint Inspection and Surveillance Scheme. Contracting Parties agreed with the general concept of the compliance review process being presented by Canada, but expressed interest in having a more detailed description of the expected role of STACTIC, particularly as it relates to the work planning process. Iceland requested that the NAFO Secretariat include in the draft Annual Compliance Review an analysis of compliance with the 15% port inspection rule.

It was **agreed** that:

- **The NAFO Secretariat would provide the Contracting Party with their own vessel specific information within STACTIC WP 17-03, including vessel names.**
- **Contracting Parties would review the information in STACTIC WP 17-01 (Revised), STACTIC WP 17-02 (Revised), and STACTIC WP 17-03 for accuracy, and provide updates, comments, and/or corrections to the NAFO Secretariat no later than 12 June 2017.**
- **The NAFO Secretariat will conduct an analysis of compliance with the 15% port inspection provision for inclusion in the draft Annual Compliance Review.**
- **Canada would present a more detailed proposal for the Annual Compliance Review process and a separate proposal for outlining the potential work planning model with the inclusion of the role of STACTIC in the process.**

5. Measures concerning repeat non-compliance of serious infringements in the NAFO Regulatory Area

This item was added to the agenda following discussions at the September 2016 meeting of STACTIC on possible measures that could be included in the NAFO CEM to deter repeat non-compliance within the NAFO Regulatory Area. At the September meeting, Contracting Parties were tasked with reviewing their domestic legislation to determine if there were mechanisms available for such deterrence and report back to STACTIC. Iceland (STACTIC WP 17-16) and Canada (STACTIC WP 17-23) highlighted the options available within their domestic legal regimes. All other Contracting Parties then provided verbal updates on their own domestic tools for discouraging repeat non-compliance. The general consensus among Contracting Parties was that the NAFO CEM would have to remain somewhat general, with specifics left to the individual Contracting Parties. Canada agreed to draft a proposal to include measures to address repeat non-compliance, but requested written summaries from Contracting Parties on their domestic legislation in order to ensure that the draft proposal can accommodate the needs of all Contracting Parties.

It was **agreed** that:

- **Contracting Parties would provide Canada with the specific measures within their domestic legislation to address the issue of repeat non-compliance by 19 July 2017.**
- **Canada would draft a proposal for measures concerning repeat non-compliance of serious infringements in the NAFO Regulatory Area for presentation at the next Annual Meeting.**

6. Discussion on the bycatch analysis done by the Secretariat

At the 2016 Annual Meeting, the Fisheries Commission adopted the Working Group on Bycatches and Discards (WG-BDS) recommendation (FC Doc. 16-05), instructing the Secretariat to conduct bycatch analysis of CAT data, specifically that the Secretariat analyzes data for trends, patterns, anomalies:

- *In cases where bycatch thresholds are exceeded, the analysis should provide additional information on associated catch weights for specific stocks (3NO COD, 3M PLA, 3LNO PLA);*
- *Analysis should consider both historical and current CATs (2012 to current);*
- *Trends in reported catch of non-Annex I.A (3M WIT, 3M SKA).*

The NAFO Secretariat gave a presentation on the preliminary bycatch analysis of CATs for 2012-2016 in STACTIC WP 17-24. Contracting Parties thanked the Secretariat for the presentation but sought clarification on whether the analyses were meant to be reviewed for compliance purposes, and the Chair clarified that the work was completed for the WG-BDS, but is being presented to STACTIC for informational purposes. Contracting Parties highlighted some challenges with the way the data were being presented and the NAFO Secretariat agreed to update the presentation following input from the next meeting of the WG-BDS.

Contracting Parties discussed the challenges with complying with the bycatch rules outlined in Article 6 of the NAFO CEM where domestic discard bans exist.

It was **agreed** that:

- **The NAFO Secretariat would update the presentation in STACTIC WP 17-24 following input from the next meeting of the Working Group on Bycatches and Discards.**

7. Review and evaluation of Practices and Procedures

A representative from Iceland gave a presentation on their use of business intelligence software (Tableau) to improve their inspection regime. Contracting Parties thanked Iceland for the very informative presentation, and Iceland offered to provide more detailed information to Contracting Parties if they were interested. Iceland agreed to add descriptive text to the presentation so that it can be uploaded to the Practices and Procedures webpage, and the NAFO Secretariat would update the list presented in STACTIC WP 17-04.

