

Northwest Atlantic Fisheries Organization



Report of the General Council

30th Annual Meeting, 22-26 September 2008
Vigo, Spain

NAFO
Dartmouth, N.S., Canada
2008

Report of the General Council and its Subsidiary Body (STACFAD)
30th Annual Meeting, September 22-26, 2008
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I. Opening Procedure

1. Opening by the Chair

The NAFO President, Terje Lobach (Norway) opened the meeting and thanked the host, Spain, for providing a splendid venue. Delegates from all Contracting Parties were present. (Annex 1)

The following representatives of the Spanish and Galician authorities addressed the NAFO Delegates: Ms Elena Espinosa Mangana (Ministra de Medio Ambiente, Medio Rural y Marino), Ms Carmen Gallego Calvar (Conseilleira de Pesac e Asuntos Marítimos), Mr Abel Caballero Álvarez (Alcalde Concello de Vigo), and Mr Jesús Paz Aria (Presidente Autoridad Portuaria de Vigo).

The NAFO President directed an opening statement to the meeting (Annex 2), followed by statements by the European Union, Canada, Japan, Denmark (in respect of the Faroe Islands and Greenland), Cuba, the United States of America, Russian Federation, Norway, Ukraine, Food and Agriculture Organization of the United Nations (FAO), World Wildlife Fund (WWF), and Ecology Action Centre. (Annexes 3-11)

2. Appointment of Rapporteur

The Executive Secretary, Johanne Fischer, was appointed as rapporteur.

3. Adoption of Agenda

The agenda was adopted (Annex 12).

4. Election of Vice-Chair

Mr. John Spencer (EU) was elected Vice-Chair.

5. Admission of Observers

The Executive Secretary had invited the following intergovernmental organizations to attend the Meeting in an observer capacity: FAO, CCAMLR, CPPS, ICCAT, ICES, NAMMCO, NASCO, NEAFC, NPAFC, PICES and SEAFO. Of these, FAO was represented by Hiromoto Watanabe, NAMMCO by Iceland, NEAFC by Denmark (in respect of the Faroe Islands and Greenland), CCAMLR and SEAFO by the EU. Furthermore, the following NGOs had been granted observer status at this meeting: Ecology Action Centre (Susanna Fuller) and the World Wildlife Fund-Canada (Robert Rangely and Marty King).

6. Publicity

The meeting agreed that no public statements be made until after the conclusion of the meeting. A Press Release was electronically distributed to the press.

7. Guidance to STACFAD necessary for them to complete their work

No new items were included in the STACFAD agenda for this meeting.

II. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs

8. Review of Membership of the General Council and Fisheries Commission

The Chair reported that twelve Contracting Parties form the membership of the General Council and the Fisheries Commission: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), the European

Union, France (with respect to St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine, and the United States of America.

9. French version of the amended NAFO Convention

Canada tabled GC WP 08/2 explaining that the French version had been elaborated in close cooperation with France (with respect to St. Pierre et Miquelon). The proposed French version of the amended NAFO Convention was adopted (Annex 13).

10. Possible early implementation of structural and procedural changes arising from the amended NAFO Convention

Canada introduced GC WP 08/5 that represented a joint proposal with the European Union. It explained that while the amended Convention could not be implemented before ratification, in the interim a resolution could provide for guidance with regard to NAFO's commitment to modern fishery management approaches as reflected in the amended Convention. Norway thanked both Canada and the EU for developing this resolution with which it concurred and suggested to introduce a new item at the end with the following text: "*(h) adopt measures to prevent, deter and eliminate IUU fishing activities*". Iceland welcomed the resolution including the Norwegian suggestion. The USA embraced the resolution and the Norwegian amendment, but cautioned that it would not regard this as a provisional application of the amended NAFO Convention. Denmark (in respect of the Faroe Islands and Greenland) also supported the resolution and the Norwegian amendment and suggested three minor editorial corrections. With this, GC WP 08/5 was adopted (Annex 14).

11. Request by the Scientific Council for modification of the boundaries of Divisions 3M and 3L

The Chair of the Scientific Council, Don Power (Canada), introduced this item (GC WP 08/3) and clarified that the distribution of many deepwater stocks on the Flemish Cap (Division 3M) extends to a small area that is currently included under Division 3L. For stock assessment purposes it would be important to redefine this small area as 3M, a recommendation that the Scientific Council had already made 2 years ago. Canada requested that discussion of this item be postponed as it required additional time to fully understand the implications on catch reporting. The meeting agreed to defer this matter to the Annual Meeting in 2009.

12. Administrative Report

The Executive Secretary presented the Administrative Report (GC Doc 08/1). She pointed out that the symposia organized by the Scientific Council in conjunction to the Annual Meeting as well as the NAFO Journal of Fishery Science in the Northwest Atlantic were important factors in promoting the reputation of NAFO among the scientific community. She emphasized the need for improvement to ensure timely and complete submission of catch statistics in the NAFO Convention Area. She also reported that recurrent delays and failures regarding payment of financial contributions are threatening the efficiency and continuity of services provided by the Secretariat to the Organization.

III. Coordination of External Affairs

13. Report of Executive Secretary on external meetings

Since the last Annual Meeting, the Executive Secretary was involved in the following external activities: She served as chair of several meetings, i.e. the FAO Workshop on Knowledge and Data on Deep-Sea Fisheries in the High Seas, the Inter-sessional Meeting of the Coordinating Working Party on Fishery Statistics (CWP), and the Steering Committee of the Fishery Resources Monitoring System (FIRMS). She also attended the Informal Consultations of States Parties to the United Nations Fish Stocks Agreement, the international seminar "Towards a new governance of high seas biodiversity" by the Institute for Sustainable Development and International Relations (IDDRI) in Monaco, and a FAO Meeting on "Integrated Capture Information System (ICIS) Requirements Gathering". Furthermore, she served as a panel member in round table discussions of the International Ocean Institute (IOI) Ocean Governance Training Program at Dalhousie University in Halifax.

Other members of the Secretariat attended the following: The IT Manager (George Campanis) attended the 2007 meeting of the Advisory Committee for Data Communications (ACDC of NEAFC). The Information Manager (Barb Marshall) and the Office Manager (Lisa Pelzmann) presented a poster at the FSRS (Fishermen and Scientists Research Society) annual meeting in 2008. Barb Marshall and George Campanis also participated in the FIRMS Technical Working Group. The Scientific Council Coordinator (Anthony Thompson), attended a UN Biodiversity WG and, in his capacity as General Editor of the NAFO Journal, the Aquatic Sciences and Fisheries Abstracts (ASFA) Meeting. The Senior Finance and Staff Administrator (Stan Goodick) took part in the International Fisheries Commissions Pension Society Meeting.

The NAFO observer to NAMMCO, Odd Gunnar Skagestad (Norway), circulated his report from the NAMMCO 2008 Annual Meeting. The meeting requested an agenda item on international relations to be included in the agenda for the next GC meeting, allowing for appointment of observers and their reports from other meetings, as well as general discussion of NAFO's cooperation with other relevant organizations.

14. FAO Draft International Guidelines for the Management of Deep-Sea Fisheries in the High Seas

During the last two years, FAO has developed guidelines to assist States and RFMOs in implementing the UNGA Resolution 61/105 chapter 10, concerning responsible fisheries in the marine ecosystem. These guidelines contain standards and criteria for identifying vulnerable marine ecosystems in areas beyond national jurisdiction and identifying the potential impacts of fishing activities on such ecosystems. Many NAFO Contracting Parties had contributed to the process and the Executive Secretary was actively involved in the drafting process as well (see meetings under item 13 above). The Chair pointed out that NAFO had drawn comprehensively on the FAO draft guidelines in various meetings of fishery managers and scientists throughout the year as well as the adopted guidelines at this Annual Meeting when developing the measures to address vulnerable marine ecosystems, exploratory fishing protocols for new fishing areas, determination of existing bottom fishing areas (footprint) and protocols for encounters with vulnerable marine ecosystems.

15. IOC of UNESCO request for a response by NAFO regarding the future of the IOC

In April 2008, the Secretariat had received a letter from International Oceanographic Commission (IOC) asking for feedback regarding the future role and objectives of IOC. This was circulated to all Contracting Parties but did not generate any responses and was therefore deferred to this Annual Meeting. Delegates pointed out that NAFO did not have any formal or working relations with the IOC at this time and it was felt that NAFO could thus not provide useful recommendations to the IOC regarding its future role. The Executive Secretary was asked to write a letter to the IOC to communicate these views.

IV. Finance

16. Report of STACFAD at the Annual Meeting

The STACFAD Chair, Bob Steinbock (Canada) presented the STACFAD Report (for complete Report see Part II of this GC Report). He informed the meeting that Deirdre Warner-Kramer (USA) was elected Vice-Chair of the Committee. He also conveyed that STACFAD urged Contracting Parties to ensure compliance with the requirement to submit catch reports in a timely, complete and accurate manner. Furthermore, he noted that the financial crisis continued with outstanding financial contributions from five Contracting Parties amounting to \$436.019.

17. STACFAD made the following recommendations to General Council at this meeting:

1. That the Secretariat immediately begin the tendering process for a new auditing firm and select a new auditor to begin work in 2009.
2. That the NAFO Financial Regulations Rule 7.10 be amended to reflect the requirement of changing the auditors at regular intervals of three years.
3. That the 2007 Auditors' Report be adopted.
4. The adoption of an amendment of the NAFO Financial Regulations as follows in italics that should prevent adjustment of financial contributions after the billings are issued: "*4.6.bis. If a Contracting Party has not submitted its nominal catches according to the stipulations in the NAFO Convention Article*

XVI.3 by the required date, the most recent catch report available from that Contracting Party will be used for the calculation of contributions that are then considered final for that financial year. Subsequent reporting of applicable catches by the Contracting Party will be applied towards the calculation of contributions for the following financial year."

5. That Contracting Parties concerned are strongly urged to take immediate action to meet their financial obligations and bring financial stability to the Organization.
6. That the outstanding contribution from Ukraine (\$31,623) for the year 2007 be deemed uncollectible at the end of the current fiscal year if payment is not received by 31 December 2008 and that this amount is applied against the accumulated surplus. This procedure does not remove Ukraine's financial obligation for the 2007 contribution.
7. That,
 - a. The minimum balance for the accumulated surplus account should continue at the level of 20% of the total budget of 2009 to address non-payment of contributions.
 - b. The President of NAFO should write letters on behalf of the Organization to those Contracting Parties that are in arrears to express serious concerns and request prompt payment. Similar letter or demarches could also be sent from individual Contracting Parties.
 - c. Furthermore, if the Contracting Parties in arrears cannot make a firm commitment to honor these arrears promptly, they should provide the Executive Secretary with a finance plan for repayment of the major outstanding amounts that will be circulated to Contracting Parties.
 - d. NAFO should establish a contingency fund in 2009 for the purpose of covering emergency and unforeseen situations, other than nonpayment of annual contributions, provided that all current major outstanding contributions are paid by that time. The details of the operation of the contingency fund would be decided at the 2009 Annual Meeting.
8. That the Staff Rule 8.6 (e) be amended as follows: *"An installation allowance of up to two months net salary in the case of relocating internationally recruited members of the Secretariat"*
9. The adoption of an amendment to Staff Rule 6.13 pertaining to maternity and parental leave to reflect the allowance in the Canadian government.
10. Regarding consideration of a NAFO Headquarters Agreement, that Contracting Parties consult intersessionally by electronic means on the documentation to be provided by the Executive Secretary (including STACFAD WP 07/3) with a view of developing, by the end of the 2009 Annual Meeting, a text for further consideration leading to future negotiations with Canada.
11. That NAFO adopt the revised rules to provide for permanent accreditation for approved observers and that information on the current NGO observers is updated every five years.
12. That the IFCPS (International Fisheries Commissions Pension Society) be requested to review the current assumptions to take into account the increased possibility of early retirement when considering future assessments.
13. That the budget for 2009 of \$ 1,618,000 be adopted.
14. That the process for recruitment for an Executive Secretary be adopted at the 2009 Annual Meeting.
15. That General Council appoint the three nominees for the Staff Committee: Bill Brodie (Canada), Deirdre Warner-Kramer (USA) and Bob Steinbock (Canada).
16. That the dates of the 2011 Annual Meeting (to be held in Halifax, NS, Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) are as follows:

Scientific Council	-	19 - 28 September 2011
General Council	-	19 - 23 September 2011
Fisheries Commission	-	19 - 23 September 2011

The European Union stated that while it welcomed the new rules for NGO observers, it would like to propose the following amendment in view of occurrences during this meeting: *"9.12.c. Make documents available only after they have been considered by the Executive Secretary in consultation with the Chairs of General Council and Fisheries Commission."* Denmark (in respect of the Faroe Islands and Greenland) shared the concerns voiced by the European Union with regard to disclosing insights and opinions gained during the meeting outside the confines of NAFO meetings but did not agree with the proposal made by the European Union. Alternatively, the Delegate of DFG suggested not allowing distribution of documents presented by NGO observers through the Secretariat (pigeon-holes) and instead making available a "General Information Table" for such materials. Denmark (in respect of the Faroe Islands and Greenland) proposed to defer the

amendments to the current Rules of Procedures for Observers to the next Annual Meeting in 2009. This was supported by Canada and the United States of America. On account of the interventions made, the European Union withdrew its proposal and the meeting agreed to revisit this item in 2009.

Following STACFAD recommendation 5, General Council urged all Contracting Parties that had not yet paid their contribution to take immediate action to meet their financial obligations and bring financial stability to the Organization. Denmark (in respect of the Faroe Islands and Greenland) said that its contribution was on its way. France (in respect of St. Pierre et Miquelon) and Cuba stated their intentions of submitting their respective contributions by the end of the year.

General Council adopted all recommendations made by STACFAD with the exception of the revised Rules of Observers (recommendation 11).

V. Closing Procedure

18. Time and Place of Next Meeting

Norway extended an invitation to NAFO to host the Annual Meeting 2009 in Bergen, Norway. This was accepted with great pleasure. The meeting dates in 2009 are:

Scientific Council	-	21 – 25 September 2009
General Council	-	21 – 25 September 2009
Fisheries Commission	-	21 – 25 September 2009

19. Other Business

Canada introduced GC Working Paper 08/6 asking that the General Council request the Executive Secretary to provide all relevant information with respect to vulnerable marine ecosystems (VMEs) in the Northwest Atlantic to the Convention on Biological Diversity (CBD) by July 2009. A number of parties expressed reservations to single out one organization with regard to cooperation on VMEs. It was emphasized that NAFO was happy to cooperate with all interested intergovernmental organizations on matters of joint concern and that all relevant documents by NAFO were public and accessible through the NAFO website. Canada noted these interventions and withdrew its proposal.

20. Press Release

It was agreed that the Executive Secretary and the NAFO President finalize the Press Release from this meeting (Annex 15) and present it to the press. The Chairs of Fisheries Commission and Scientific Council were also invited to give their input for inclusion in the Press Release.

21. Adjournment

The meeting was adjourned on Friday, 26 September 2008 at 14:00 hours.

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**Annex 2. Opening Statement by the Chair of the General Council
(Terje Lobach, Norway)**

Distinguished minister Elena Espinosa, conselleira Carmen Gallego Calvar, major of Vigo, representatives of maritime authorities, delegates, ladies and gentlemen,

It is an honour and a pleasure for me to welcome you all to this NAFO Annual Meeting in beautiful Vigo, the heart of the Spanish industry. I wish thank the hosts for providing us with this splendid facilities, which I understand has been arranged particular for this meeting.

Last year, NAFO agreed to amend its convention, taking into account modern principles for fisheries management. NAFO parties worked hard and efficient in order to make this happen within a rather short time period. Parties have, however, not received notification of the amended Convention from the Depositary in order to allow them to initiate the ratification process due to problems with the French version. The Depositary, the Secretariat and myself agreed after the annual meeting last year to a speedy process for completing the adopting of the equivalent amendments to the French language portions of the Convention. After the business was finalised it turned out that the formal adoption of the French version have to be put on the agenda for this annual meeting. Consequently we have to come back to the amended Convention this year, but this should now be an easy task given the deliberations that took place in the intersessional period.

Despite considerable efforts taken by NAFO in recent years, many stocks continue to be at low levels. Significant progress has been made in improved conservation measures and actions taken to ensure that these measures are implemented and complied with. NAFO has also recognized the need for a good and strong science base as fundamental for proper management of marine living resources.

