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<u>Serial No. N4564</u> <u>NAFO/GC Doc. 01/5</u>

REPORT OF THE GENERAL COUNCIL

23rd Annual Meeting, 17 September 2001 International Conference Centre "Plaza América", Varadero, Matanzas, Cuba

- 1.1 In accordance with the announcements of the 23rd Annual Meeting and the Provisional Agenda circulated to Contracting Parties, the meeting was opened by the NAFO President and Chairman of the General Council, Enrique Oltuski (Cuba), at 1500 hr on 17 September 2001.
- 1.2 The Chairman welcomed everyone to Cuba.
- 1.3 The Representatives of nine (9) Contracting Parties were present: Cuba, Denmark (in respect of the Faroe Islands and Greenland-DFG), Estonia, Japan, Latvia, Lithuania, Poland, Russia, and Ukraine (Annex 1).
 - Observers were present from FAO, Mr. D. J. Doulman and, from South East Atlantic Fisheries Organization (SEAFO). Mr. S. Kashindi. Mr. Doulman presented the statement by FAO to the Meeting (Annex 2).
- 1.4 The Chairman noted there was no quorum to hold a General Meeting of NAFO at this time. He announced the Secretariat (T. Amaratunga, Assistant Executive Secretary) will record the activities of this meeting and the outcome will be communicated to Contracting Parties at earliest practical time for considerations for future activities and decisions.
- 1.5 The Chairman noted the extra-ordinary situation with respect to conducting this meeting, and proposed that he would say a few words of introduction and ask the delegations present to give their views. Heads of delegations expressed their opinions. The delegation of Denmark (DFG) presented its written statement (Annex 3).
- 1.6 The Chairman mentioned that the Cuban Government had conveyed its condolences to the government of United States of America, and its solidarity with the USA in finding ways to oppose such terrorist violence.
- 1.7 The Chairman noted the violence has also affected NAFO in that there is no quorum to conduct its meeting.
- 1.8 It was noted that the Scientific Council members had arrived before these problems and was in a position to continue with their business during this week, but the rest of NAFO could not have meetings at this time.
- 1.9 The Chairman noted that the views of delegations around could be recorded, but decisions on how to proceed will require mail voting. The Chairman then called for the views from Heads of Delegation.
- 1.10 All Contracting Parties around the table expressed their views, and these were summarized for record on this report.
- 1.11 Collectively, Contracting Parties expressed appreciation to Cuba, and to the Chairman, Mr. Oltuski, for hosting this meeting, for the excellent modern facilities offered for the meeting, and the warm welcome extended to this beautiful country.

- 1.12 In general, Contracting Parties expressed deep regret for the tragedy in USA and extended condolences to USA.
- 1.13 Views were expressed by some Contracting Parties that it was regrettable that the USA incident affected NAFO business.
- 1.14 It was noted regrettably by some that the inability of certain Contracting Parties to participate in this meeting was not conveyed to all Contracting Parties well in advance of the meeting date, and many Contracting Parties were already in travel status when announcements were made.
- 1.15 Some Contracting Parties expressed concern that this late communication resulted in great expenses to the host country, Cuba, and also Contracting Parties who arrived for the meeting. It was regrettable that those that arrived could not carry back home firm decisions of NAFO.
- 1.16 The Chairman received two specific proposals made by Denmark (in respect of Faroe Islands and Greenland), and Japan, on how to proceed with NAFO decisions as a result of these delays.
- 1.17 It was noted that in accordance with the NAFO Statutes, the current elected Executive Officers will hold their positions until such time as the business of the 23rd Annual Meeting is completed.
- 1.18 One specific proposal offered by Denmark (in respect of Faroe Islands and Greenland), identified the need to work as soon as possible to address the requirements for 2002 on Conservation and Enforcement Measures including allocations as well as matters of NAFO Administration. In this regard, Denmark (in respect of Faroe Islands and Greenland) was ready to host a new meeting near Helsingor, Denmark, during the 5th week of 2002 (beginning 28 January 2002). However, this decision was needed this week.
- 1.19 Japan expressed the view that it cannot support a proposal to hold a full-scale meeting again for NAFO requirements for 2002. While such a meeting would represent commitments for large additional expenses, it would also be difficult to adjust many Government schedules. Japan proposed a mail vote to be held immediately to extend the current 2001 NAFO Conservation and Enforcement Measures and administration commitments for the year 2002. It was proposed that new decisions for 2003 as needed should be undertaken at the 24th Annual Meeting which will be held in Spain in September 2002.
- Japan stated that this proposal was justified because the scientific advice from the Scientific Council in June 2001 had not proposed significant changes from the previous year. Also, Japan proposed that the present Executive Officers should continue to hold office till the end of the September 2002 Meeting in Spain.
- 1.21 With respect to these two proposals, each delegation commented on their preference.
- 1.22 Contracting Parties present around the table expressed their individual views, and in general support for the proposal by Japan was stated by Estonia, Latvia, Lithuania, Poland, Russia and Ukraine.
- 1.23 Contracting Party Cuba was in general support of the proposal by Denmark (in respect of Faroe Islands and Greenland) to hold another meeting in the place and time decided through mail vote.
- 1.24 The Chairman noted that the proposals from Denmark and Japan and the views of the rest of the Contracting Parties will be circulated to all the member countries of NAFO and comments and proposals requested.
- 1.25 Once all this information is received the Secretariat will circulate the proposals and a mail vote requested in order to take final decisions.
- 1.26 In conclusion, the Chairman expressed his sincere thanks to all Contracting Parties, and once again expressed in the name of all the Contracting Parties NAFO's condolences to the United States.

