

Northwest Atlantic Fisheries Organization



Report of the NAFO STACTIC Observer Program Review Working Group (WG-OPR)

08 May 2017
Boston, MA, USA

NAFO
Dartmouth, Nova Scotia, Canada
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1. Opening

The Chair opened the meeting at 09:45 hours on Monday, 08 May 2017 at the Mariners House in Boston, United States of America with representatives from the following Contracting Parties – Canada, Denmark (in Respect of the Faroe Islands and Greenland), the European Union, Iceland, Japan, the Russian Federation, and the United States of America (Annex 1).

2. Appointment of Rapporteur

The NAFO Secretariat (Jana Aker) was appointed as rapporteur.

3. Adoption of Agenda

The agenda was adopted (Annex 2).

4. Action Plan for the Working Group

The Chair highlighted STACTIC OPR-WP 17-02, and noted that this was a draft action plan that was created by the European Union as per a recommendation from the last report (FC Doc. 16-21). The group began a review of the draft action plan, discussing each of the items in detail. Many of the items discussed are reflected throughout the report under their respective agenda items. The action plan was partially revised, but will be refined further by the European Union for presentation and discussion at the next meeting.

During discussions, the Chair reminded the Group that there was direction from the Annual Meeting to expand the Terms of Reference of the Working Group to include consideration of electronic monitoring for appropriate fisheries. A representative from Canada agreed to draft the updated Terms of Reference for the Working Group for presentation at the next meeting.

Coverage Levels for the observer program were also discussed in detail, but no consensus was reached at this time. The group expressed a need for more information from the Scientific Council along with analysis of the current observer data before coverage levels could be set. A number of methods for developing coverage levels were discussed including having the Fisheries Commission set the levels annually based on assessments of conservation and compliance risks, and establishing a baseline coverage level and then increasing coverage for some fisheries according to the existing level of risk.

For some of the components of the Action Plan, the Working Group decided to delay discussion in order to first review the results of the Scientific Council survey discussed in agenda item 5.

It was **agreed** that:

- **The European Union would update the draft action plan to reflect discussions, for presentation and discussion at the next meeting.**
- **Canada would draft the revision to the Terms of Reference for the Observer Program Review Working Group.**
- **Updating the Terms of Reference be added as an item in the Action Plan.**

5. Observer Data Quality Enhancement

The Chair highlighted the discussions that were held at the FC-SC Working Group on Catch Reporting in February 2017 (FC-SC Doc. 17-01) relating to the quality of the Observer Program data in its current form. Participants at that meeting noted the data were useful, but would need to be reviewed more closely from a scientific perspective to further assess the usefulness. The European Union noted that they have been having discussions internally relating to the NAFO Observer Program, specifically in relation to their own Scientific Observer programs (i.e. those of Spain and Portugal), and offered to prepare a summary of those discussions for this Working Group.

Two representatives from the United States delegation of the NAFO Scientific Council (SC), including the current SC Chair, presented STACTIC OPR-WP 17-05 highlighting, from the perspective of the United States with input from a Canadian SC representative, current uses of the NAFO Observer Program data. Potential future uses of these data were also presented. They noted that the most recent review of the NAFO Observer Program data was completed in 2011, and there have been a lot of improvements since then, so it should be reviewed again. The Scientific Council representatives suggested the STACTIC WG-OPR query the SC to determine the existing and potential uses of the NAFO Observer data as well as the data improvements needed. The Working Group felt that this would be a good way forward, and the SC Chair agreed that the SC Participants would formulate a survey for distribution at the June 2017 Scientific Council meeting to obtain input from Scientific Council members on their current and potential uses of the NAFO Observer Program Data. The results of the survey will be incorporated into the June report of the Scientific Council.