Protection of ocean habitats and deep sea biodiversity has become an important item on the international agenda. I am pleased to note that the extraordinary meeting of the Fisheries Commission that took place in Montreal in May adopted a comprehensive framework in response to the calls from the UN General Assembly to address bottom fishing and vulnerable marine ecosystems. Although NAFO now has a set of regulations in place, there are still much to be done, both in the Scientific Council and in the Fisheries Commission, but the WG on Fisheries Managers and Scientists that met two weeks ago has done an excellent job concerning identifications of vulnerable marine ecosystems and to define the obligations on masters on board fishing vessels. This annual meeting has to decide on the proposals by the WG.

In recent years the importance of coordinated port State measures has been recognised by the international community. There have been several calls on States individually and collectively to adopt all necessary port State measures and promoting minimum standards at the regional level, and in parallel initiate a process within FAO to develop a legally binding instrument on minimum standards for port State measures. FAO is now working on the global, binding agreement, and within NAFO work has been progressing for the establishment of a comprehensive regional system of port State measures, which will continue at this Annual Meeting.

Close cooperation and collaboration are essential to achieving our common goals of stock recovery, conservation and sustainable use of marine living resources as well as protection of vulnerable marine ecosystems. I am confident that together we will manage to meet these challenges.

Annex 3. Opening Statement by the Representative of the European Union

Thank you Chair and good morning to you all.

First of all, I want to underline what a pleasure it is for us to be here in Vigo in the heartland of our NAFO fisheries along with our neighbors in Portugal to the south and it is a pleasure for me to once again head the European Union delegation to this meeting. We would applaud the Spanish authorities and particularly our friends in Galicia for the excellent facilities they have put at our disposal.

In terms of our work this week there are a number of key issues that NAFO has to address and they're key both to the visibility of NAFO as an international regional fisheries Organization but also key to its success and its ability to execute and carry out its mandate.

The first priority in our view is the issue of Greenland halibut. We are now into the fourth year - we've completed the fourth year of the rebuilding plan. We know that it was always going to be a long haul, this rebuilding plan, but it is a rebuilding plan over a 15 year period and when one sees the scientific report one can see the massive reduction in fishing effort that has occurred in the last number of years.

In many respects we are in a learning process in relation to rebuilding plans and it is clear from the scientific report that there are a number of issues that need to be clarified in terms of the science in order for us to reach an effective decision on this stock during the course of the week. We have had unfortunately a number of key stocks under moratoria in recent years but it is encouraging to see based on the scientific report that certain stocks are now showing signs of recovery and indeed it is even suggested by the Scientific Council that certain of those fisheries could be reopened. We consider however that reopening of these fisheries risks being premature and could endanger the recovery of the stocks and we would caution against taking any precipitous actions on those stocks.

We would also caution against increases in TACs for stocks which would have an impact on other fish stocks currently under moratoria thereby retarding the opening of those fisheries on commercial grounds so what we are basically advocating is a prudent approach to the stock situation and not to take a glimmer of hope and a glimmer of recovery as being a stock that is ready for a commercial fishery.

In relation to the vulnerable marine ecosystems, this Organization has taken a lead on that matter in recent years and we would hope that it would build on the experience gained to-date. NAFO Fisheries Commission agreed on a comprehensive approach at the special meeting in May and it is now important that we follow the process and put in place measures that are both realistic, implementable and understandable to the sector. Such measures have to be based on up-to-date information and not information gathered 20 years ago, or 10 years ago. We obviously need to identify what constitutes a VME and what action needs to be taken in terms of an encounter with a VME but as I said the measures must be practical to the fishing sector and they must be able to be monitored by this Commission in their implementation.

Finally Chair we have the issue of reform. We are encouraged by the process to date in NAFO and we look forward to the speedy implementation of the Lisbon Convention. We would trust that Parties around the table could agree on the provisional application of certain of the provisions of the amended Convention and in particular in relation to the structure and functioning of the Fisheries Commission and the link with the General Council.

So, finally Chair we look forward to working with all Parties around the table with a view to continuing the good work that we have carried out over the last number of years in making NAFO a more effective RFMO.

Annex 4. Opening Statement by the Representative of Canada

Mr. Chairman, Distinguished delegates, Ladies and Gentlemen:

I wish to thank the European Union and the Spanish authorities for hosting this annual meeting and for the excellent arrangements in this beautiful port city of Vigo.

NAFO has been on course in moving from words to action in reforming and transforming this Organization. In 2006, we strengthened the enforcement provisions of the NAFO Measures and began negotiations to modernize the 1979 Convention. That year, we also closed four seamount areas as a first step in protecting Vulnerable Marine Ecosystems. At the 2007 annual meeting, NAFO adopted amendments to the NAFO Convention which was a significant reflection of progress.

Advancing NAFO reform continues to be a major priority for Canada. This week, I expect that the French version of the amendments will be adopted in order that we can begin the next step in terms of domestic ratification by each Contracting Party.

The protection of VMEs is part of NAFO's greater objective of implementing the ecosystem approach which is an imperative given the interdependent reality of our oceans. The Fisheries Commission held a successful intersessional meeting on VMEs which set out an agreed framework for moving forward. The consultations on the FAO Deep Sea Guidelines were successfully concluded in August providing guidance to the ad hoc Working Group on VMEs in implementing the process adopted in Montreal. This is relatively new territory for all of us and each Party will need to work on developing the necessary capacity on VMEs to ensure that this work can progress.

The June Scientific Council report indicated that some of the NAFO managed stocks are recovering. This is great news. However, we must be careful not to lose sight of our ultimate goal of conserving the stocks for future generations and follow the precautionary approach in setting TACs and management measures. Stock rebuilding remains our continuing priority and we have to enhance our efforts to ensure that those stocks that are in danger have a chance to recover.

I am confident that NAFO will demonstrate to the international community its continued effectiveness and relevance in undertaking its responsibilities to conserve and manage fisheries in a sustainable way for generations to come.

Thank you.

Annex 5. Opening Statement by the Representative of Japan

Mr. Chairman, distinguished delegates and observers.

As you correctly said, Mr. Chairman, we have a heavy agenda ahead of us. The rebuilding program for Greenland Halibut in sub-area 2 and Division 3KLMNO is, among other issue, of the topmost importance to Japan. However, given the fact that our position on this particular issue has been presented a number of times by Japanese delegation in previous occasions and in light of the time constraints, I would like to refrain from repeating our position at this point and limit myself to express my thanks to the Government of Spain for hosting the annual meeting of NAFO in this beautiful city of Vigo.

We look forward, as always, to a productive dialogue with other delegations for the successful outcomes.

Thank you.

Annex 6. Opening Statement by the Representative of Denmark (in respect of the Faroe Islands and Greenland)

The Faroe Islands and Greenland are pleased to be attending the 30th Annual Meeting of NAFO. We would like to express our sincere thanks to the EU and the Governments of Spain and Galicia and the local authorities of Vigo for hosting us here in the beautiful city and port of Vigo. This is without a doubt one of the most appropriate locations for a NAFO meeting on this side of the North Atlantic, given the huge importance that fisheries have for this region of Europe.

NAFO has had a very busy - and in our view - very constructive round of meetings since we last convened in the General Council, with both the inter-sessional meeting of the Fisheries Commission in Montreal in April/May, the STACTIC meeting which Greenland hosted in July, and the recent meeting of the ad hoc Working Group of scientists and managers in Montreal just 2 weeks ago.

We are pleased with the progress we have made to design and implement measures to prevent damaging effects of bottom fisheries on vulnerable marine ecosystems. Progress in the NAFO context has so far also been a useful basis for similar efforts within NEAFC in the Northeast Atlantic. The fine-tuning of these measures in both organisations needs to continue in a way that is appropriate in detail and scale for the fisheries and ecosystems in their respective areas. And we need to recognise that a lot more scientific data is still needed in order to better define the risks and thresholds. We are also pleased that agreement has been reached within FAO recently on technical guidelines for the management of deep sea fisheries on the high sea. This is an important global framework for our regional implementation of commitments under the 2006 UNGA resolution.

Although we did not reach consensus on shrimp issues – neither 3L nor 3M – at the extraordinary meeting this year, our delegation feels that we did make progress and that we do indeed have a basis for continuing a dialogue. We must try to build further on this and make an effort to bridge the gaps, now that we can see more clearly what they are.

There are some encouraging signs that some stocks currently under moratorium in the NAFO Regulatory Area may be slowly increasing. We need to move forward with caution - but as a fisheries management organisation we do need to move forward. We need to explore in greater detail the options for new or resumed sustainable fisheries, noting the need to be prudent in this regard. With a sound scientific basis and adequate management and control measures in place, we cannot afford not to make the best use of all our valuable marine resources.

On this note, Mr Chairman I would also like to say that our delegation welcomes the forthcoming NAFO/ICES Symposium on the role of marine mammals in the marine ecosystem in the 21st century, and we welcome the fact that NAMMCO has been directly involved as a co-sponsor of this important event. The value of marine mammals in the North Atlantic as abundant and renewable natural resources, and their role as major predators of commercially important fish stocks, are factors that no responsible fisheries manager should ignore.

We look forward to working with all other delegations here this week in Vigo to help make this a constructive and productive 30th annual meeting.

Annex 7. Opening Statement by the Representative of Cuba

Good morning to all the delegations present at this 30th Annual Meeting.

The Cuban delegation wants to thank the authorities of the European Union and specifically the authorities of Spain for giving us the opportunity to be in this beautiful city of Vigo.

We are looking forward to a constructive meeting and we know that there is a lot of work ahead us.

In five days we are going to discuss matters such as the implementation of the amended Convention, the situation of Vulnerable Marine Ecosystems, deep see fisheries and general matters concerning the work of the Organization and its international commitments.

We hope this will be another opportunity to work constructively for a better understanding among the parties and to strengthen the very basis of the Organization which is to optimise the utilization of the resources through a sustainable fisheries.

Thank you.

Annex 8. Opening Statement by the Representative of the United States

Mr. Chairman, distinguished delegates, observers, ladies and gentlemen:

The United States is pleased to join our colleagues once again, this time here in beautiful Vigo, Spain for the 30th NAFO Annual Meeting. Once again, we meet in a city rich in maritime and fisheries history, and we thank our hosts for this venue and the arrangements they have made for us.

There are a number of issues that are of keen interest to the United States for the upcoming meeting. Reflecting the increases in the biomass of Yellowtail Flounder, the United States urges NAFO to undertake a fair and equitable process for allocating the quota for this resource, especially for this stock which is so far above its limit reference point. Regarding Greenland halibut, it is our hope that NAFO will set one or more TACs under the rebuilding plan that ensure conservation and management measures are consistent with the scientific advice for this stock. The United States is also committed to the adoption by NAFO of measures consistent with the United Nations General Assembly Fisheries Resolution relating to bottom fishing and vulnerable marine ecosystems. We are working with other NAFO Parties to develop such language and look forward to discussions of this issue at the annual meeting. Last year, we withdrew a proposal on porbeagle sharks in deference to a comment that ICCAT should or would take up the matter. We note that ICCAT has committed to undertake a stock assessment in 2009 but has not taken any other actions. Additionally, the Fisheries Commission must enact conservation and management measures for skates, as well as other stocks in addition to those I have mentioned. Finally, NAFO has recognized bycatch as a problem that needs to be managed, but the endeavor to do so has not been perfect. We encourage NAFO to strive for improvement as it continues in its commitment to proper bycatch management.

We are looking forward to the 2008 NAFO Annual Meeting and a productive dialogue on these and many other issues in the coming week.

Thank you Mr. Chairman.

**Annex 9. FAO Statement to the 30th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO)
22 September 2008, Vigo, Spain**

Hiro moto Watanabe
Fishery Liaison Officer
FAO Fisheries and Aquaculture Department

FAO is very grateful for the invitation extended by the Secretariat of the Northwest Atlantic Fisheries Organization (NAFO), to observe its Thirtieth Annual Meeting held in this beautiful city of Vigo. FAO also wishes to express its gratitude for the warm hospitality provided by the Spanish authorities. FAO has been keeping a close and effective working relationship with NAFO and desires to continue such collaboration.

Regional Fisheries Management Organizations (RFMOs) play a unique role in facilitating international cooperation for the conservation and management of fish stocks. RFMOs represent the only realistic means of governing fish stocks that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas, or exclusively on the high seas. Therefore, to strengthen RFMOs in order to conserve and manage fish stocks more effectively remains the major challenge facing international fisheries governance. The Twenty-seventh Session of the FAO Committee on Fisheries (COFI 27) held in March 2007 in Rome discussed this matter, as a stand-alone Agenda item for the first time in the history of COFI. Many Members requested that FAO continue supporting RFMOs and continue its work on issues of concern such as overcapacity, improvement of fleet statistics and the issues of countries and vessels that undermine the effectiveness of RFMOs. Immediately after the session of COFI, the First Meeting of Regional Fishery Body Secretariats Network (RSN 1) was also held in Rome and reconfirmed the global perception that Regional Fishery Bodies (RFBs) have a significant role to play in implementing the Code of Conduct for Responsible Fisheries.

One of the decisions made during COFI 27 is that FAO should convene meetings to prepare technical guidelines including standards for the management of deep-sea fisheries in the high seas. An Expert Consultation on International Guidelines for the Management of Deepwater High Seas Bottom Fisheries was held in Bangkok, Thailand, from 11 to 14 September 2007, in order to review the first draft of the guidelines prepared by the FAO Secretariat based on the discussion made during a more technical Expert Consultation on Deep-sea Fisheries in the High Seas held in November 2006. The draft guidelines were then discussed in the two sessions of a Technical Consultation on the International Guidelines for the Management of Deep-sea Fisheries in the High Seas at FAO Headquarters, Rome, Italy, 4-8 February 2008 and 25-29 August 2008, and International Guidelines have been agreed upon on 29 August 2008. This new international instrument is the first of its kind in terms of integrating fisheries management and conservation requirements. The Guidelines call upon FAO to undertake a number of tasks. FAO is coordinating closely with relevant partners in organizing the support required to undertake these follow up activities.

Many distinguished delegates will be also aware that COFI, acknowledging the urgent need for a comprehensive suite of port State measures, agreed to proceed with the development of a legally-binding agreement on port State measures based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat IUU Fishing. An FAO Expert Consultation to Draft a Legally-binding Instrument on Port State Measures was held in Washington D.C., USA, from 4 to 8 September 2007 and elaborated a draft Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing. This document formed the basis of negotiations at a Technical Consultation on Port State Measures held in Rome from 23 to 27 June 2008. The process is ongoing. A resumed session of the Technical Consultation is scheduled to be held in Rome from 26 to 30 January 2009, where the outcome of an Informal Open-ended Technical Meeting to Review the Annexes of the Draft Legally-Binding Instrument on Port State Measures to Prevent, Deter and Eliminate IUU Fishing, 25-27 November 2008 will also be reviewed. The forthcoming Twenty-eighth Session of COFI (COFI 28) in March 2009 will be informed about progress with the development of the binding instrument.

I would also like to report that an Expert Consultation on the Development of a Comprehensive Global Record of Fishing Vessels was held in Rome from 25 to 28 February 2008. The Expert Consultation strongly endorsed the need for a Global Record of Fishing Vessels and that development should be progressed with urgency. As a result

of the recommendations made by the Expert Consultation, a series of interim activities is underway to further consider a variety of technical issues and to promote and raise international and stakeholder awareness about the Record, and to refine its institutional development. The report of the Expert Consultation and the outcome of the interim activities will be presented to COFI 28.

Finally, I also wish to touch upon the High-Level Conference on World Food Security: the Challenges of Climate Change and Bioenergy held in Rome from 3 to 5 June 2008. While the main focus was soaring food prices and food security, it was also the first opportunity for FAO to address the issue on climate changes and fisheries substantially. FAO organized an Expert Workshop on Climate Change Implications for Fisheries and Aquaculture from 7 to 9 April 2008 and presented a technical background document for the Conference. This could be interpreted as “a scoping study” to identify the key issues on climate change as endorsed by COFI 27. It is expected that any potential follow-up action is to be discussed during COFI 28.