It was **agreed** that:

- **Iceland would provide their presentation to the NAFO Secretariat for inclusion on the Practices and Procedures webpage.**

8. Review of current IUU list

The Secretariat presented the NAFO IUU List Update in STACTIC WP 17-05 and noted that there have been no changes to the IUU list since the last update at the 2016 NAFO Annual Meeting. The NAFO Secretariat also presented STACTIC WP 17-21, which was a letter received from officials in Cambodia relating to Cambodian flagged vessels, for information to Contracting Parties. The NAFO Secretariat indicated that it has responded to the Cambodian officials acknowledging the receipt of the letter.

9. Half-year review of the implementation of new NAFO CEM measures

The NAFO Secretariat presented STACTIC WP 17-06 highlighting the experiences of the NAFO Secretariat with the new measures adopted at the 2016 NAFO Annual Meeting. The Secretariat highlighted that the amendments to the measures adopted in FC-Doc. 16-14 and FC Doc. 16-07 relating to the “Others” quota, and in FC Doc. 16-19 (Revised) relating to the clarification of data elements (proposed by JAGDM) were all very useful changes that have helped to streamline processes and increase accuracy.

The Secretariat also highlighted a question related to a situation where the 5-day notification of the “Others” quota was sent, but the quota was not exhausted during the 5-day timeframe prior to the closure time, prompting a question about whether there was or should be, a mechanism for reopening the “Others” quota. Contracting Parties agreed that there is no mechanism in the current measures that would allow for the reopening of an “Others” quota. Contracting Parties also noted that because the quotas are so small, the reopening of an “Others” quota would open up the possibility of exceeding the quota and indicated a preference to maintain the status quo. During the discussion, it was also highlighted that no such reopening system exists for the 3M redfish fishery.

The Secretariat also highlighted an issue that was raised in relation to the revision of the Port State Control measures that were adopted in FC Doc. 16-06. It has been flagged to the Secretariat that there is confusion relating to the PSC1 approval process. Contracting Parties discussed this issue and noted that it was unclear if there was a requirement for confirmation from the flag State for a PSC1 where the vessel was entering port solely for “use of port services” with no landing or transshipment of fish. Canada highlighted that they prepared a summary of their understanding and the application of the current process and would share with interested Contracting Parties. There was also discussion on whether the entry of vessels into port for “use of port services” following a PSC1 approval process should count in the statistics for determining the 15% coverage of port inspections. Representatives who are also members of NEAFC noted that there is currently a working group in NEAFC that is looking at this same issue, and that it would be best if NAFO and NEAFC would operate with the same understanding of the process. The Chair requested the representatives who are also members of NEAFC inform the NAFO Secretariat when there is a decision made in NEAFC so that STACTIC can reflect on the decision and have a clear way forward for the next intersessional meeting.

It was **agreed** that:

- **The members who are also representatives of NEAFC would inform the NAFO Secretariat when there is a decision made in NEAFC to clarify the PSC1 approval process.**
- **The NAFO Secretariat would forward the information received from NEAFC to STACTIC for discussion.**

10. NAFO Monitoring, Control and Surveillance (MCS) Website

The NAFO Secretariat indicated that they have received positive feedback on the new developments to the NAFO MCS website, and invited Contracting Parties to continue to provide feedback on functionality as they are using the website. The NAFO Secretariat presented STACTIC WP 17-07 highlighting areas in the NAFO CEM referring to uploading information to a secure portion of the NAFO Website that could potentially be moved to the MCS Website, as well as information that is currently being posted to the MCS website that is not reflected in the NAFO CEM. The working paper also highlighted that the NAFO Secretariat will initiate a process for uploading historical reports (at-sea inspection, port inspection, observer) to the NAFO MCS Website dating back to 2010, as a start. The European Union requested that the information will have the ability to be filtered by the existence of an infringement and the type of infringement. Contracting Parties are concerned that the MCS Website, if the only place for many types of information also required by other NAFO Bodies, would need to have much wider access therefore was in danger of not being dedicated to its original purpose – a tool for MCS. The Ad hoc virtual NAFO Website Re-design Working Group: Phase II – Data Classification will now review access and location to all information, therefore it is suggested to wait for their conclusions before any more

changes are made to the MCS website. Also, the NAFO Secretariat will discuss capabilities and options with the Database Developer/Programmer Analyst.