The NAFO Secretariat agreed to assist in a review of the improvements to the NAFO Observer Program data since the last review and create a timeline of the improvements for presentation at the June 2017 Scientific Council meeting. One of the improvements discussed was species level identification for deep-sea and shark species. The SC representatives noted, as an example, that in the 2014 Annual Compliance Report (FC Doc. 15-21), most of the shark catch (45%) was reported as dogfishes (DGX), and that species level identification necessary for scientific use of the NAFO Observer data. Increased training on species identification would aide in the improvement of observer data quality, as well as all catch reporting data in NAFO. The group recalled that the European Union had shared the species ID guides of other RFMOs with NAFO, and Canada informed the group that they are developing a species ID smartphone app, and noted that the World Wildlife Fund (WWF) has developed one. The SC Representatives also noted the timeliness of report submissions as an issue as only 22% of the reports were submitted in the required timeline of 30 days following the end of the trip (FC Doc. 15-21). It was also noted that if a trip occurs at the end of one calendar year, and continues into the next calendar year, and the reports are submitted 30 days following the end of the trip, the SC may not have enough time to analyse the data from those trips before the SC meeting in June.

Representatives from Denmark (in Respect of the Faroe Islands and Greenland) (DFG) presented STACTIC OPR-WP 17-04 outlining some of the scientific data collection guidelines currently being used in Greenland. Contracting Parties thanked DFG for sharing their processes and noted their methods would result in more accurate data, but that it would be more labour intensive for scientists.

The European Union highlighted STACTIC OPR-WP 17-01 that was prepared by the NAFO Secretariat comparing the CATs total values with the OBR values. The European Union noted that the values were very close in some cases and questioned their accuracy. The main question discussed by the group was if the close values indicate complete accuracy of the observer and the Master in estimating catch, or if they mean the Masters or observers are sharing values.

It was **agreed** that:

- **The European Union would provide a summary of the discussions with their Member States relating to the NAFO Observer Program and their Scientific Observer programs.**

- **The Scientific Council representatives would develop a survey for distribution at the June 2017 Scientific Council meeting to determine the current and potential uses of the NAFO Observer Program data, and the necessary improvements, by other Scientific Council members and the results of the survey will be incorporated into the June Scientific Council report.**
- **The NAFO Secretariat will develop a timeline of improvements to the NAFO Observer Program data since the last review in 2011 for presentation at the June 2017 Scientific Council meeting.**

6. Review of Article 30

During the discussion of the action plan (STACTIC OPR-WP 17-02), it was noted that some components outlined in the draft action plan have already been completed in the latest draft of Article 30 (WG-OPR Draft Article 30 – Version 4). Participants noted that there was some confusion around which items were agreed to by consensus in the draft, and which were still outstanding. The European Union was requested and agreed to outline the specific items within the draft Article 30 that have been agreed to in the Action Plan as completed.

It was **agreed** that:

- **The European Union would incorporate the components of the draft Article 30 document into the Action Plan and mark the items that have been agreed to by the working group as completed.**

7. Code of Conduct for the NAFO Observer Program

The European Union presented the draft Code of Conduct for the NAFO Observer Program in STACTIC OPR-WP 16-01. Contracting Parties reiterated their concerns from the previous meeting that the current draft is overly prescriptive and could create issues with how individual flag State observer programs are operating. The European Union noted that other RFMOs, for which NAFO Contracting Parties are also members, operate under similar codes (e.g. the Bill of Rights), and that because as it is a 'Code', it is not a legally binding document. To address their specific concerns, the United States agreed to edit the pre-amble of the draft Code of Conduct, to ensure that this was explicit and it was clear that it was without prejudice to other international and national legislation / policies. Contracting Parties agreed that there was a need for some sort of Code of Conduct for the NAFO Observer Program, but that the draft should be more generalized and include clear text explaining the purpose and scope of the document. All other Working Group Participants with concerns over the draft agreed to submit comments to the European Union who agreed to revise the document accordingly. Contracting Parties also agreed that the document, when finalized, should not be incorporated into the NAFO CEM but could be posted to the Practices and Procedures webpage, or on the NAFO MCS Website.

The United States highlighted that there is currently an ongoing review of National and International Observer safety which should be completed in the Fall of 2017, and that they would share the results with the Working Group.