NAFO is one of the world’s leading RFMOs, having a long history and much experience in the sustainable management of fisheries in the Northwest Atlantic Ocean. In particular, its proactive and precautionary approach to protect vulnerable marine ecosystems is highly appreciated. FAO also highly recognizes the Organization as one of the RFMOs that initiated the reforming process at the earliest stage in order to strengthen its function and performance. Therefore, it is highly expected that NAFO will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management. We are now in the mid of preparation for COFI 28 and the Second Meeting of the Regional Fishery Body Secretariats Network (RSN 2), both scheduled to be held in March 2009, and expect active participation of NAFO in those meetings as it has done so far.

In conclusion, I would like to convey to the meeting greetings from FAO’s Assistant Director-General for Fisheries and Aquaculture, Mr Ichiro Nomura. He wishes the meeting every success in its deliberations.

Annex 10. Opening Remarks from WWF at the 30th NAFO Annual Meeting
September 22, 2008

WWF would like to thank Spain, the city of Vigo and NAFO – including the General Council, Fisheries Commission, Scientific Council, and Secretariat – for welcoming us at its 30th Annual Meeting. WWF is here because we are concerned about the status of several NAFO-managed stocks and about the overall degradation of the Northwest Atlantic ecosystem. We are eager to work with NAFO to restore ecosystem health, rebuild stocks, and ensure fisheries are sustainable. WWF's conservation measures of success for this year focus on **minimizing cod bycatch** on the southern Grand Bank and **protecting vulnerable marine ecosystems**, such as coldwater coral forests or sponge reefs, from the impacts of bottom fishing.

Southern Grand Banks cod recovery

NAFO took an important step last year by adopting a southern Grand Bank Cod Recovery Strategy that includes a 40% bycatch reduction target for 2008. If this target is not met, the recovery plan calls for the adoption of more stringent bycatch reduction in 2009. At this meeting, NAFO will make decisions on total allowable catches (TACs) for several fisheries that have significant cod bycatch. Increasing the TACs for these fisheries will lead to increases in cod bycatch so we urge you to apply the precautionary approach when making these decisions. With a strong 2005 year class showing up in the surveys, 2009 could be a make or break year for this population. This pulse of young fish must be given a chance to reach maturity and reproduce if the population is going to recover.

VME Protection

WWF recognizes the important steps NAFO has taken toward implementing the 2006 United Nations General Assembly (UNGA) Resolution on Sustainable Fisheries (61/105), which calls on RFMOs such as NAFO, to assess the impacts of bottom fishing and protect VMEs by December 31, 2008. Interim measures were put in place to protect portions of seamounts and coral areas; a regulatory framework for implementing the UNGA Resolution was adopted in Montreal back in May; and the Scientific Council has mapped VMEs in the NRA based on the best available data. With a strong policy in place and areas mapped that are known or likely to contain VMEs, NAFO is now poised to implement meaningful *on the water* protection in 2008. NAFO must ensure that effective protection for VMEs is in place by January 1, 2009.

Addressing cod recovery and coral protection will require specific changes on the water that would represent significant progress towards rebuilding depleted stocks, implementing the ecosystem approach, and meeting international obligations, such as the UNGA Resolution. Finally, we would like to invite everyone to our reception tomorrow evening beginning at 6:30pm at the Hotel NH Palacio – where we will outline our global fisheries program and our conservation expectations for this meeting.

Annex 11. Ecology Action Centre (EAC) Opening Statement
NAFO 2008 Annual Meeting, September 22-26, Vigo, Spain

Mister Chairman, Delegations of Contracting Parties, Fellow Observers:

It is an honour to attend the NAFO Annual meeting for the second year in a row as an observer. NAFOs increasing commitment to transparency is an important part of modernization. Thank you. It is also a pleasure to be in this historical fishing port, of Vigo, where it is clear that much preparation has gone into this meeting.

As has been noted by many of you already during this opening session, one of the primary conservation concerns remains the protection of marine ecosystems from the impacts of bottom fishing. NAFO has made good progress over the past six months towards the implementation of the UNGA Resolution 61/105, through the Scientific Committee Ecosystem Working Group, and from the report of the ad hoc Working Group of Fisheries Managers and Scientists, it is clear that there is a commitment to a process for protecting vulnerable marine ecosystems within the NRA.

A significant amount of information is already known about where VMEs are known or likely to occur, from corals, sponges, seamounts, canyons and other unique marine areas. Despite the decades of fishing with bottom tending gear, there remain areas, even in historically fished areas that, if protected, will provide for restoration of species that have been damaged over time. For new fishing areas, we urge a precautionary approach, limits to all fishing activity including exploratory fishing, until such time as there is a collaborative research program in place that includes non-destructive research methods.

In addition to the work that NAFO has done to date on habitat based VMEs, we also support the proposal put forward last year by the US delegation to prohibit the bycatch of porbeagle shark in NAFO regulated fisheries. Reports to the NAFO Scientific Council suggest that this population can rebuild, but only if fishing mortality is kept at very low levels, and even with those levels, recovery is projected to be in the range of decades.

NAFO's progress in terms of meaningful measures on the water will set the stage for the North Atlantic. It is no easy challenge, given the timelines set by the UNGA and NAFO itself, as well as responsibilities of the Organization for restoring depleted commercial fisheries, reducing bycatch of moratoria species, monitoring and enforcement, and data collection as well as the timelines set forth in the UNGA Resolution and by NAFO itself. However, it is a very important challenge that if met with success, will fundamentally change the face of NAFO and chart the path for ecosystem recovery. Recovery of both the fish populations and the habitat required to sustain them will help

Thank you.

Susanna Fuller

Marine Conservation Director, Ecology Action Centre

Annex 12. Agenda

I. Opening Procedure

1. Opening by the Chair, Terje Lobach (Norway)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Election of Vice-Chair
5. Admission of Observers
6. Publicity
7. Guidance to STACFAD necessary for them to complete their work (Monday)

II. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs

8. Review of Membership of the General Council and Fisheries Commission
9. French translation of the amended NAFO Convention (Proposal by Canada)
10. Possible early implementation of structural and procedural changes arising from the amended Convention
11. Request by the Scientific Council for modification of the boundaries of Divisions 3M and 3L
12. Administrative Report

III. Coordination of External Affairs

13. Report of Executive Secretary on external meetings
14. FAO Draft International Guidelines for the Management of Deep-Sea Fisheries in the High Seas
15. IOC of UNESCO request for a response by NAFO regarding the future of the IOC

IV. Finance

16. Report of STACFAD at the Annual Meeting
17. Adoption of the Budget and STACFAD recommendations for 2009

V. Closing Procedure

18. Time and Place of Next Annual Meeting
19. Other Business
20. Press Release
21. Adjournment

**Annex 13. Proposal to amend the NAFO Convention
(GC W.P. 08/2 - ADOPTED - now GC Doc. 08/2)**

Canada, as a Contracting Party, hereby proposes that amendments be made to the *Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries*. This proposal for amendments is to be acted upon at this year's Annual Meeting in Spain in September. It is hereby requested that the proposal be dealt with in accordance with the procedure set out in Article XXI paragraph 1 of the said Convention.

Explanatory Memorandum

In September 2007, the Contracting Parties to NAFO adopted amendments to the English portions of the *Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries* by consensus of the NAFO General Council.

This proposal concerns the adoption of the equivalent amendments to the French language portions of the *Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries*.

Proposal to amend the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries

The Contracting Parties to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (hereinafter "Convention") have agreed as follows:

Article 1

The title of the Convention shall be amended to read as follows:

"Convention sur la coopération dans les pêches de l'Atlantique du Nord-Ouest"

Article 2

The Preamble of the Convention shall be deleted and replaced by the following new

Preamble:

"Les PARTIES CONTRACTANTES,

NOTANT que les États côtiers de l'Atlantique du Nord-Ouest ont établi des zones économiques exclusives conformes avec la Convention des Nations Unies sur le droit de la mer du 10 décembre 1982 et avec le droit international coutumier, dans lesquelles ils exercent des droits souverains aux fins de l'exploration, de l'exploitation, de la conservation et de la gestion des ressources biologiques;

RAPPELANT les dispositions pertinentes de la Convention des Nations Unies sur le droit de la mer du 10 décembre 1982, de l'Accord aux fins de l'application des dispositions de la Convention des Nations Unies sur le droit de la mer du 10 décembre 1982 relatives à la conservation et à la gestion des stocks de poissons dont les déplacements s'effectuent tant à l'intérieur qu'au-delà de zones économiques exclusives (stocks chevauchants) et des stocks de poissons grands migrateurs du 4 août 1995 et de l'Accord de la FAO visant à favoriser le respect des mesures internationales de conservation et de gestion par les navires de pêche en haute mer du 24 novembre 1993;

PRENANT EN CONSIDÉRATION le Code de conduite pour une pêche responsable adopté par la 28^e session de la Conférence de l'Organisation des Nations Unies pour l'alimentation et l'agriculture le 31 octobre 1995 et les instruments connexes adoptés par l'Organisation des Nations Unies pour l'alimentation et l'agriculture;

RECONNAISSANT les avantages économiques et sociaux découlant de l'exploitation durable des ressources halieutiques;

DÉSIRANT promouvoir la conservation à long terme et l'exploitation durable des ressources halieutiques de l'Atlantique du Nord-Ouest;

CONSCIENTES de la nécessité de la coopération et la consultation internationales à l'égard desdites ressources;

CONSIDÉRANT que la conservation et la gestion efficaces de ces ressources halieutiques devraient être fondées sur les meilleurs avis scientifiques disponibles et sur l'approche de précaution;

RÉSOLUES à appliquer une approche écosystémique à la gestion des pêches dans l'Atlantique du Nord-Ouest, qui inclut notamment la protection du milieu marin, la préservation de la biodiversité marine, la réduction au minimum du risque d'impacts négatifs à long terme ou irréversibles des activités de pêche et la prise en compte des relations entre toutes les composantes de l'écosystème;

RÉSOLUES EN OUTRE à pratiquer des activités de pêche responsables ainsi qu'à prévenir, à contrecarrer et à éliminer la pêche INN;

SONT CONVENUES de ce qui suit: ”

Article 3

Articles I – XXI shall be deleted and replaced by the following new Articles:

“ Article I – Définitions

1. Aux fins de la présente Convention, on entend par :
 - a) « Convention de 1982 » la Convention des Nations Unies sur le droit de la mer du 10 décembre 1982;
 - b) « Accord de 1995 » l'Accord aux fins de l'application des dispositions de la Convention des Nations Unies sur le droit de la mer du 10 décembre 1982 relatives à la conservation et à la gestion des stocks de poissons dont les déplacements s'effectuent tant à l'intérieur qu'au-delà de zones économiques exclusives (stocks chevauchants) et des stocks de poissons grands migrateurs du 4 août 1995;
 - c) « État côtier » une Partie contractante ayant une zone économique exclusive dans la zone de la Convention;
 - d) « Partie contractante » :
 - (i) tout État ou toute organisation d'intégration économique régionale qui a consenti à être lié par la présente Convention et à l'égard duquel celle-ci est en vigueur;
 - (ii) La présente Convention s'applique mutatis mutandis à toute entité visée à l'article 305, paragraphe 1, lettres c), d) et e) de la Convention de 1982, qui est située dans l'Atlantique Nord et qui devient partie à la présente Convention et, dans cette mesure, l'expression « Partie contractante » s'entend de ces entités.
 - e) « zone de la Convention » la zone à laquelle la présente Convention s'applique comme indiqué à l'article IV, paragraphe 1;
 - f) « ressources halieutiques » tout le poisson, tous les mollusques et tous les crustacés évoluant dans la zone de la Convention, à l'exclusion :
 - (i) des espèces sédentaires sur lesquels les États côtiers exercent des droits souverains en vertu de l'article 77 de la Convention de 1982;
 - (ii) dans la mesure où ils sont gérés en vertu d'autres traités internationaux, les stocks de poissons anadromes et catadromes et les espèces hautement migratoires figurant à l'annexe I de la Convention de 1982;
 - g) « activités de pêche » la récolte ou la transformation des ressources halieutiques, ou le transbordement de ressources halieutiques ou de produits dérivés provenant des ressources halieutiques ou toute autre activité préparatoire, servant ou reliée à la récolte de ressources halieutiques, notamment :
 - (i) la recherche, la capture ou la prise de ressources halieutiques ou toute tentative effectuée à ces fins;

(ii) la pratique de toute activité dont on peut raisonnablement s'attendre à ce qu'elle résulte dans la localisation, la capture, la prise ou la récolte de ressources halieutiques, quel qu'en soit le but;

(iii) toute opération en mer effectuée pour assister ou préparer toute activité décrite dans la présente définition,

à l'exclusion des opérations d'urgence où la santé et la sécurité des membres d'équipage ou la sécurité d'un navire sont en jeu.

- h) « navire de pêche » tout navire qui se livre ou qui s'est livré à des activités de pêche, y compris un navire employé au traitement du poisson ou un navire se livrant au transbordement ou à toute autre activité préparatoire ou reliée aux activités de pêche, ou à des activités de pêche expérimentales ou exploratoires;
- i) « État du pavillon » :
 - (i) tout État ou entité dont les navires sont autorisés à battre le pavillon; ou
 - (ii) toute organisation d'intégration économique régionale au sein de laquelle les navires sont autorisés à battre le pavillon d'un État faisant partie de cette organisation d'intégration économique régionale;
- j) « pêche INN » les activités visées par le Plan d'action international visant à prévenir, à contrecarrer et à éliminer la pêche illicite, non déclarée et non réglementée adopté par l'Organisation des Nations Unies pour l'alimentation et l'agriculture le 2 mars 2001;
- k) « ressources biologiques » l'ensemble des êtres vivants composant les écosystèmes marins;
- l) « diversité biologique marine » la variabilité des organismes marins vivants et des complexes écologiques dont ils font partie; cela comprend la diversité au sein des espèces, entre espèces ainsi que celles des écosystèmes;
- m) « ressortissants » aussi bien les personnes physiques que les personnes morales;
- n) « État du port » l'État qui accueille des navires de pêche dans ses ports, y compris des terminaux portuaires ou autres installations au large à des fins, notamment, de débarquement, de transbordement, de ravitaillement en carburant ou de réapprovisionnement;
- o) « organisation d'intégration économique régionale » une organisation d'intégration économique régionale dont tous les pays membres lui ont transféré compétence pour des matières relevant de la présente Convention, y compris le pouvoir de prendre des décisions contraignantes pour ses États membres en ce qui concerne ces matières;
- p) « zone de réglementation » la partie de la zone de la Convention au-delà des zones relevant de la juridiction nationale.

Article II - Objectif

La présente Convention a pour objectif d'assurer la conservation à long terme et l'exploitation durable des ressources halieutiques de la zone de la Convention et, ce faisant, de protéger les écosystèmes marins dans lesquels se trouvent ces ressources.

Article III – Principes généraux

Afin de réaliser l'objectif de la présente Convention, les Parties contractantes, individuellement ou collectivement, selon le cas, s'engagent à :

- a) favoriser l'utilisation optimale et la conservation à long terme des ressources halieutiques;
- b) adopter des mesures fondées sur les avis scientifiques disponibles les plus fiables afin de faire en sorte que les ressources halieutiques soient maintenues ou rétablies à des niveaux qui assurent le rendement constant maximum;

- c) appliquer l'approche de précaution conformément à l'article 6 de l'Accord de 1995;
- d) tenir dûment compte de l'impact des activités de pêche sur d'autres espèces et écosystèmes marins et, de ce fait, adopter des mesures pour réduire au minimum les effets nuisibles sur les ressources biologiques et les écosystèmes marins;
- e) tenir dûment compte de la nécessité de préserver la diversité biologique marine;
- f) empêcher ou faire cesser la surexploitation et la surcapacité et faire en sorte que l'effort de pêche n'atteigne pas un niveau incompatible avec l'exploitation durable des ressources halieutiques;
- g) veiller à ce que des données complètes et exactes sur les activités de pêche dans la zone de la Convention soient recueillies et mises en commun en temps opportun;
- h) veiller à l'observation efficace des mesures de gestion et à ce que les sanctions en cas d'infraction soient suffisamment rigoureuses;
- i) tenir dûment compte de la nécessité de réduire au minimum la pollution et les déchets provenant de navires de pêche ainsi que les rejets, les captures par des engins perdus ou abandonnés, les captures d'espèces non visées par une pêche ciblée et l'impact sur les espèces associées ou dépendantes, en particulier les espèces menacées d'extinction.