The United States questioned the current requirement to post the provisional IUU list on the secure portion of the NAFO Website and suggested that STACTIC may want to revisit this requirement at a future meeting.

The NAFO Secretariat presented STACTIC WP 17-08 highlighting potential technical improvements that could be made to the NAFO MCS Website. Contracting Parties expressed the most interest in the catch data query option, but reflected that the enhanced security option might not be practical for inspection vessels operating at sea given the communications challenges. Questions were raised about whether the quota monitoring option might be redundant since Contracting Parties would have their own methods for monitoring their own quota uptake. The NAFO Secretariat agreed to complete a demo of the data query option for the MCS Website for presentation at the Annual Meeting, and the representative from the Russian Federation offered to help test the software in the interim.

It was **agreed** that:

- **The European Union, with assistance from the NAFO Secretariat, would review the outcome of the Ad hoc virtual NAFO Website Re-design Working Group: Phase II – Data Classification and discuss the IT capabilities of the NAFO Secretariat, and come up with a way forward for posting the information outlined in STACTIC WP 17-07 to the NAFO MCS Website.**
- **The NAFO Secretariat would develop a demo of the catch data query addition to the NAFO MCS Website for presentation at the next Annual Meeting.**

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

The Chair presented the two latest reports of the EDG (FC Doc. 16-22 and STACTIC EDG-WP 17-01) and highlighted the work that has been completed by the group since the last Annual Meeting. The Chair highlighted that the EDG is currently working on clarifying the language in Article 18.1, Article 5.3.e, and noted that any other small clarifications would be compiled into one proposal for presentation at the next Annual Meeting.

Following the recommendation from STACTIC at the 2016 Annual Meeting to review the incorporation of footnote 21 of the 2015 NAFO CEM into Article 6, the United States noted that they are still working bilaterally with Canada to develop a proposal addressing the issue and will provide an update at the Annual Meeting. Canada noted its willingness to continue discussions in an effort to reach consensus. The United States also reflected on the reconfiguration of the NAFO CEM into two sections, one for conservation and one for enforcement, and noted that they will provide an update of progress at the next Annual Meeting.

The Chair also presented STACTIC WP 17-09 and STACTIC WP 17-10 and noted that these changes are being proposed in order to align the text that was adopted at the 2016 Annual Meeting with rest of the measures. Contracting Parties agreed to forward these working papers to the Fisheries Commission for adoption.

It was **agreed** that:

- **The changes to the NAFO CEM presented in STACTIC WP 17-09 and STACTIC WP 17-10 be forwarded to the Fisheries Commission for adoption.**
- **The United States and Canada will continue to work bilaterally regarding the review of the incorporation of footnote 21 of the 2015 NAFO CEM into Article 6 and will provide an update at the next Annual Meeting.**

12. New and Pending Proposals on Enforcement Measures – possible revisions of the NAFO CEM

Iceland presented STACTIC WP 17-15, which was a proposal to include text in the NAFO CEM to prohibit landing or transshipping operations in port before the Estimated Time of Arrival (ETA) as stated in the PSC1 or

PSC2 has expired. Contracting Parties were fully supportive of the concept presented, but offered some changes to the text, which was presented in STACTIC WP 17-15 (Revised). Contracting Parties agreed to forward the proposal presented in STACTIC WP 17-15 (Revised) to the Fisheries Commission for Adoption.

The European Union presented STACTIC WP 17-19, which included a complete revision of Chapter VI to better align with current processes and technologies for the At-Sea Inspection Scheme and strengthen enforcement capacity in a move to contribute to the fight against repeat non-compliance. The European Union also presented STACTIC WP 17-20, which included a revision of Chapter VII – Port State Control. The European Union also presented STACTIC WP 17-25, which included a summary of the suggested amendments in the previous two working papers. The European Union noted that for ease of review of the proposed provisions, they presented a clean version of the documents but would give the “track changes” versions to the NAFO Secretariat to circulate to meeting participants so that they would be able to review all of the changes being proposed. Contracting Parties thanked the European Union for their extensive work and provided preliminary comments on the proposals, but indicated a need to thoroughly review the “track changes” versions before endorsing the need to adopt any or all of the proposed changes.