Annex 1. List of Participants

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Annex 2. Statement by FAO to the 23rd Annual Meeting of the Northwest Atlantic Fisheries Organization

Varadero, Cuba 17-21 September 2001

Mr. Chairman, distinguished delegates and observers:

FAO is very grateful for the invitation extended by NAFO's Secretariat to observe this annual meeting. Over the years there have been close and effective working relations between the two Organizations and it is FAO's earnest desire that this type of collaboration should continue.

FAO appreciates, in particular, the cooperativeness of the NAFO Secretariat in responding to FAO's periodic requests for information relating to NAFO's activities. These requests are made to NAFO and other regional fishery management organizations once or twice a year and FAO is well aware that such requests create an additional burden for the secretariats of these organizations. The NAFO Secretariat always responds fully and in a timely manner. This collaboration greatly assists FAO in meeting its global fisheries reporting responsibilities.

This NAFO Session is taking place when global fishery issues are more complex than ever before. The international community is requiring that both target and non-target fishery resources are managed and utilized in a long-term sustainability manner. Furthermore, there is a need to:

- proceed with precaution when information is lacking;
- deal responsively with new entrants;
- ensure that fisheries monitoring, control and surveillance is both cost- and operationally effective, and so on.

In short, innovative measures are needed to address the changing complexion of fisheries and the demands of management.

Regional fishery management organizations such as NAFO have a critical role to play in managing fishery resources. Where resources are shared there must be a coordinating mechanism to facilitate international cooperation. Such cooperation requires a high level of commitment on the part of all participants to ensure that stocks are not overfished nor their ecosystem degraded. However, management arrangements must be seen as fair and equitable if ongoing efforts are not to be undermined by disgruntled players.

Despite some tough periods, NAFO has come a long way since its Convention entered into force in 1979. The Organization has continued to focus sharply on its mandate of promoting the conservation and optimum utilization of the fishery resources of the Northwest Atlantic area within a framework appropriate to the regime of extended coastal States jurisdiction over fisheries, and accordingly to encourage international cooperation and consultation with respect to these resources.

In pursuing this goal, NAFO has been at the forefront of work undertaken by regional fishery management organizations to:

- implement the precautionary approach;
- enhance monitoring, control and surveillance;
- minimize by-catches, discards and post-harvest losses;
- promote compliance by non-contracting NAFO parties with conservation and management measures established by the Organization;
- strengthen dispute settlement procedures, and
- promote transparency.

These NAFO initiatives have been taken against a background that has involved States taking measures to implement recently concluded international fishery instruments, namely, the 1993 FAO Compliance Agreement, the

1995 FAO Code of Conduct for Responsible Fisheries and the four international plans of action concluded within its framework, and the 1995 UN Fish Stocks Agreement. The implementation of these instruments is critical if long-term sustainability in fisheries is to be achieved.

The 1993 Compliance Agreement is nearing the number of acceptances required to bring it into force. As of today the Agreement has 22 acceptances, and an additional three are required for it to enter into force. For those countries that have not accepted the Agreement, FAO urges that every effort be made to do so. The entry into force of this Agreement will enhance the manner in which high seas fisheries are managed.

Let me conclude Mr. Chairman, by saying that I bring to the meeting the very best wishes of FAO's Assistant Director-General for Fisheries, Mr. Ichiro Nomura. A friend and colleague to many of you, he wishes the meeting success in its deliberations on the important matters before this session.

Thank your very much.

Annex 3. Statement by Delegation of Denmark (in respect of the Faroe Islands and Greenland)

Delegation for Denmark in respect of The Faroe Islands and Greenland (DFG).

Ad N7. J. nr. 63.C.5 a

NAFO Annual Meeting 2001 Informal Council Meeting 17 September 2001

Opening Statement Talking Points

Mr. Chairman,

The Delegation for DFG wants to thank you, Mr. President, for the invitation to the annual meeting of NAFO 2001 to be held here in Varadero, Cuba. Now we are here, and we can see that you have arranged everything necessary in order to make this meeting a successful one, just like you did last time we met in Cuba, in 1985.

Upon our arrival here, we have learnt that a considerable number of delegations have decided not to take part in this meeting. We have taken note of the fact, that you, Mr. Chairman, have declared that there are not enough Contracting Parties present here to constitute a quorum, and therefore this session is to be regarded as an informal gathering of a number of Contracting Parties.

We have understood that the absence of a number of delegations is due to the tragic events, which took place in New York Tuesday last week, 11 September.

In Denmark, including the Faroe Islands and Greenland, we deeply regret these tragic events. The head of the Danish Government as well as the heads of the two home governments have expressed their condolences to the U. S. Government. Furthermore, the Danish Kingdom authorities have in the relevant international fora expressed their solidarity with the United States in this situation where major cities and institutions of the U. S. have been subject to terrorist aggression.

Having said this, it has been the opinion of the relevant authorities of the DFG that we, as a Contracting Party to NAFO, have been called by the NAFO President and Secretariat for a regular NAFO annual meeting here, at the invitation of the Cuban Government. Therefore we have deemed it correct to come here, unless NAFO had decided to postpone the meeting.

If a decision to postpone the meeting, due to difficulties of the North American delegations to participate, had been put to a quick postal vote Thursday afternoon, or at the very latest, early Friday morning, European time, DFG would have voted in favour, and, if the proposal were carried, we would of course have stayed at home. We acknowledge that the absence of the coastal state, which has most straddling stocks in common with the Regulatory Area, would greatly reduce the value of an annual meeting, not least in the Fisheries Commission.

Mr. Chairman, DFG is both a coastal state in NAFO and taking active part in the fisheries in the Regulatory Area. We feel responsibility for the functioning of this organisation. We will in this meeting, recognising the legal constraints that limit the powers of this gathering, be ready to co-operate with you, Mr. President, and take active part in a discussion of how we best can perform the functions of this organisation under these unforeseen circumstances.