Article IV – Zone d'application

1. La présente Convention s'applique aux eaux de l'océan Atlantique du Nord-Ouest situées au nord du 35°00' N et à l'ouest d'une ligne s'étendant plein nord du 35°00' N et du 42°00' O jusqu'au 59°00' N, puis plein ouest jusqu'au 44°00' O, et de là plein nord jusqu'à la côte du Groenland, ainsi que les eaux du golfe du Saint-Laurent, du détroit de Davis et de la baie de Baffin au sud du 78°10' N.
2. La zone de la Convention est divisée en sous-zones, divisions et subdivisions scientifiques et statistiques, dont les limites sont celles définies à l'annexe I de la présente Convention.

Article V – L'Organisation

1. Les Parties contractantes conviennent par la présente de créer, d'administrer et de renforcer l'Organisation des pêches de l'Atlantique du Nord-Ouest ci-après dénommée l'Organisation, qui s'acquitte des fonctions énoncées dans la présente Convention afin de réaliser l'objectif de cette dernière.
2. L'Organisation se compose :
 - a) d'une commission;
 - b) d'un conseil scientifique;
 - c) d'un secrétariat.
3. L'Organisation a une personnalité juridique et jouit, dans ses relations avec d'autres organisations internationales et sur les territoires des Parties contractantes, de la capacité juridique nécessaire à l'exécution de ses fonctions et à la réalisation de son objectif. Les privilèges et immunités dont l'Organisation et ses représentants jouissent sur le territoire d'une Partie contractante sont déterminés par une entente entre l'Organisation et la Partie contractante, notamment, en particulier, par un accord de siège entre l'Organisation et la Partie contractante hôte.
4. Le président de la commission est le président et le principal représentant de l'Organisation.
5. Le président convoque la réunion annuelle de l'Organisation au moment et à l'endroit choisis par la commission.

6. L'Organisation a son siège dans la municipalité régionale de Halifax, en Nouvelle-Écosse (Canada), ou à tout autre endroit dont peut décider la commission.

Article VI – La commission

1. Chaque Partie contractante est membre de la commission et y nomme un représentant, qui peut être accompagné de suppléants, de spécialistes et de conseillers.
2. La commission élit un président et un vice-président, qui remplissent chacun un mandat de deux ans et sont rééligibles, mais ne peuvent conserver leur poste plus de quatre années consécutives. Le président et le vice-président sont des représentants de différentes Parties contractantes.
3. Une Partie contractante peut demander la tenue d'une séance extraordinaire de la commission. Le président de la commission convoque alors une telle séance au moment et à l'endroit de son choix.
4. Sauf disposition contraire, les mesures adoptées par la commission s'appliquent à la zone de réglementation.
5. La commission :
 - a) adopte et peut modifier le règlement applicable au déroulement de ses séances et l'exercice de ses fonctions, notamment ses règles de procédure, ses règlements financiers et tout autre règlement;
 - b) met sur pied les organes subsidiaires dont elle considère avoir besoin pour s'acquitter de ses fonctions et conduit leurs activités;
 - c) supervise les affaires structurelles, administratives et financières et les autres affaires internes de l'Organisation, y compris les relations entre ses parties constitutives;
 - d) nomme un secrétaire exécutif selon les modalités et conditions définies par elle;
 - e) dirige les relations extérieures de l'Organisation;
 - f) approuve le budget de l'Organisation;
 - g) adopte des règles prévoyant la participation à ses séances de représentants d'organisations intergouvernementales, de Parties non contractantes et d'organisations non gouvernementales en qualité d'observateurs, selon ce qui convient. Ces règles ne doivent pas être trop restrictives et doivent permettre l'accès en temps opportun aux dossiers et rapports de la commission;
 - h) exerce les autres fonctions et activités en conformité avec la Convention selon ce qu'elle décide;
 - i) guide le comité scientifique dans la définition de ses tâches et des priorités de ses travaux;
 - j) élabore des procédures adéquates en conformité avec le droit international pour évaluer l'exécution, par les Parties contractantes, des obligations qui leur incombent conformément aux articles X et XI.
6. En collaboration avec le conseil scientifique, la commission :
 - a) surveille périodiquement l'état des stocks de poissons et identifie les actions à prendre pour assurer leur conservation et leur gestion;
 - b) recueille, analyse et diffuse toutes les informations pertinentes;

- c) évalue l'impact des activités de pêche et d'autres activités humaines sur les ressources biologiques et les écosystèmes marins;
 - d) élabore des lignes directrices applicables à la pratique de la pêche à des fins scientifiques;
 - e) élabore des lignes directrices applicables à la collecte, la présentation, la vérification, la consultation et l'utilisation de données.
7. La commission peut soumettre au conseil scientifique toute question se rapportant au fondement scientifique des décisions qu'elle peut devoir prendre concernant les ressources halieutiques, l'impact des activités de pêche sur les ressources biologiques et la protection de l'écosystème dans lequel se trouvent ces ressources.
8. En appliquant les principes énoncés à l'article III, la commission adopte, à l'égard de la zone de réglementation:
- a) des mesures de conservation et de gestion visant à réaliser l'objectif de la présente Convention;
 - b) des mesures de conservation et de gestion visant à réduire au minimum l'impact des activités de pêche sur les ressources biologiques et leurs écosystèmes;
 - c) les totaux des captures admissibles et/ou les niveaux d'effort de pêche et définit la nature et l'étendue de la participation aux activités de pêche;
 - d) des mesures concernant la pratique de la pêche à des fins scientifiques mentionnées au paragraphe 6, alinéa d);
 - e) des mesures concernant la collecte, la présentation, la vérification, la consultation et l'utilisation de données mentionnées au paragraphe 6, alinéa e);
 - f) des mesures pour assurer un rendement approprié des États du pavillon.
9. La commission adopte des mesures de mise en place de mécanismes de coopération adéquats en matière d'observation, de contrôle, de surveillance et de mise en application des mesures de conservation et de gestion qu'elle a adoptées. Ces mécanismes comprennent :
- a) la reconnaissance de droits réciproques d'arraisonnement et d'inspection par les Parties contractantes dans la zone de réglementation ainsi que la poursuite de l'État du pavillon et l'exercice de sanctions contre lui sur la base de la preuve découlant de tels arraisonnements et inspections;
 - b) des normes minimales d'inspection pour les navires de pêche par les Parties contractantes dans des ports où des ressources halieutiques ou des produits dérivés de celles-ci provenant de la zone de réglementation sont débarqués;
 - c) des actions de suivi prévues aux articles X, XI ou XII sur la base de la preuve découlant de telles inspections;
 - d) sans préjudice des mesures qu'une Partie contractante peut prendre à cet égard, des mesures visant à prévenir, à contrecarrer et à éliminer la pêche INN.
10. La commission peut adopter des mesures sur des matières énoncées aux paragraphes 8 et 9 concernant une zone relevant de la juridiction nationale d'une Partie contractante, pourvu que l'État côtier en question le demande et que la mesure fasse l'objet d'un vote affirmatif de sa part.
11. a) Dans l'exercice des fonctions prévues au paragraphe 8, la commission s'assure qu'il existe une concordance entre :
- (i) une mesure s'appliquant à un stock ou groupe de stocks de poisson évoluant aussi bien dans la zone de réglementation que dans une zone relevant de la juridiction nationale d'un État côtier, ou une mesure qui, du fait de l'interdépendance des espèces, aurait une incidence sur un stock ou groupe de stocks de poisson évoluant en totalité ou en partie dans une zone relevant de la juridiction nationale d'un État côtier, et

- (ii) les actions prises par l'État côtier relativement à la gestion et à la conservation dudit stock ou groupe de stocks de poisson à l'égard des activités de pêche pratiquées dans la zone relevant de sa juridiction nationale.
 - b) En conséquence, la commission et l'État côtier en question facilitent la coordination de leurs mesures et actions respectives. Chaque État côtier informe la commission des actions qu'il a prises aux fins du présent article.
12. Les mesures adoptées par la commission concernant la répartition des possibilités de pêche dans la zone de réglementation doivent tenir compte des intérêts des Parties contractantes dont les navires ont traditionnellement pêché dans cette zone et des intérêts des États côtiers pertinents. En ce qui concerne la répartition des possibilités de pêche dans les zones du Grand Banc et du Bonnet flamand, la commission accorde une attention particulière à la Partie contractante dont les collectivités riveraines dépendent au premier chef d'activités de pêche visant les stocks associés à ces pêcheries et qui a déployé des efforts considérables pour assurer la conservation de ces stocks par des mesures internationales, en organisant notamment la surveillance et l'inspection des pêches internationales pratiquées dans ces zones dans le cadre d'un programme international d'inspection mutuelle.
13. La commission peut établir des procédures permettant aux Parties contractantes de prendre des mesures, y compris des mesures non discriminatoires liées au commerce, contre tout État du pavillon ou entité de pêche dont les navires de pêche se livrent à des activités de pêche qui compromettent l'efficacité des mesures de conservation et de gestion adoptées par la commission. La mise en œuvre de mesures liées au commerce par une Partie contractante doit être conforme aux obligations internationales de celle-ci.

Article VII –Le conseil scientifique

1. Chaque Partie contractante est membre du conseil scientifique et peut y nommer ses propres représentants, qui peuvent, à toute séance du conseil, être accompagnés de suppléants, de spécialistes et de conseillers.
2. Le conseil scientifique élit un président et un vice-président pour un mandat de deux ans. Chacun d'eux est rééligible, mais ne peut conserver son poste plus de quatre années consécutives.
3. À l'initiative du président ou à la demande d'un État côtier ou d'une Partie contractante appuyée par une autre Partie contractante, le président peut convoquer au moment et à l'endroit de son choix une séance extraordinaire du conseil scientifique.
4. Le conseil scientifique adopte et modifie au besoin le règlement applicable au déroulement de ses séances et à l'exercice de ses fonctions, incluant ses règles de procédure.
5. Le conseil scientifique peut mettre sur pied les organes subsidiaires dont il estime avoir besoin pour s'acquitter de ses fonctions.
6. L'élection des cadres, l'adoption et la modification du règlement et les autres questions relatives à l'organisation du travail sont décidées à la majorité des voix de toutes les Parties contractantes présentes et votant par l'affirmative ou par la négative, chacune d'entre elles disposant d'une voix. Aucune mise aux voix ne peut avoir lieu sans un quorum des deux tiers des Parties contractantes.
7. Le conseil scientifique adopte des règles prévoyant la participation, à ses séances, de représentants d'organisations intergouvernementales, de Parties non contractantes et d'organisations non gouvernementales en qualité d'observateurs, selon ce qui convient. Ces procédures ne doivent pas être trop restrictives et doivent permettre l'accès dans des délais raisonnables aux dossiers et rapports du conseil scientifique.
8. Conformément aux objectifs et aux principes de la Convention, le conseil scientifique :
 - a) sert de forum de consultation et de coopération entre les Parties contractantes pour étudier et échanger des données scientifiques et points de vue sur les activités de pêche et des écosystèmes dans lesquels elles sont pratiquées et pour étudier et évaluer l'état actuel des ressources halieutiques

- ainsi que des prévisions sur leur état futur, y compris des facteurs environnementaux et écologiques les affectant;
- b) promeut la coopération des Parties contractantes à la recherche scientifique destinée à combler les lacunes des connaissances;
 - c) collecte et entretient des relevés et statistiques;
 - d) publie ou diffuse des rapports, des renseignements et de la documentation se rapportant aux activités de pêche dans la zone de la Convention et à leurs écosystèmes;
 - e) fournit des avis scientifiques à la commission si celle-ci en fait la demande.
9. Le conseil scientifique peut :
- a) fournir, de son propre chef, des avis susceptibles d'aider la commission dans l'exercice de ses fonctions;
 - b) collaborer avec d'autres organismes publics ou privés ayant des objectifs similaires;
 - c) demander aux Parties contractantes de lui fournir toutes les données statistiques et scientifiques dont il peut avoir besoin pour l'exercice de ses fonctions.
10. Le conseil scientifique fournit des avis scientifiques en réponse à toute question que lui soumet :
- a) la commission concernant le fondement scientifique de la gestion et de la conservation des ressources halieutiques et de leurs écosystèmes dans la zone de réglementation en tenant compte des critères de référence déterminés par la commission à l'égard de cette question;
 - b) un État côtier concernant le fondement scientifique de la gestion et de la conservation des ressources halieutiques et de leurs écosystèmes dans les zones relevant de la juridiction nationale de cet État côtier dans la zone de la Convention.
11. L'État côtier détermine, en consultation avec le conseil scientifique, les critères de référence applicables à l'examen de toute question qu'il peut soumettre au conseil scientifique. Ces critères de référence comprennent, entre autres :
- a) une description des activités de pêche et de la zone à étudier;
 - b) dans les cas où l'on demande des évaluations ou des prévisions scientifiques, une description de tout facteur ou de toute hypothèse à prendre en considération;
 - c) le cas échéant, une description de tout objectif poursuivi par l'État côtier et une indication quant au genre d'opinion recherchée, soit un avis précis, soit un éventail d'options.
12. En règle générale, les avis scientifiques présentés par le conseil scientifique sont établis par consensus. Lorsque le consensus ne peut être atteint, le conseil expose, dans son rapport, toutes les opinions exprimées par ses membres.
13. Tous les rapports produits par le conseil scientifique sont publiés par le secrétariat.

Article VIII – Le Secrétariat

1. Le secrétariat pourvoit aux services de la commission, du conseil scientifique et de leurs organes subsidiaires de manière à faciliter l'exercice de leurs fonctions.
2. L'administrateur en chef du secrétariat est le secrétaire exécutif.
3. Les employés du secrétariat sont nommés par le secrétaire exécutif conformément au règlement et aux modalités que la commission peut établir en consultation avec le conseil scientifique, si nécessaire.
4. Sous la supervision générale de la commission, le secrétaire exécutif a plein pouvoir sur la gestion des employés du secrétariat et à l'égard des questions reliées à ces employés et s'acquitte des autres fonctions et obligations que la commission lui assigne.

Article IX – Budget

1. Chaque Partie contractante assume les frais de sa propre délégation à toute réunion convoquée en vertu de la présente Convention.
2. La commission établit le montant de la cotisation de chaque Partie contractante au budget annuel selon la formule suivante :
 - a) 10 % du budget est divisé entre les États côtiers au prorata de leurs prises nominales dans la zone de la Convention au cours de l'année se terminant deux ans avant le début de l'année budgétaire;
 - b) 30 % du budget est divisé également entre toutes les Parties contractantes;
 - c) 60 % du budget est divisé entre les Parties contractantes au prorata de leurs prises nominales dans la zone de la Convention au cours de l'année se terminant deux ans avant le début de l'année budgétaire;la contribution annuelle de toute Partie contractante ayant une population de moins de 300 000 habitants est limitée à 12 % au maximum du budget total. En cas d'une telle limitation de la contribution, la partie restante du budget est divisée entre les autres Parties contractantes conformément aux dispositions des alinéas a), b) et c). Les prises nominales visées ci-dessus s'entendent des prises déclarées de ressources halieutiques précisées dans le règlement financier pris par la commission en vertu du paragraphe 5 alinéa a) de l'article VI.
3. Le secrétaire exécutif notifie à chaque Partie contractante le montant de sa cotisation calculé aux termes du paragraphe 2, et la Partie contractante verse sa contribution à l'Organisation aussitôt que possible après cette notification.
4. Les cotisations sont payables en devises du pays où l'Organisation a son siège.
5. Au plus tard soixante jours avant la réunion annuelle, le secrétaire exécutif soumet à l'attention de chaque Partie contractante le projet de budget annuel, accompagné d'un tableau des cotisations.
6. Une Partie contractante qui adhère à la présente Convention verse pour l'année de son adhésion un montant proportionnel au nombre de mois complets qui restent dans l'année, calculé à partir de la date de son adhésion.
7. À moins que la commission n'en décide autrement, une Partie contractante qui n'a pas versé l'intégralité de sa cotisation pendant deux années consécutives se voit privée du droit de voter et de présenter des objections aux termes de la présente Convention jusqu'à ce qu'elle se soit acquittée de ses obligations financières envers l'Organisation, à moins que la commission en décide autrement.
8. Les opérations financières de l'Organisation sont examinées annuellement par des vérificateurs comptables externes à l'Organisation et choisis par la commission.