It was **agreed** that:

- **A Code of Conduct document for the NAFO Observer Program would be a helpful resource, but the scope and purpose should be clarified.**
- **If a final version of the Code of Conduct is agreed to, it should exist separately from the NAFO CEM, for example, on the Practices and Procedures webpage, or the NAFO MCS Website.**
- **The United States would edit the pre-amble of the draft Code of Conduct, to ensure that this was explicit, and it was clear that it was without prejudice to other international and national legislation/policies.**

- **Working Group participants with concerns over the draft Code of Conduct would submit comments to the European Union by 15 August 2017, who will revise the current draft to make it more generalized accordingly for review at the next meeting.**

8. Changes to Annex II.M of the NAFO CEM

The European Union presented STACTIC OPR-WP 16-02 and explained that it has been several years since the Annex had been reviewed and noted there were places for improvements. The European Union walked through the individual changes within the document, and highlighted some key changes. One change of note was an increase in the amount of details related to compliance for inspection purposes. Another was the inclusion of a comparison of the logbook data recorded by the Master in Part 4B to facilitate Port Inspectors. Observer reports are required to be submitted to Port Inspection authorities when a vessel lands in port, and adding this information would facilitate inspections. The European Union also highlighted the mandatory inclusion of Part 5 (Length Frequency Forms) and requested that this be reviewed as some flag State vessels carry Scientific Observers who collect this information. Meeting participants provided some preliminary comments to the European Union on the draft and some noted that they would like to review in further detail before providing more comments. Participants also noted that what is required in Annex II.M may change depending on the June survey results being conducted by the Scientific Council, and once the role of the observer is further refined and specific tasks defined.

It was **agreed** that:

- **Interested participants would review STACTIC OPR-WP 16-02 and provide comments to the European Union prior to the next meeting of the WG-OPR.**
- **The data collection requirements, as outlined in Annex II.M, for the NAFO Observer Program be added to the survey to the Scientific Council, highlighting the mandatory inclusion of Length Frequency measures for vessels that also carry a Scientific Observer onboard.**

9. Training and Equipment

Contracting Parties discussed the standards for training and minimum requirements for Observers in NAFO. The consensus of the working group on minimum training standards for NAFO Observers is that the NAFO CEM measures remain general (definition of observer in WG-OPR Draft Article 30 – Version 4), and the Code of Conduct document could identify some general best practices. Contracting Parties agreed that training and minimum requirements of Observers should be left up to the individual discretion of the Contracting Party. The Chair noted that there is a section on the Working Group SharePoint where the training manuals from individual Contracting Parties can be shared and reviewed.

Contracting Parties discussed their individual equipment requirements for Observer Programs. The European Union expressed that the ability to report independently, in real-time, and discreetly has been highlighted by their Member States as the most essential element to ensuring that Observer data is credible and useful. The United States explained some of their equipment requirements and offered to share cost estimates for the required equipment with the Working Group. They also highlighted the importance, for safety reasons, of having a two-way communication mechanism (e.g. Satellite phone) with the observers while they are working onboard vessels. The United States informed the group that they are conducting trials on such equipment and will share the results once finalized. Additionally, they are conducting a safety review of their international observer programs, and likewise would share the results when finalized. Contracting Parties agreed to investigate the potential costs within their jurisdiction for providing an independent source of two-way communication for all observers.

It was noted that the WWF had developed an app for observers to be able to report at sea. All agreed that it would be beneficial to investigate this further and possibly invite a representative from the WWF to share with the group their work on the development of safety measures, codes on conduct, and other aspects for applications in observer programs.

The Chair encouraged Contracting Parties to continue to share their training and equipment requirements on the Working Group SharePoint.

It was **agreed** that:

- **Training and minimum standards for Observers shall be left to the discretion of individual Contracting Parties, and the requirements in the NAFO CEM shall remain general (definition of observer in WG-OPR Draft Article 30 – Version 4).**
- **The United States would share their cost estimation for observer equipment, the results of the personal satellite communication devices, and the results of their international program review with the group when finalized (on the Working Group SharePoint).**
- **Contracting Parties will investigate the potential costs for providing an independent source of two-way communication for all observers and provide an update at the next WG-OPR meeting.**

10. Other Matters

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

The Chair highlighted that there is an effort to develop a clear communication mechanism amongst NAFO's subsidiary bodies to allow improved collaboration between them intersessionally, and there is a proposal put forward to set aside two-week periods each year to schedule NAFO Working Group meetings. It was noted that this issue would be discussed further at the STACTIC Intersessional meeting on 09 May 2017.

11. Time and Place of Next Meeting

The next meeting will be scheduled at a later date.

12. Adoption of the Report

The report was adopted via correspondence following the meeting.

13. Adjournment

The meeting was adjourned at 17:15 hours on 08 May 2017.

Annex 1. List of Participants

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Annex 2. Agenda

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