It was **agreed** that:

- **The changes to the NAFO CEM presented in STACTIC WP 17-15 (Revised) be forwarded to the Fisheries Commission for adoption.**
- **The NAFO Secretariat would circulate, via email to the meeting participants, the “track changes” versions of STACTIC WP 17-19 and STACTIC WP 17-20.**
- **Contracting Parties would review the “track changes” versions of STACTIC WP 17-19 and STACTIC WP 17-20 and forward preliminary comments, where possible, on the documents to the European Union and the NAFO Secretariat by 19 July 2017.**
- **The proposals outlined in STACTIC WP 17-19 and STACTIC WP 17-20 be discussed further at the next Annual Meeting.**

13. Report and recommendations of the STACTIC Observer Program Review Working Group (WG-OPR)

The Chair presented the meeting report from the October meeting of the WG-OPR (FC Doc. 16-21) as well as the draft meeting report from the meeting that took place on 08 May 2017. The Chair highlighted that at the most recent meeting of the WG-OPR, there were representatives from the Scientific Council present and their input in the meeting was very informative to the review process of the NAFO Observer Program. The Chair highlighted that the Scientific Council representatives offered to survey the Scientific Council participants at their next meeting on the current and potential uses of the NAFO Observer Program data. The Chair also reported that the draft changes to Article 30 are still in progress and that the European Union has drafted an Action Plan for the working group to assist in itemizing the tasks that need to be completed. The report of the 08 May 2017 meeting will be finalized through email correspondence over the next few weeks.

14. Report and Advice of the Joint Advisory Group on Data Management (JAGDM)

The Chair of JAGDM (Lloyd Slaney – Canada) presented STACTIC WP 17-11 (Revised), which included a summary of the meeting highlights from the last meeting of JAGDM that took place in March 2017. Some of the highlights included the attendance of representatives from CCAMLR and SEAFO noting possible future collaboration on technical issues, presentations on data exchange statistics, the ongoing review of the NAFO CEM Annexes, and updates from the NAFO Secretariat on use of the EU ERS data using the FLUX transport layer.

15. Information Security Management System (ISMS)

The NAFO Secretariat presented STACTIC WP 17-12 highlighting that they will be receiving funding from the European Union to install enhanced security measures for critical web servers housed within the NAFO

Secretariat, and testing will be conducted to ensure security. The NAFO Secretariat will present the results of the testing at the next Annual Meeting.

Iceland highlighted a concern relating to the NAFO Backup policy that was presented at the last Annual Meeting in STACTIC WP 16-23, specifically with the storage procedure of the weekly backup tapes. Contracting Parties requested the NAFO Secretariat to investigate other methods and include an estimate of costs at the next Annual Meeting.

It was **agreed** that:

- **The NAFO Secretariat will present an update on the new security measures, including the results of the testing at the next Annual Meeting.**
- **The NAFO Secretariat will investigate other methods for storing the weekly backup tapes, including an estimate of costs for presentation at the next Annual Meeting.**

16. Confidentiality measures in the NAFO CEM

The Chair highlighted GC WP 17-01 noting that it was in response to a recommendation from STACTIC at the 2016 Intersessional meeting, as well as from STACFAD at the 2016 Annual Meeting, to assign access rights to all of the NAFO data and information stored in the various NAFO Websites. It was noted that this is a first draft which is being reviewed by the Ad hoc virtual NAFO Website Re-design Working Group: Phase II – Data Classification. Contracting Parties were asked to review the information relating to the MCS Website and the NAFO Members Pages, noting that there was some redundancy, unnecessary administrative burden, and perhaps unnecessary restrictions in some of the information being located in both places. Contracting Parties noted that they would need more time to reflect on the utility and transparency aspects for housing some of the information on one webpage over another.

Canada provided an update on their progress in addressing areas in the NAFO CEM that require clarity on access rights as highlighted in STACTIC WP 16-37, noting that the proposal is in progress and will be presented at the Annual Meeting.