Article X – Obligations des Parties contractantes

1. Chaque Partie contractante :
 - a) met en œuvre la présente Convention ainsi que toute mesure de conservation et de gestion ou autre obligation par laquelle elle est liée et soumet régulièrement à la commission une description des étapes prises pour mettre en œuvre et respecter ces mesures ou obligations, y compris la suite donnée aux procédures visées au paragraphe 2, alinéa e) de l'article XI;
 - b) coopère aux fins de la réalisation de l'objectif de la présente Convention;
 - c) prend toutes les actions nécessaires pour assurer l'efficacité et le respect des mesures de conservation et de gestion adoptées par la commission;
 - d) recueille et échange des données et connaissances scientifiques, techniques et statistiques se rapportant aux ressources biologiques et à leurs écosystèmes dans la zone de la Convention, y compris des renseignements complets et détaillés au sujet des captures commercialisées et de l'effort de pêche, et prend des actions adéquates pour vérifier l'exactitude de ces données;

- e) réalise un échantillonnage biologique des captures commercialisées;
 - f) rend rapidement disponible ces renseignements pouvant être demandés par la commission ou le conseil scientifique;
 - g) sans préjudice de la juridiction de l'État du pavillon, prend des actions ou coopère, dans la plus large mesure possible, avec d'autres Parties contractantes pour s'assurer que ses ressortissants et les navires de pêche appartenant à ses ressortissants ou exploités par ses ressortissants exerçant des activités de pêche se conforment aux dispositions de la présente Convention et aux mesures de conservation et de gestion adoptées par la commission;
 - h) sans préjudice de la juridiction de l'État du pavillon, dans la plus large mesure possible, sur réception des renseignements pertinents, mène immédiatement une enquête approfondie et fait rapport sans retard sur les actions prises en réponse à toute infraction grave présumée aux dispositions de la présente Convention ou à toute mesure de conservation et de gestion adoptée par la commission, commise par ses ressortissants ou par des navires de pêche battant pavillon étranger appartenant à ses ressortissants ou exploités par ses ressortissants.
2. Chaque Partie contractante qui est un État côtier soumet régulièrement à la commission une description des actions, notamment des actions de contrôle, qu'elle a prises pour la conservation et la gestion des stocks chevauchants qui se trouvent dans les eaux relevant de sa juridiction dans la zone de la Convention.

Article XI – Obligations des États du pavillon

1. Chaque Partie contractante s'assure que les navires autorisés à battre son pavillon :
- a) se conforment aux dispositions de la présente Convention et aux mesures de conservation et de gestion adoptées par la commission et que ces navires ne mènent aucune activité qui compromette l'efficacité de ces mesures;
 - b) ne pratiquent pas des activités de pêche sans autorisation dans les zones relevant de la juridiction nationale dans la zone de la Convention;
 - c) ne se livrent pas à des activités de pêche dans la zone de réglementation à moins d'y avoir été autorisés par la Partie contractante.
2. Chaque Partie contractante :
- a) s'abstient d'autoriser les navires autorisés à battre son pavillon à se livrer à des activités de pêche dans la zone de réglementation sauf si elle peut s'acquitter efficacement des responsabilités qui lui incombent en vertu de la présente Convention et conformément au droit international en ce qui concerne ces navires;
 - b) tient un registre des navires de pêche autorisés à battre son pavillon qu'elle a autorisés à pêcher des ressources halieutiques dans la zone de réglementation et veille à ce que les renseignements précisés par la commission soient inscrits à ce registre;
 - c) échange les renseignements mentionnés à l'alinéa b) conformément aux procédures précisées par la commission;
 - d) mène sans délai une enquête complète et dresse rapidement un rapport, conformément aux procédures adoptées par la commission, des mesures prises en réponse à une infraction présumée à une mesure adoptée par la commission, commise par un navire autorisé à battre son pavillon;
 - e) en ce qui concerne une infraction présumée visée à l'alinéa d), veille à ce que soient prises sans délai les actions d'application appropriées, y compris l'institution de procédures administratives ou judiciaires, conformément à ses lois.
3. Les actions d'application prises ou les sanctions infligées aux termes du paragraphe 2, alinéa e) doivent être suffisamment rigoureuses pour garantir le respect des mesures de conservation et de gestion,

décourager la répétition des infractions et priver les auteurs des infractions des profits découlant de leurs activités illégales.

Article XII – Obligations des États du port

1. Les actions prises conformément à la présente Convention par une Partie contractante qui est un État du port tiennent pleinement compte des droits et des obligations qui incombent aux États du port en droit international de promouvoir l'efficacité des mesures de conservation et de gestion adoptées par la commission.
2. Chaque Partie contractante qui est un État du port met en œuvre les mesures adoptées par la commission au sujet des inspections dans ses ports.
3. Aucune disposition du présent article ne porte atteinte à la souveraineté d'une Partie contractante sur les ports de son territoire.

Article XIII – Prise des décisions de la commission

1. En règle générale, les décisions de la commission sont prises par consensus. Aux fins du présent article, on entend par « consensus » l'absence de toute objection formelle présentée au moment où la décision est prise.
2. Si le président estime que tous les efforts en vue d'aboutir à un consensus quant à la décision à prendre ont été épuisés, les décisions de la commission sont prises, sauf indication contraire, à la majorité des deux tiers des voix de toutes les Parties contractantes présentes et votant par l'affirmative ou par la négative, étant entendu qu'aucune mise aux voix ne peut avoir lieu sans un quorum des deux tiers des Parties contractantes. Chaque Partie contractante dispose d'une voix.

Article XIV – Mise en œuvre des décisions de la commission

1. Chaque mesure adoptée par la commission en vertu de l'article VI, paragraphes 8 et 9 deviendra exécutoire pour chacune des Parties contractantes de la manière suivante :
 - a) le secrétaire exécutif transmet la mesure à chacune des Parties contractantes dans les cinq jours ouvrables suivant son adoption, en spécifiant la date de transmission aux fins du paragraphe 2;
 - b) sous réserve du paragraphe 2, la mesure deviendra exécutoire pour chacune des Parties contractantes soixante jours suivant la date de sa transmission, sauf indication contraire figurant dans la mesure.
2. Lorsqu'une Partie contractante présente au secrétaire exécutif une objection à une mesure dans les soixante jours suivant la date de transmission spécifiée au paragraphe 1, alinéa a), une autre Partie contractante peut de la même manière présenter une objection avant l'expiration d'une période supplémentaire de vingt jours ou dans les quinze jours suivant la date de transmission spécifiée dans la notification aux Parties contractantes de toute objection présentée pendant ladite période supplémentaire de vingt jours, selon l'expiration la plus tardive. La mesure devient alors une mesure exécutoire pour chacune des Parties contractantes, sauf pour celles qui ont présenté une objection. Cependant, si au terme de cette ou de ces périodes prorogées, des objections ont été présentées et maintenues par une majorité des Parties contractantes, la mesure ne devient pas une mesure exécutoire, à moins que certaines ou l'ensemble des Parties contractantes ne décident entre elles d'être liées par ladite mesure à une date convenue.
3. Une Partie contractante qui a présenté une objection peut la retirer à tout moment; la mesure devient alors exécutoire pour cette Partie contractante.
4. a) Un an après la date d'entrée en vigueur d'une mesure, toute Partie contractante peut à tout moment notifier au secrétaire exécutif son intention de ne pas être liée par ladite mesure; si cette notification n'est pas retirée, ladite mesure cesse de lier la Partie en question un an après la date de réception de la notification par le secrétaire exécutif.

- b) À tout moment après qu'une mesure a cessé de lier une Partie contractante conformément à l'alinéa a), elle cesse de lier toute autre Partie contractante sur réception par le secrétaire exécutif d'une notification par ladite Partie de son intention de ne pas être liée.
5. Toute Partie contractante qui a présenté une objection à une mesure conformément au paragraphe 2 ou qui a notifié son intention de ne pas être liée par une mesure conformément au paragraphe 4 doit fournir en même temps une explication des motifs pour lesquels elle agit ainsi. Cette explication doit préciser si la Partie contractante agit ainsi parce qu'elle estime que la mesure est incompatible avec les dispositions de la présente Convention, ou que la mesure opère, à son encontre, une discrimination injustifiée de forme ou de fait. L'explication doit aussi comporter une déclaration des mesures que la Partie en question entend prendre à la suite de l'objection ou de la notification, notamment une description des actions de rechange qu'elle entend prendre ou qu'elle a prises aux fins de la conservation et de la gestion des ressources halieutiques en cause qui respectent l'objectif de la présente Convention.
6. Le secrétaire exécutif notifie immédiatement à chaque Partie contractante :
- a) la réception ou le retrait de toute objection conformément aux paragraphes 2 et 3;
 - b) la date à laquelle toute mesure devient exécutoire conformément au paragraphe 1;
 - c) la réception de chaque notification conformément au paragraphe 4;
 - d) chaque explication et description de mesures de rechange reçues conformément au paragraphe 5.
7. La Partie contractante qui invoque la procédure prévue aux paragraphes 2, 4 et 5 peut en même temps saisir un groupe d'experts ad hoc. L'annexe II s'applique *mutatis mutandis*.
8. Si une Partie contractante ne saisit pas un groupe d'experts ad hoc conformément au paragraphe 7, la commission décide, par vote postal à majorité simple, s'il y a lieu de saisir un groupe d'experts ad hoc de l'explication fournie par cette Partie contractante conformément au paragraphe 5. Si la commission décide de saisir un groupe d'experts ad hoc de cette question, l'annexe II s'applique *mutatis mutandis*.
9. Lorsque, conformément au paragraphe 8, la commission décide de ne pas saisir un groupe d'experts ad hoc, toute Partie contractante peut demander la convocation d'une séance de la commission pour examiner la mesure de la commission et l'explication fournie conformément au paragraphe 5.
10. Tout groupe d'experts ad hoc institué en vertu des paragraphes 7 ou 8 examine l'explication fournie conformément au paragraphe 5 et la mesure à laquelle elle se rapporte, et formule des recommandations à la commission à savoir :
- a) si l'explication fournie par la Partie contractante conformément au paragraphe 5 est bien fondée, et, le cas échéant, si, par conséquent, la mesure devrait être modifiée ou annulée, ou s'il conclut que l'explication n'est pas bien fondée, si la mesure devrait être maintenue; et
 - b) si les mesures de rechange énoncées dans la déclaration faite par la Partie contractante conformément au paragraphe 5 s'accordent avec l'objectif de la présente Convention et préservent les droits respectifs de toutes les Parties contractantes.
11. Au plus tard trente jours après la conclusion de la procédure du groupe d'experts ad hoc engagée conformément au présent article, la commission se réunit pour étudier les recommandations du groupe d'experts ad hoc.
12. Une fois conclue la procédure prévue aux paragraphes 7 à 11, toute Partie contractante peut invoquer la procédure de règlement des différends prévue à l'article XV.

Article XV – Règlement des différends

1. Les Parties contractantes coopèrent en vue de prévenir les différends.
2. Si un différend surgit entre deux ou plusieurs Parties contractantes à propos de l'interprétation ou de l'application de la présente Convention, y compris à propos de l'explication mentionnée au paragraphe 5

de l'article XIV ou de toute mesure prise par une Partie contractante à la suite d'une objection présentée en application du paragraphe 2 de l'article XIV ou de toute notification faite conformément au paragraphe 4 de l'article XIV, ces Parties contractantes, ci-après appelées « les Parties au différend », cherchent à régler leur différend par voie de négociation, d'enquête, de médiation, de conciliation, d'arbitrage, de règlement judiciaire, de procédure devant un groupe d'experts ad hoc ou par d'autres moyens pacifiques de leur choix.

3. Lorsqu'un différend concerne l'interprétation ou l'application d'une mesure adoptée par la commission en vertu de l'article VI, paragraphes 7 et 8, ou des questions connexes, y compris l'explication mentionnée au paragraphe 5 de l'article XIV ou toute action prise par une Partie au différend à la suite d'une objection présentée en vertu du paragraphe 2 de l'article XIV, ou toute notification faite en vertu du paragraphe 4 de l'article XIV, les Parties au différend peuvent saisir, à titre consultatif, un groupe d'experts ad hoc conformément à l'annexe II.
4. Lorsqu'un groupe d'experts ad hoc est saisi du différend, il s'entretient avec les Parties au différend dès que possible et s'efforce de régler rapidement le différend. Le groupe d'experts ad hoc présente un rapport aux Parties au différend, qu'il transmet aussi aux autres Parties contractantes par l'entremise du secrétaire exécutif. Le rapport expose toute recommandation que le groupe d'experts ad hoc estime indiquée pour régler le différend.
5. Si les Parties au différend acceptent les recommandations du groupe d'experts ad hoc, elles notifient aux autres Parties contractantes, par l'entremise du secrétaire exécutif, dans les quatorze jours suivant la réception des recommandations du groupe d'experts ad hoc, les actions qu'elles entendent prendre pour mettre en œuvre ces recommandations. Les recommandations peuvent alors être soumises à l'examen de la commission, conformément aux procédures applicables.
6. Lorsqu'un différend n'est pas réglé à la suite des recommandations du groupe d'experts ad hoc, toute Partie au différend peut le soumettre à des procédures obligatoires aboutissant à des décisions obligatoires prévues à la section 2 de la partie XV de la Convention de 1982 ou à la partie VIII de l'Accord de 1995.
7. Lorsque les Parties à un différend conviennent de saisir un groupe d'experts ad hoc du différend, elles peuvent convenir en même temps d'appliquer provisoirement la mesure en cause adoptée par la commission jusqu'à ce que le groupe d'experts ad hoc présente son rapport, à moins que les Parties n'aient réglé le différend entre-temps par d'autres moyens.
8. Si les Parties au différend ne s'entendent sur aucun autre moyen pacifique mentionné au paragraphe 2 pour régler leur différend, ou si elles sont incapables d'en arriver autrement à un règlement, le différend est soumis, à la demande d'une des Parties au différend, aux procédures obligatoires aboutissant à des décisions obligatoires prévues à la section 2 de la partie XV de la Convention de 1982 ou à la partie VIII de l'Accord de 1995.
9. Si elles font appel aux procédures obligatoires aboutissant à des décisions obligatoires, les Parties au différend, à moins qu'elles en conviennent autrement, appliquent provisoirement toute recommandation faite par le groupe d'experts ad hoc conformément au paragraphe 4, ou, le cas échéant, conformément au paragraphe 10 de l'article XIV. Elles continuent d'appliquer ces mesures provisoires ou tout arrangement ayant un effet équivalent sur lesquels elles se sont entendues jusqu'à ce qu'une cour ou un tribunal compétent saisi du différend dicte des mesures provisoires ou rende une décision, ou jusqu'à l'expiration de la mesure adoptée par la commission.
10. Les dispositions sur la notification prévues au paragraphe 5 s'appliquent *mutatis mutandis* aux mesures provisoires appliquées conformément au paragraphe 7 ou dictées conformément au paragraphe 9, ou à toute décision rendue par une cour ou un tribunal saisi du différend.
11. La cour, le tribunal ou le groupe d'experts ad hoc saisi d'un différend en vertu du présent article applique les dispositions de la présente Convention, celles de la Convention de 1982, celles de l'Accord de 1995, les normes généralement acceptées en matière de conservation et de gestion des ressources biologiques ainsi que les autres règles de droit international qui ne sont pas incompatibles avec la présente Convention, en vue d'assurer la réalisation de l'objectif de la Convention.
12. Aucune disposition de la présente Convention ne peut être invoquée ni interprétée de manière à empêcher une Partie à un différend, en tant qu'État Partie à la Convention de 1982, de soumettre le différend à des

procédures obligatoires aboutissant à des décisions contraignantes à l'encontre d'un autre État Partie à cette Convention conformément à la section 2, de la partie XV de la Convention de 1982, ou, en tant qu'État Partie à l'Accord de 1995, de soumettre le différend à des procédures obligatoires aboutissant à des décisions obligatoires à l'encontre d'un autre État Partie conformément à l'article 30 de l'Accord de 1995.

Article XVI - Coopération avec des Parties non contractantes

1. Lorsqu'un navire autorisé à battre le pavillon d'une Partie non contractante se livre à des activités de pêche dans la zone de réglementation, la commission demande à l'État du pavillon de coopérer pleinement avec l'Organisation, soit en adhérant à la Convention, soit en acceptant d'appliquer les mesures de conservation et de gestion adoptées par la commission.
2. Les Parties contractantes :
 - a) échangent des informations sur les activités de pêche des navires de pêche battant le pavillon de Parties non contractantes et sur toute mesure prise en réponse à ces activités de pêche;
 - b) prennent des mesures conformément à la présente Convention et au droit international en vue de dissuader les navires autorisés à battre le pavillon d'une Partie non contractante de se livrer à des activités de pêche qui compromettent l'efficacité des mesures de conservation et de gestion adoptées par la commission.
 - c) portent à l'attention des Parties non contractantes à la présente Convention les activités de pêche auxquelles se livrent leurs ressortissants ou des navires autorisés à battre leur pavillon et qui compromettent l'efficacité des mesures de conservation et de gestion adoptées par la commission.
 - d) cherchent à obtenir la coopération de toute Partie non contractante qui importe, exporte ou réexporte des produits de la pêche provenant d'activités de pêche dans la zone de la Convention.

Article XVII – Coopération avec d'autres organisations

L'Organisation :

- a) coopère, s'il y a lieu, avec l'Organisation des Nations unies pour l'alimentation et l'agriculture ainsi qu'avec d'autres agences et organisations spécialisées, sur les questions d'intérêt commun;
- b) s'attache à établir des relations de travail et peut conclure des accords à cet effet avec d'autres organisations intergouvernementales qui peuvent contribuer à ses travaux et qui ont des compétences en matière de conservation à long terme et de l'exploitation durable des ressources biologiques et leurs écosystèmes. Elle peut inviter ces organisations à déléguer des observateurs à ses réunions ou à celles de ses organes subsidiaires; elle peut également demander de participer aux réunions de ces organisations;
- c) coopère avec d'autres organisations régionales de gestion de la pêche concernées et prend en considération leurs mesures de conservation et de gestion.

Article XVIII – Examen

La commission entreprend périodiquement d'examiner et d'évaluer dans quelle mesure les dispositions de la présente Convention sont bien adaptées et propose, le cas échéant, les moyens d'en renforcer le contenu et les méthodes d'application afin de mieux s'attaquer aux problèmes qui nuisent à la réalisation de l'objectif de la présente Convention.

Article XIX – Annexes

Les annexes font partie intégrante de la présente Convention et, sauf disposition contraire expresse, une référence à la Convention renvoie également à ses annexes.

Article XX – Bonne foi et abus de droit

Les Parties contractantes doivent remplir de bonne foi les obligations qu'elles ont assumées aux termes de la présente Convention et exercer les droits reconnus dans la présente Convention d'une manière qui ne constitue pas un abus de droit.

Article XXI – Relation avec d'autres conventions et accords internationaux

1. La présente Convention ne modifie en rien les droits et obligations des Parties contractantes qui découlent d'autres accords compatibles avec elle, et qui ne portent atteinte ni à la jouissance par les autres Parties contractantes des droits qu'elles tiennent de la présente Convention, ni à l'exécution de leurs obligations découlant de celle-ci.
2. Aucune disposition de la présente Convention ne porte atteinte aux droits, à la juridiction et aux obligations des Parties contractantes en vertu de la Convention de 1982 ou de l'Accord de 1995. La présente Convention est interprétée et appliquée dans le contexte de et d'une manière compatible avec les dispositions de la Convention de 1982 et de l'Accord de 1995.

Article XXII – Amendements à la Convention

1. Toute Partie contractante peut proposer des amendements à la présente Convention. La commission les étudie et leur donne suite lors d'une réunion annuelle ou d'une séance extraordinaire. Tout projet d'amendement est envoyé au secrétaire exécutif au moins quatre-vingt-dix jours avant la séance où l'on compte y donner suite, et ce dernier le transmet immédiatement à toutes les Parties contractantes.
2. Les projets d'amendement sont adoptés par une majorité des trois quarts de toutes les Parties contractantes. Le texte des amendements ainsi adopté est transmis par le dépositaire à chacune des Parties contractantes.
3. Un amendement entre en vigueur pour toutes les Parties contractantes cent vingt jours après la date de transmission spécifiée dans la notification par laquelle le dépositaire accuse réception d'un avis écrit de l'approbation de l'amendement par les trois quarts de toutes les Parties contractantes, à moins qu'une autre Partie contractante ne notifie au dépositaire son objection à l'amendement dans les quatre-vingt-dix jours suivant la date de transmission spécifiée dans l'accusé de réception du dépositaire, auquel cas l'amendement n'entre en vigueur pour aucune Partie contractante. Toute Partie contractante ayant présenté une objection à un amendement peut la retirer en tout temps. Si toutes les objections concernant un amendement qui a reçu l'approbation des trois quarts de toutes les Parties contractantes sont retirées, l'amendement entre en vigueur pour toutes les Parties contractantes cent vingt jours après la date de transmission spécifiée dans la notification par laquelle le dépositaire accuse réception du dernier retrait.
4. Toute Partie qui adhère à la présente Convention après l'adoption d'un amendement conformément au paragraphe 2 est réputée avoir approuvé cet amendement.
5. Le dépositaire notifie sans délai à toutes les Parties contractantes la réception des notifications d'approbation des amendements, des notifications d'objection ou de retrait d'objection, ainsi que de l'entrée en vigueur des amendements.
6. Malgré les dispositions des paragraphes 1 à 5, la commission peut par un vote des deux tiers de toutes les Parties contractantes :
 - a) en tenant compte de l'avis du conseil scientifique, si elle le juge nécessaire à des fins administratives, diviser la zone de réglementation en sous-zones scientifiques et statistiques, en divisions et subdivisions de réglementation, suivant le cas. Les limites de ces sous-zones divisions et subdivisions sont définies à l'annexe I;
 - b) à la demande du conseil scientifique, si elle le juge nécessaire à des fins administratives, scientifiques ou statistiques, modifier les limites des sous-zones, des divisions et subdivisions scientifiques et statistiques définies à l'annexe I, pourvu qu'elle ait l'accord de chaque État côtier touché.

Article 4

Article XXII shall be renumbered as Article XXIII.

Article 5

Article XXIII shall be deleted.

Article 6

Articles XXIV and XXV shall be deleted and replaced by the following new Articles:

“Article XXIV - Dénonciation

1. Toute Partie contractante peut dénoncer la présente Convention par une notification écrite adressée au dépositaire au plus tard le 30 juin de l'année. La dénonciation prend effet le 31 décembre de la même année. Le dépositaire avise sans délai toutes les autres Parties contractantes.
2. Toute autre Partie contractante peut dès lors, par notification écrite adressée au dépositaire au plus tard trente jours après cette notification, dénoncer elle aussi la Convention avec effet le 31 décembre de la même année. Le dépositaire avise sans délai toutes les autres Parties contractantes, conformément au paragraphe 1.

Article XXV – Enregistrement

1. L'original de la présente Convention sera déposé auprès du gouvernement du Canada, qui en transmet des copies conformes à tous les signataires et à toutes les Parties contractantes.
2. Le dépositaire enregistre la présente Convention et tout amendement à celle-ci auprès du Secrétariat des Nations Unies.”

Article 7

Annexes I – II shall be deleted.

Article 8

Annex III shall be deleted and replaced by the following two Annexes:

“Annexe I de la Convention – Sous-zones, divisions et subdivisions scientifiques et statistiques

Les Sous-zones, divisions et subdivisions scientifiques et statistiques prévues à l’article IV de cette Convention sont les suivantes.

1(a) **Sous-zone 0**

La partie de la zone de la Convention limitée au sud par une ligne courant plein est depuis le point situé par 61° 00' N., 65° 00' O. jusqu’au point situé par 61° 00' N., 59° 00' O.; de là dans la direction du sud-est le long d’une loxodromie jusqu’au point situé par 60° 12' N., 57° 13' O.; de là, limitée à l’est par une succession de lignes géodésiques joignant les points ci-après.

N° du point	Latitude	Longitude	N° du point	Latitude	Longitude	N° du point	Latitude	Longitude
1	60°12,0'	57°13,0'	40	67°28,3'	57°55,3'	79	71°31,8'	62°32,0'
2	61°00,0'	57°13,1'	41	67°29,1'	57°56,1'	80	71°32,9'	62°33,5'
3	62°00,5'	57°21,1'	42	67°30,7'	57°57,8'	81	71°44,7'	62°49,6'
4	62°02,3'	57°21,8'	43	67°35,3'	58°02,2'	82	71°47,3'	62°53,1'
5	62°03,5'	57°22,2'	44	67°39,7'	58°06,2'	83	71°52,9'	63°03,9'
6	62°11,5'	57°25,4'	45	67°44,2'	58°09,9'	84	72°01,7'	63°21,1'
7	62°47,2'	57°41,0'	46	67°56,9'	58°19,8'	85	72°06,4'	63°30,9'
8	63°22,8'	57°57,4'	47	68°01,8'	58°23,3'	86	72°11,0'	63°41,0'
9	63°28,6'	57°59,7'	48	68°04,3'	58°25,0'	87	72°24,8'	64°13,2'
10	63°35,0'	58°02,0'	49	68°06,8'	58°26,7'	88	72°30,5'	64°26,1'
11	63°37,2'	58°01,2'	50	68°07,5'	58°27,2'	89	72°36,3'	64°38,8'
12	63°44,1'	57°58,8'	51	68°16,1'	58°34,1'	90	72°43,7'	64°54,3'
13	63°50,1'	57°57,2'	52	68°21,7'	58°39,0'	91	72°45,7'	64°58,4'
14	63°52,6'	57°56,6'	53	68°25,3'	58°42,4'	92	72°47,7'	65°00,9'
15	63°57,4'	57°53,5'	54	68°32,9'	59°01,8'	93	72°50,8'	65°07,6'
16	64°04,3'	57°49,1'	55	68°34,0'	59°04,6'	94	73°18,5'	66°08,3'
17	64°12,2'	57°48,2'	56	68°37,9'	59°14,3'	95	73°25,9'	66°25,3'
18	65°06,0'	57°44,1'	57	68°38,0'	59°14,6'	96	73°31,1'	67°15,1'
19	65°08,9'	57°43,9'	58	68°56,8'	60°02,4'	97	73°36,5'	68°05,5'
20	65°11,6'	57°44,4'	59	69°00,8'	60°09,0'	98	73°37,9'	68°12,3'
21	65°14,5'	57°45,1'	60	69°06,8'	60°18,5'	99	73°41,7'	68°29,4'
22	65°18,1'	57°45,8'	61	69°10,3'	60°23,8'	100	73°46,1'	68°48,5'
23	65°23,3'	57°44,9'	62	69°12,8'	60°27,5'	101	73°46,7'	68°51,1'
24	65°34,8'	57°42,3'	63	69°29,4'	60°51,6'	102	73°52,3'	69°11,3'
25	65°37,7'	57°41,9'	64	69°49,8'	60°58,2'	103	73°57,6'	69°31,5'
26	65°50,9'	57°40,7'	65	69°55,3'	60°59,6'	104	74°02,2'	69°50,3'

27	65°51,7'	57°40,6'	66	69°55,8'	61°00,0'	105	74°02,6'	69°52,0'
28	65°57,6'	57°40,1'	67	70°01,6'	61°04,2'	106	74°06,1'	70°06,6'
29	66°03,5'	57°39,6'	68	70°07,5'	61°08,1'	107	74°07,5'	70°12,5'
30	66°12,9'	57°38,2'	69	70°08,8'	61°08,8'	108	74°10,0'	70°23,1'
31	66°18,8'	57°37,8'	70	70°13,4'	61°10,6'	109	74°12,5'	70°33,7'
32	66°24,6'	57°37,8'	71	70°33,1'	61°17,4'	110	74°24,0'	71°25,7'
33	66°30,3'	57°38,3'	72	70°35,6'	61°20,6'	111	74°28,6'	71°45,8'
34	66°36,1'	57°39,2'	73	70°48,2'	61°37,9'	112	74°44,2'	72°53,0'
35	66°37,9'	57°39,6'	74	70°51,8'	61°42,7'	113	74°50,6'	73°02,8'
36	66°41,8'	57°40,6'	75	71°12,1'	62°09,1'	114	75°00,0'	73°16,3'
37	66°49,5'	57°43,0'	76	71°18,9'	62°17,5'	115	75°05'	73°30'
38	67°21,6'	57°52,7'	77	71°25,9'	62°25,5'			
39	67°27,3'	57°54,9'	78	71°29,4'	62°29,3'			

et de là plein nord jusqu'au parallèle par 78° 10' N.; et limitée à l'ouest par une ligne commençant au point situé par 61° 00' N., 65° 00' O. et se prolongeant dans la direction du nord-ouest le long d'une loxodromie jusqu'à la côte de l'île de Baffin au promontoire East (61° 55' N., 66° 20' O.); et de là en direction du nord le long de la côte de l'île de Baffin, de l'île Bylot, de l'île Devon et de l'île d'Ellesmere en suivant le méridien par 80° O. dans les étendues d'eau entre ces île jusqu'à 78° 10' N.; et limitée au nord par le parallèle par 78° 10' N.

1(b) **La sous-zone 0 se compose de deux divisions:**

Division 0-A

La partie de la sous-zone gisant au nord du parallèle par 66° 15' N.;

Division 0-B

La partie de la sous-zone gisant au sud du parallèle par 66° 15' N.

2(a) **Sous-zone 1**

La partie de la zone de la Convention gisant à l'est de la sous-zone 0 et au nord et à l'est d'une loxodromie joignant le point situé par 60° 12' N., 57° 13' O. au point situé par 52° 15' N., 42° 00' O.

2(b) **La sous-zone 1 se compose de six divisions:**

Division 1A

La partie de la sous-zone gisant au nord du parallèle par 68° 50' N. (Qasigiannuit);

Division 1B

La partie de la sous-zone gisant entre le parallèle par 66° 15' N. (approximativement à 5 milles marins au nord d'Umanarsugssuak) et le parallèle par 68° 50' N. (Qasigiannuit);

Division 1C

La partie de la sous-zone gisant entre le parallèle par 64° 15' N. (approximativement à 4 milles marins au nord de Nuuk) et le parallèle par 66° 15' N. (approximativement à 5 milles marins au nord d'Umanarsugssuak);

Division 1D

La partie de la sous-zone gisant entre le parallèle par 62° 30' N. (glacier Paamiut) et le parallèle par 64° 15' N. (approximativement à 4 milles marins au nord de Nuuk),

Division 1E

La partie de la sous-zone gisant entre le parallèle par 60° 45' N. (cap Desolation) et le parallèle par 62° 30' N. (glacier Paamiut);

Division 1FT

La partie de la sous-zone gisant au sud du parallèle par 60° 45' N. (cap Desolation).

3(a) **Sous-zone 2**

La partie de la zone de la Convention gisant à l'est du méridien par 64° 30' O. dans la région du détroit d'Hudson, au sud de la sous-zone 0, au sud et à l'ouest de la sous-zone 1 et au nord du parallèle par 52° 15' N.

3(b) **La sous-zone 2 se compose de trois divisions:**

Division 2G

La partie de la sous-zone gisant au nord du parallèle par 57° 40' N. (cap Mugford);

Division 2H

La partie de la sous-zone gisant entre le parallèle par 55° 20' N. (Hopedale) et le parallèle par 57° 40' N. (cap Mugford);

Division 2J

La partie de la sous-zone gisant au sud du parallèle par 55° 20' N. (Hopedale).

4(a) **Sous-zone 3**

La partie de la zone de la Convention gisant au sud du parallèle par 52° 15' N. et à l'est d'une ligne courant plein nord depuis le cap Bauld sur la côte nord de Terre-Neuve jusque par 52° 15' N.; au nord du parallèle par 39° 00' N.; et à l'est et au nord d'une loxodromie commençant au point situé par 39° 00' N., 50° 00' O. et se prolongeant dans la direction du nord-ouest pour passer par le point situé par 43° 30' N., 55° 00' O. dans la direction du point situé par 47° 50' N., 60° 00' O., jusqu'à son intersection avec une ligne droite reliant le cap Ray, 47° 37,0' N., 59° 18,0' O. sur la côte de Terre-Neuve au cap North, 47° 02,0' N., 60° 25,0' O. sur l'île du Cap-Breton; de là, dans la direction du nord-est le long de ladite ligne jusqu'au cap Ray, 47° 37,0' N. 59° 18,0' O.