It was **agreed** that:

- **Canada would draft a proposal for addressing areas in the NAFO CEM that require clarity on access rights as highlighted in STACTIC WP 16-37 for presentation at the next Annual Meeting.**

17. Other Matters

a) NAFO Working Group on Improving Efficiency of NAFO Working Group Process

The Chair highlighted the request from the NAFO Working Group on Improving Efficiency of NAFO Working Group Process to discussing scheduling of NAFO Working Group Meetings. The Chair noted that STACTIC has already been making efforts to schedule its working group meetings together, or in conjunction with the Intersessional. The Chair also highlighted the proposal from the Working Group to set aside a two-week period each year to have all of the NAFO Working Group meetings. Contracting Parties were appreciative of the proposal, but were unsure of the feasibility of setting aside two weeks each year.

The other item for discussion was the development of a clear communication mechanism amongst NAFO Subsidiary bodies. Contracting Parties discussed the option of formalizing something within the NAFO Rules of Procedure to allow the Chairs to openly communicate when necessary as a potential option.

b) NAFO Amended Convention

The NAFO Secretariat presented STACTIC WP 17-14, which highlighted a change to the NAFO Rules of Procedure that will come into force on 18 May 2017 with the Amended Convention. Contracting Parties deliberated on the change to Rule 4.5 and noted that it should not impact the way STACTIC operates, but that confirmation may be required.

The NAFO Secretariat presented STACTIC WP 17-18 highlighting the editorial changes required in the NAFO CEM following the entry into force of the NAFO Amended Convention. The NAFO Secretariat offered to draft these changes and forward them to the EDG for review.

It was **agreed** that:

- **The NAFO Secretariat would draft the editorial changes to the NAFO CEM required following the entry into force of the NAFO Amended Convention and would forward them to the EDG for review.**

c) Transboundary reporting of catch

Canada gave a presentation to illustrate problems their inspectors are encountering with regard to the mis-recording of catch by division in the NAFO Regulatory Area. Canada suggested a possible way of addressing this issue would be to require reporting of catch by division when moving from one division to another. Contracting Parties deliberated, but no consensus on a way forward was reached at this time. Canada agreed to reflect on the discussions and investigate other options for possible presentation at the next Annual Meeting.

It was **agreed** that:

- **Canada would reflect on the discussions and investigate other options for addressing the issue of mis-recording of catch by division in the NAFO Regulatory area for possible presentation at the next Annual Meeting.**

18. Time and Place of next meeting

The next STACTIC meeting will be held at the Montréal Marriott Château Champlain Hotel, in Montréal, Québec, Canada, from 18-22 September 2017.

The Chair reminded Contracting Parties that the election of Chair and Vice Chair of STACTIC will be included on the agenda at the 2017 NAFO Annual Meeting.

19. Adoption of Report

The report was adopted on 11 May 2017, prior to the adjournment of the meeting.

20. Adjournment

The meeting was adjourned the meeting at 12:00 hours on 11 May 2017. The Chair thanked the United States for hosting the meeting and the NAFO Secretariat for their support during the meeting. She also thanked the meeting participants for their cooperation and input. The participants likewise expressed their thanks and appreciation to the Chair for her leadership.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening by the Chair, Judy Dwyer (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compilation of fisheries reports for compliance review (2016), including review of Apparent Infringements
5. Measures concerning repeat non-compliance of serious infringements in the NAFO Regulatory Area
6. Discussion on the bycatch analysis done by the Secretariat
7. Review and evaluation of Practices and Procedures
8. Review of current IUU list
9. Half-year review of the implementation of new NAFO CEM measures
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
13. Report and recommendations of the STACTIC Observer Program Review Working Group (WG-OPR)
14. Report and Advice of the Joint Advisory Group on Data Management (JAGDM)
15. Information Security Management System (ISMS)
16. Confidentiality measures in the NAFO CEM
17. Other Matters
 - a) NAFO Working Group on Improving Efficiency of NAFO Working Group Process
 - b) NAFO Amended Convention
 - c) Transboundary reporting of catch
18. Time and Place of next meeting
19. Adoption of Report
20. Adjournment