4(b) **La sous-zone 3 se compose de six divisions:**

Division 3K

La partie de la sous-zone gisant au nord du parallèle par 49° 15' N. (cap Freels, Terre-Neuve);

Division 3L

La partie de la sous-zone gisant entre la côte de Terre-Neuve, depuis le cap Freels jusqu'au cap St. Mary, et une ligne décrite comme suit : commençant au cap Freels, de là, plein est jusqu'au méridien par 46° 30' O., de là plein sud jusqu'au parallèle par 46° 00' N., de là plein ouest jusqu'au méridien par 54° 30' O., de là suivant une loxodromie jusqu'au cap St. Mary à Terre-Neuve.

Division 3M

La partie de la sous-zone gisant au sud du parallèle par 49° 15' N. et à l'est du méridien par 46° 30' O.

Division 3N

La partie de la sous-zone gisant au sud du parallèle par 46° 00' N. et entre le méridien par 46° 30' O. et le méridien par 51° 00' O.;

Division 3O

La partie de la sous-zone gisant au sud du parallèle par $46^{\circ} 00' N.$ et entre le méridien par $51^{\circ} 00' O.$ et le méridien par $54^{\circ} 30' O.$;

Division 3P

La partie de la sous-zone gisant au sud de la côte de Terre-Neuve et à l'ouest d'une ligne reliant le cap St. Mary, à Terre-Neuve, au point situé par $46^{\circ} 00' N., 54^{\circ} 30' O.$, de là plein sud jusqu'à une limite de la sous-zone;

La division 3P est divisée en deux subdivisions :

3Pn – Subdivision nord-ouest – La partie de la division 3P gisant au nord-ouest d'une ligne courant du point situé par $47^{\circ} 30,7' N., 57^{\circ} 43,2' O.$ à Terre-Neuve, approximativement en direction du sud-ouest jusqu'au point situé par $46^{\circ} 50,7' N., 58^{\circ} 49,0' O.$;

3Ps – Subdivision sud-est – La partie de la division 3P gisant au sud-est de la ligne définie pour la subdivision 3Pn.

5(a) **Sous-zone 4**

La partie de la zone de la Convention gisant au nord du parallèle par $39^{\circ} 00' N.$, à l'ouest de la sous-zone 3, et à l'est d'une ligne décrite comme suit :

commençant à l'extrémité de la frontière internationale entre les États-Unis d'Amérique et le Canada dans le chenal Grand-Manan, en un point situé par $44^{\circ} 46' 35,346'' N., 66^{\circ} 54' 11,253'' O.$; de là courant plein sud jusqu'au parallèle par $43^{\circ} 50' N.$; de là plein ouest jusqu'au méridien par $67^{\circ} 24' 27,24'' O.$; de là suivant une ligne géodésique dans la direction du sud-ouest jusqu'au point situé par $42^{\circ} 53' 14'' N., 67^{\circ} 44' 35'' O.$; de là suivant une ligne géodésique dans la direction du sud-est jusqu'au point situé par $42^{\circ} 31' 08'' N., 67^{\circ} 28' 05'' O.$; de là suivant une ligne géodésique jusqu'au point situé par $42^{\circ} 20' N., 67^{\circ} 18' 13,15'' O.$;

de là plein est jusqu'au point situé par $66^{\circ} 00' O.$; de là suivant une loxodromie dans la direction du sud-est jusqu'au point situé par $42^{\circ} 00' N., 65^{\circ} 40' O.$ et de là plein sud jusqu'au parallèle par $39^{\circ} 00' N.$

5(b) **La sous-zone 4 se compose de six divisions:**

Division 4R

La partie de la sous-zone gisant entre la côte de Terre-Neuve depuis le cap Bauld jusqu'au cap Ray et une ligne décrite comme suit : commençant au cap Bauld, de là plein nord jusqu'au parallèle par $52^{\circ} 15' N.$, de là plein ouest jusqu'à la côte du Labrador, de là le long de la côte du Labrador jusqu'à l'extrémité de la limite entre le Labrador et le Québec, de là le long d'une loxodromie en direction du sud-ouest jusqu'au point situé par $49^{\circ} 25' N., 60^{\circ} 00' O.$, de là plein sud jusqu'au point situé par $47^{\circ} 50' N., 60^{\circ} 00' O.$, de là le long d'une loxodromie en direction du sud-est jusqu'au point où la limite de la sous-zone 3 rejoint une ligne droite tracée entre le cap North, en Nouvelle-Écosse, et le cap Ray, à Terre-Neuve, et de là jusqu'au cap Ray, à Terre-Neuve;

Division 4S

La partie de la sous-zone gisant entre la côte sud du Québec, depuis l'extrémité de la limite entre le Labrador et le Québec jusqu'à Pointe-des-Monts, et une ligne décrite comme suit : commençant à Pointe-des-Monts, de là plein est jusqu'au point situé par $49^{\circ} 25' N., 64^{\circ} 40' O.$, de là suivant une loxodromie dans la direction de l'est-sud-est jusqu'au point situé par $47^{\circ} 50' N., 60^{\circ} 00' O.$, de là plein nord jusqu'au point situé par $49^{\circ} 25' N., 60^{\circ} 00' O.$, de là suivant une loxodromie dans la direction du nord-est jusqu'à l'extrémité de la limite entre le Labrador et le Québec;

Division 4T

La partie de la sous-zone gisant entre les côtes de la Nouvelle-Écosse, du Nouveau-Brunswick et du Québec, depuis le cap North jusqu'à Pointe-des-Monts, et une ligne décrite comme suit : commençant à Pointe-des-Monts, de là plein est jusqu'au point situé par $49^{\circ} 25' N., 64^{\circ} 40' O.$, de là suivant une loxodromie dans la direction du sud-est jusqu'au point situé par $47^{\circ} 50' N., 60^{\circ} 00' O.$, de là suivant une

loxodromie dans la direction du sud jusqu'au cap North en Nouvelle-Écosse;

Division 4V

La partie de la sous-zone gisant entre la côte de la Nouvelle-Écosse, entre le cap North et Fourchu, et une ligne décrite comme suit : commençant à Fourchu, de là suivant une loxodromie dans la direction de l'est jusqu'au point situé par 45° 40' N., 60° 00' O., de là plein sud le long du méridien par 60° 00' O. jusqu'au parallèle par 44° 10' N., de là plein est jusqu'au méridien par 59° 00' O., de là plein sud jusqu'au parallèle par 39° 00' N., de là plein est jusqu'au point où la limite entre les sous-zones 3 et 4 intersecte le parallèle par 39° 00' N., de là le long de la limite entre les sous-zones 3 et 4 et d'une ligne se prolongeant dans la direction du nord-ouest jusqu'au point situé par 47° 50' N., 60° 00' O., et de là le long d'une loxodromie dans la direction du sud jusqu'au cap North en Nouvelle-Écosse;

La division 4V est divisée en deux subdivisions :

4Vn – Subdivision nord – La partie de la division 4V gisant au nord du parallèle par 45° 40' N.;

4Vs – Subdivision sud – La partie de la division 4V gisant au sud du parallèle par 45° 40' N.

Division 4W

La partie de la sous-zone gisant entre la côte de la Nouvelle-Écosse, entre Halifax et Fourchu, et une ligne décrite comme suit : commençant à Fourchu, de là le long d'une loxodromie dans la direction de l'est jusqu'au point situé par 45° 40' N., 60° 00' O., de là plein sud le long du méridien par 60° 00' O. jusqu'au parallèle par 44° 10' N., de là plein est jusqu'au méridien par 59° 00' O., de là plein sud jusqu'au parallèle par 39° 00' N., de là plein ouest jusqu'au méridien par 63° 20' O., de là plein nord jusqu'au point le long de ce méridien situé par 44° 20' N., de là le long d'une loxodromie dans la direction du nord-ouest jusqu'à Halifax en Nouvelle-Écosse;

Division 4X

La partie de la sous-zone gisant entre la limite ouest de la sous-zone 4 et les côtes du Nouveau-Brunswick et de la Nouvelle-Écosse, depuis l'extrémité de la frontière entre le Nouveau-Brunswick et le Maine et Halifax, et une ligne décrite comme suit : commençant à Halifax, de là le long d'une loxodromie dans la direction dans la direction du sud-est jusqu'au point situé par 44° 20' N., 63° 20' O., de là plein sud jusqu'au parallèle par 39° 00' N., et de là plein ouest jusqu'au méridien par 65° 40' O.

6(a) **Sous-zone 5**

La partie de la zone de la Convention gisant à l'ouest de la limite ouest de la sous-zone 4, au nord du parallèle par 39° 00' N., et à l'est du méridien par 71° 40' O.

6(b) **La sous-zone 5 se compose de deux divisions :**

Division 5Y

La partie de la sous-zone gisant entre les côtes du Maine, du New Hampshire et du Massachusetts, depuis la frontière entre le Maine et le Nouveau-Brunswick jusqu'à 70° 00' O. au cap Cod (par approximativement 42° N.), et une ligne décrite comme suit : commençant en un point au cap Cod par 70° O. (par approximativement 42° N.), de là plein nord jusqu'à 42° 20' N., de là plein est jusqu'à 67° 18' 13,15" O., à la limite des sous-zones 4 et 5, et de là le long de cette limite jusqu'à la frontière entre le Canada et les États-Unis;

Division 5Z

La partie de la sous-zone gisant au sud et à l'est de la division 5Y.

La division 5Z est divisée en deux subdivisions : une subdivision est et une subdivision ouest définies comme suit :

5Ze – Subdivision est – La partie de la division 5Z gisant à l'est du méridien par 70° 00' O.;

5Zw – Subdivision ouest – La partie de la division 5Z gisant à l'ouest du méridien par 70° 00' O.

7(a) **Sous-zone 6**

La partie de la zone de la Convention limitée par une ligne commençant en un point sur la côte du Rhode Island situé par $71^{\circ} 40' O.$, de là plein sud jusqu'à $39^{\circ} 00' N.$, de là plein est jusqu'à $42^{\circ} 00' O.$, de là plein sud jusqu'à $35^{\circ} 00' N.$, de là plein ouest jusqu'à la côte de l'Amérique du Nord, de là vers le nord le long de la côte de l'Amérique du Nord jusqu'au point au Rhode Island situé par $71^{\circ} 40' O.$

7(b) **La sous-zone 6 se compose de huit divisions:**

Division 6A

La partie de la sous-zone gisant au nord du parallèle par $39^{\circ} 00' N.$ et à l'ouest de la sous-zone 5;

Division 6B

La partie de la sous-zone gisant à l'ouest de $70^{\circ} 00' O.$, au sud du parallèle par $39^{\circ} 00' N.$, et au nord et à l'ouest d'une ligne courant vers l'ouest le long du parallèle par $37^{\circ} 00' N.$ jusqu'à $76^{\circ} 00' O.$ et de là plein sud jusqu'au cap Henry en Virginie;

Division 6C

La partie de la sous-zone gisant à l'ouest de $70^{\circ} 00' O.$ et au sud de la subdivision 6B;

Division 6D

La partie de la sous-zone gisant à l'est des divisions 6B et 6C et à l'ouest de $65^{\circ} 00' O.$;

Division 6E

La partie de la sous-zone gisant à l'est de la division 6D et à l'ouest de $60^{\circ} 00' O.$;

Division 6F

La partie de la sous-zone gisant à l'est de la division 6E et à l'ouest de $55^{\circ} 00' O.$;

Division 6G

La partie de la sous-zone gisant à l'est de la division 6F et à l'ouest de $50^{\circ} 00' O.$;

Division 6H

La partie de la sous-zone gisant à l'est de la division 6G et à l'ouest de $42^{\circ} 00' O.$

Annexe II de la Convention – Règles de procédure des groupes d'experts ad hoc visés à l'article XV

1. Le secrétaire exécutif établit et tient une liste d'experts qui sont disposés et aptes à agir comme membres de groupes d'experts ad hoc. Chaque Partie contractante peut nommer jusqu'à cinq experts dont les compétences sont établies quant aux aspects juridiques, scientifiques ou techniques des pêches visées par la Convention. La Partie contractante qui procède à une nomination fournit des renseignements sur les compétences et l'expérience pertinentes de chacune des personnes qu'elle nomme.
 2. Les parties à un différend notifient au secrétaire exécutif leur intention de soumettre un différend à un groupe d'experts ad hoc. Cette notification est accompagnée d'une description complète de l'objet du différend ainsi que des motifs invoqués par chaque partie. Le secrétaire exécutif transmet dans les plus brefs délais une copie de la notification à toutes les Parties contractantes.
 3. Lorsqu'une autre Partie contractante souhaite devenir partie au différend, elle peut se joindre au processus d'institution du groupe d'experts ad hoc, à moins que les parties initiales au différend ne s'y opposent. La Partie contractante qui souhaite devenir partie au différend devrait en donner notification dans les 15 jours suivant la date à laquelle elle reçoit la notification visée au paragraphe 2.
 4. Au plus tôt 30 jours après la notification visée au paragraphe 2 et au plus tard 45 jours après celle-ci, les parties au différend notifient au secrétaire exécutif l'institution du groupe d'experts ad hoc, y compris les noms des membres du groupe d'experts ad hoc et le calendrier des travaux de ce dernier. À moins que les parties n'en conviennent autrement, les dispositions suivantes s'appliquent :
 - a) le groupe d'experts ad hoc est composé de trois membres;
 - b) les parties au différend choisissent chacune un membre et choisissent le troisième d'un commun accord;
 - c) le troisième membre préside le groupe d'experts ad hoc;
 - d) le troisième membre ne peut pas être un ressortissant d'aucune des parties au différend et ne peut pas posséder la même nationalité que les deux autres membres;
 - e) dans le cas d'un différend entre plus de deux Parties contractantes, les parties au différend qui ont les mêmes intérêts choisissent ensemble un membre. Si les parties au différend ne parviennent pas à s'entendre sur la nomination du troisième membre du groupe d'experts ad hoc, le président du Tribunal international du droit de la mer effectue la nomination, à moins que les parties au différend ne conviennent que la nomination soit effectuée par une autre personne ou par un État tiers.
- Le secrétaire exécutif transmet dans les plus brefs délais une copie de la notification à toutes les Parties contractantes.
5. Toute Partie contractante qui n'est pas partie au différend peut assister à toutes les audiences du groupe d'experts ad hoc, soumettre des observations verbales et écrites au groupe d'experts ad hoc et recevoir les observations de chaque partie au différend.
 6. À la demande d'une partie au différend, ou de sa propre initiative, le groupe d'experts ad hoc peut demander des renseignements et des avis techniques de toute personne ou de tout organisme qu'il estime approprié, à condition que les parties au différend y consentent.
 7. À moins que les parties au différend n'en conviennent autrement, le groupe d'experts ad hoc présente son rapport et ses recommandations visés au paragraphe 4 de l'article XV de la Convention dans les 90 jours suivant son institution. Le rapport et les recommandations s'en tiennent à l'objet du différend et exposent les motifs sur lesquels ils se fondent. Le rapport et les recommandations sont communiqués dans les plus brefs délais, par l'entremise du secrétaire exécutif, à toutes les Parties contractantes.
 8. Le groupe d'experts ad hoc s'efforce d'en arriver à des conclusions par consensus. Si cela s'avère impossible, les conclusions du groupe d'experts ad hoc sont adoptées à la majorité de ses membres, qui ne peuvent s'abstenir de voter.

9. Le groupe d'experts ad hoc peut adopter toute règle de procédure qu'il juge nécessaire pour accélérer l'instance.
10. Les parties au différend assument à parts égales les coûts liés au groupe d'experts ad hoc.
11. Dans le cas d'un groupe d'experts ad hoc institué en vertu des paragraphes 7 et 8 de l'article XIV, les parties sont réputées être la commission et la partie contractante qui a présenté une objection, et les dispositions de la présente annexe s'appliquent, à l'exception du paragraphe 3 et du paragraphe 4, alinéa e).”

**Annex 14. Resolution on the Interpretation and Implementation of the Convention
on the Future Multilateral Cooperation in the Northwest Atlantic Fisheries
(GC W.P. 08/5, Rev. - ADOPTED - now GC Doc. 08/3)**

The Contracting Parties to the Convention on the Future Multilateral Cooperation in Northwest Atlantic Fisheries (hereinafter referred to as the Convention),

Recognizing the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982; the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 1995; the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993, and

Taking into account the Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organization of the United Nations in October 1995,

Desiring to promote the long-term conservation and optimum utilization of the fishery resources of the Northwest Atlantic Area,

Recognizing the economic and social benefits from the sustainable use of fishery resources,

Noting the amendments to the Convention adopted at the 29th annual meeting of the Northwest Atlantic Fisheries Organization (NAFO),

Declare that in giving effect to the objective of the Convention, Contracting Parties individually and collectively, intend to:

- a) adopt measures based on the best scientific evidence available to ensure that fishery resources are maintained at or restored to levels capable of producing maximum sustainable yield;
- b) apply the precautionary approach in accordance with Article 6 of the 1995 Agreement;
- c) take due account of the impact of fisheries on other species and marine ecosystems, and in doing so adopt measures to minimize harmful impacts on living marine resources and marine ecosystems;
- d) take due account of the need to preserve marine biological diversity;
- e) prevent or eliminate overfishing and excess fishing capacity, and ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of the fishery resources;
- f) ensure that complete and accurate data concerning fishing activities within the Regulatory Area are collected and shared among them in a timely manner;
- g) ensure effective compliance with management measures and that sanctions for any infringements are adequate in severity; and
- (h) adopt measures to prevent, deter and eliminate IUU fishing activities.

Annex 15. 2008 Annual Meeting Press Release

NAFO advances its Ecosystem Approach to Fisheries Management

FOR IMMEDIATE RELEASE

VIGO, SPAIN - The Northwest Atlantic Fisheries Organization held its 30th Annual Meeting from the 22nd to the 26th of September, 2008. The Government of Spain hosted the meeting in Vigo, Spain. The meeting focused on the ecosystem aspects of the Northwest Atlantic, the establishment of fisheries management measures and improved monitoring and compliance.

NAFO takes additional action to protect vulnerable marine ecosystems (VMEs)

Further to extensive precautionary area closures (seamounts, southern Grand Banks) in the last three years, in 2008 NAFO substantially advanced its protection of VMEs. NAFO scientists mapped areas that are likely to contain VMEs and gave advice on the impact of bottom fishing on sensitive habitats. NAFO adopted a number of measures for the international waters of the Northwest Atlantic including the requirement to stop fishing if evidence of VMEs is encountered.

NAFO defines its fishing “footprint”

This year NAFO identified existing bottom fishing areas (“footprint”), within the international waters of the Northwest Atlantic by compiling detailed information on fishing activities from 1987-2007. The areas outside the “footprint” constitute “new fishing areas” for which special exploratory fishing protocols will apply to prevent damage to yet untouched sensitive habitats. This will allow NAFO to establish ecosystem-friendly management regimes (including additional closures if necessary) for new fisheries.

NAFO fishery resources show improvement

The abundance of some straddling stocks of American plaice, redfish and cod is showing improvement. Others, such as yellowtail flounder and shrimps are already in relatively good condition. This is good news and encourages NAFO to continue with strengthening its management regime in the Northwest Atlantic.

NAFO enhances its monitoring and control

At this meeting, NAFO adopted new port state measures that will contribute to a tighter control and enforcement of the NAFO fisheries. From 2004 to 2007 fishing effort in the international waters of the Northwest Atlantic diminished by sixty percent. In 2007 NAFO conducted 296 at-sea inspections of which roughly five percent resulted in a citation. This rate of citation remained fairly constant since 2003.

NAFO amended Convention ready for ratification

At this Annual Meeting Contracting Parties agreed to a French translation of the amendments to the NAFO Convention adopted last year. Now the Depositary of the NAFO Convention, Canada, can give the green light to the ratification process by NAFO members. Meanwhile NAFO adopted a resolution to implement its commitment to an ecosystem-based fisheries management approach.

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Additional highlights of the meeting can be found in the attached background.

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**2008 Annual Meeting Press Release
22 - 26 September 2008**

Backgrounder

The 30th NAFO Annual Meeting was hosted by the Government of Spain in Vigo, Spain. The three bodies of NAFO, General Council (chaired by Terje Lobach, Norway), Scientific Council (chaired by Don Power, Canada) and Fisheries Commission (chaired by Vladimir Shibanov, Russia) and their subsidiary bodies met for one week at the Maritime Station. The 200 delegates from NAFO member countries came together to deliberate on management measures and scientific assessment regarding the international fisheries of the Northwest Atlantic. The meeting was also attended by observers from two other regional fisheries bodies; as well as from the Ecology Action Centre (EAC) and World Wildlife Fund Canada (WWF- Canada).

Over the course of the current year, NAFO devoted considerable time to develop strategies of implementing an ecosystem approach to fisheries management. During a number of meetings NAFO addressed the identification of vulnerable marine ecosystems (VMEs) in the Northwest Atlantic and adopted necessary management measures to protect sensitive habitats including determination of the NAFO fishing “footprint”, requirement to stop fishing upon encounter of a VME and exploratory fishery protocols for “new” fishing areas. These steps are in line with the commitment by States made at the UN General Assembly in 2006 (UNGA Resolution 61/105), calling on protection of VMEs. The new measures also continue with previously adopted area closures for seamounts and southern Grand Banks.

The fishing “footprint” was determined by compiling detailed geographic information on bottom fishing locations from Contracting Parties in the period of 1987-2007. Any areas outside this “footprint” are labelled as “new fishing areas”.

The advice on the status of fish stocks and the ecosystem given by the Scientific Council to the Organization and Coastal States was mainly elaborated at its main meeting in June. While many stocks remain in a poor condition there were signs of improvement in some stock of Atlantic cod and redfish. Details can be found on the NAFO website at www.nafo.int. The Fisheries Commission established TACs and quotas based on the scientific advice for the 21 fish stocks managed by NAFO.

NAFO again reviewed the compliance of fishing vessels with the NAFO conservation and management measures. The fishing effort in the NAFO Regulatory Area decreased from 10,000 fishing days in 2004 to only 4,000 fishing days in 2007. During these years NAFO conducted between 300 to 400 at-sea inspections per year and issued citations in about five percent of the cases.

In the past few years NGOs have continued to attend NAFO meetings, most notably the WWF Canada, the Ecology Action Centre and the Sierra Club of Canada.

NAFO agreed on a French translation of the amended NAFO Convention (adopted in English language in 2007). This now allows the Depositary of the NAFO Convention, Canada, to give the go ahead to other Contracting Parties to begin the ratification process through their own parliaments.

Attached is the table of NAFO Total Allowable Catches (TAC) and quotas agreed at this session.

Meetings

Prior to the Annual Meeting, the following NAFO meetings were held during 2008: (1) Scientific Council Study Group on Rebuilding Strategies for Greenland Halibut (21-23 February); (2) Fisheries Commission Intersessional, (30 April – 7 May); (3) Scientific Council Working Group on Ecosystem Approach to Fisheries Management (26-30 May); (4) Scientific Council Regular Meeting (Dartmouth, Canada, 5-19 June); Standing Committee on International Control (1-3 July); *Ad Hoc* Working Group of Fisheries Managers and Scientists (8-12 September).

The meeting was attended by over 200 delegates from twelve Contracting Parties – Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and United States of America.

NAFO Executive Secretary
26 September 2008, Vigo, Spain

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Quota Table 2009 and Effort Allocation Scheme

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2009 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 Division/Contracting Party	Cod			Redfish				American plaice		Yellowtail	Witch	
	3L	3M	3NO	3LN	3M	3O	Sub-Area 2 and Div. 1F+3K	3LNO	3M	3LNO	3L	3NO
Canada		0	0	0	500	6000	385 ^{2,4}	0	0	16575 ⁵		0
Cuba		0	-	0	1750		385 ^{2,4}	-	-	-		-
Denmark (Faroe Islands and Greenland)		0	-	-	69 ¹⁹		9627 ^{2,3}	-	-	-		-
European Union		0 ¹¹	0 ¹¹	0 ¹¹	7813 ¹²	7000	9627 ^{2,3} 2503 ^{2,15}	0	0 ¹¹	-		0 ¹¹
France (St. Pierre et Miquelon)		-	-	-	69 ¹⁹		385 ^{2,4}	-	-	340 ⁵		-
Iceland		-	-	-	-		9627 ^{2,3}	-	-	-		-
Japan		-	-	-	400	150	385 ^{2,4}	-	-	-		-
Korea		-	-	-	69 ¹⁹	100	385 ^{2,4}	-	-	-		-
Norway		0	-	-	-		9627 ^{2,3}	-	-	-		-
Russia		0	0	0	9137	6500	9627 ^{2,3}	-	0	-		0
Ukraine						150	385 ^{2,4}					
United States of America		-	-	-	69 ¹⁹		385 ^{2,4}	-	-	-		-
Others		0	0	0	124	100	-	0	0	85		0
TOTAL ALLOWABLE CATCH	^{*22}	^{*23}	^{*16}	^{*26}	8500 ⁸	20000	12516 ^{10,17}	^{*24}	^{*22}	17000 ^{24,25}	^{*16}	^{*20}

Species	White hake	Capelin	Skates	Greenland halibut	Squid (Illex) ¹	Shrimp	
						3L	3NO
Division/Contracting Party	3NO	3NO	3LNO	3LMNO	Sub-areas 3+4	3L	3NO
Canada	2500	0	2250	1778	N.S. ⁶	24990	
Cuba		0		-	510	334	
Denmark (Faroe Islands and Greenland)		-		206	-	334	
European Union	5000	0 ¹¹	8500	6951 ¹⁸	<u>N.S.</u> ⁶ 611 ¹³	1670 ¹⁴	
France (St. Pierre et Miquelon)		-		194	453	334	
Iceland		-		-	-	334	
Japan		0		1215	510	334	
Korea		-		-	453	334	
Norway		0		-	-	334	
Russia	500	0	2250	1512	749	334	
Ukraine				-		334	
United States of America		-		-	453	334	
Others	500	-	500	0 ⁷	794	0	
TOTAL ALLOWABLE CATCH	8500	*21	13500	11856	34000²⁰	30000	*22

* Ban on fishing in force.

1. 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.
2. The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. 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.
3. Quota to be shared by vessels from Denmark (Greenland and Faroe Islands), European Union, Iceland, Norway and Russia. Catches in the NAFO Convention Area shall be deducted from the quotas allocated in the NEAFC Convention Area.
4. Quota to be shared by vessels from Canada, Cuba, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.
5. Contracting Parties shall inform the Executive Secretary before 01 December 2008 of the measures to be taken to ensure that total catches do not exceed the levels indicated.
6. 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).

7. 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.
8. Each Contracting Party shall notify the Executive Secretary every second week of catches taken by its vessels from this stock until accumulated reported catch reaches 50%, after which time weekly notification shall apply. Not more than 4250 tons may be fished before 01 July 2009. The Executive Secretary shall notify without delay all Contracting Parties of the date on which, for this stock, accumulated reported catch taken by vessels of the Contracting Parties is estimated to equal 50% and then 100% of the TAC.
9. The provisions of Article 11, paragraph 1.b) of the Conservation and Enforcement Measures shall apply.
10. In the case of the NEAFC decision which modifies the level of TAC in 2009 as compared to 2008, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.
11. 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).
12. 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.
13. 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.
14. Including allocations of 334 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 30,000 tonnes, following their accession to the European Union
15. Allocation of 2,234 tonnes for Lithuania and 269 tonnes to Latvia following their accession to the European Union.
16. Applicable to 2009 and 2010.
17. 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.
18. Including an allocation of 389 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.
19. Notwithstanding the provisions of footnote 8 and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties.
20. Applicable to 2009, 2010, and 2011.
21. Applicable until at least 2012.
22. The provisions of Article 11, paragraph 1.b) shall apply.
23. Contracting Parties fishing for other species in Division 3M will be restricted to a cod by-catch limit of 10% by haul and an 8% limit on landings.
24. In lieu of Article 11.1 (a) and (b) of the CEM, the following by-catch 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 by-catch harvest limit equal to 13% of their total yellowtail fishery as calculated in accordance with Article 11.1 (c). For 2010, the by-catch percentage will increase to 15% unless a Scientific Council projection indicates that this rate is likely to undermine stock recovery or cause an unreasonable delay in reaching B_{lim} , in which case the increase may be subject to a reassessment by the Fisheries Commission"
25. Following the NAFO annual meeting and prior to January 1 of the succeeding year, at the request of the USA, Canada will transfer 1000 tonnes of its 3LNO yellowtail quota to the USA.
26. By-catch of Redfish 3LN in other fisheries is limited to 10%.

Annex I.B
Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2009

CONTRACTING PARTY	NUMBER OF FISHING DAYS	NUMBER OF VESSELS
Canada	456	16
Cuba	100	1
Denmark		
Faroe Islands	1606	8
Greenland	515	14
European Union	3293 ¹	33 ¹
France (in respect of St Pierre et Miquelon)	100	1
Iceland	N/A	N/A
Japan	100	1
Korea	100	1
Norway	1985	32
Russia	2100	N/A
Ukraine	100	1
USA	100	1

¹ Including fishing entitlements transferred from Poland (100 fishing days with one vessel), Estonia (1667 fishing days with 8 vessels), Latvia (490 fishing days with 4 vessels) and Lithuania (579 fishing days with 7 vessels) following their accession to the European Union.

PART II

Report of the Standing Committee on Finance and Administration (STACFAD)

30th Annual Meeting, September 22-26, 2008
Vigo, Spain

1. Opening by the Vice-Chair

The first session of STACFAD was opened by the Vice-Chair, Bob Steinbock (Canada) on 22 September 2008. The Vice-Chair welcomed delegates and members of the NAFO Secretariat to the meeting and thanked the Spanish authorities for hosting this meeting in beautiful Vigo.

Present were delegates from Canada, European Union, Denmark (in respect of Faroe Islands and Greenland), France (in respect of St. Pierre et Miquelon), Japan, Norway, Russia, and the United States of America and three members of the Secretariat (Annex 1).

2. Election of Chair

The current Vice-Chair, Bob Steinbock (Canada) was elected Chair.

3. Appointment of Rapporteur

Stan Goodick (NAFO Secretariat) was appointed Rapporteur.

4. Adoption of Agenda

At the request of the EU delegate, the provisional agenda was amended to include a new item entitled "Consideration of a NAFO Headquarters Agreement". An item with respect to election of Vice-Chair was also added. The revised agenda was then adopted (Annex 2).

5. Auditors' Report for 2007

The Auditors' Report was circulated to the Heads of Delegation of the General Council and STACFAD delegates in advance of the Annual Meeting.

Delegates were advised that the auditing firm of Grant Thornton LLP, Chartered Accountants had once again been engaged to audit the financial statements of the Organization. At the last Annual Meeting it was decided that the current auditors should be replaced in 2008 after having served for four years. Due to the late timing of the decision and to the fact that the Secretariat had already committed the current auditors to begin their process, it was not possible to change at that time. **The Committee recommends that the Secretariat immediately begin the tendering process for a new auditing firm and select a new auditor to begin work in 2009.**

The Committee noted the current requirement of changing the auditors at regular intervals and proposed that this be a maximum term of 3 years. **STACFAD recommends that the NAFO Financial Regulations Rule 7.10 be amended to reflect this.** (Annex 3 - STACFAD W.P. 08/8, revised)

The Senior Finance and Staff Administrator for NAFO presented the Auditors' Report and Financial Statements of the Northwest Atlantic Fisheries Organization for the year ended 31 December 2007.

It was noted in the Auditors' Report that the Organization has a policy not to capitalize its capital assets and has not recorded a liability for separation entitlements, as approved at the annual meeting in September 2007. Otherwise, the audit determined the financial affairs of the Organization had been conducted in accordance with the Financial Regulations and budgetary provisions of NAFO and presented a fair and accurate accounting of the financial affairs of the Organization.

It was noted in the Financial Statements that expenditures for the year were approximately \$60,000 lower than the approved budget and that outstanding contributions totalling \$117,543 that had been previously recorded as uncollectible were recovered during the year.

STACFAD recommends that the 2007 Auditors' Report be adopted.

6. Administrative and Activity Report by Secretariat

Under this item, the Executive Secretary highlighted NAFO administrative matters and activities. Concerns were again expressed regarding the timeliness and accuracy of submissions of catch reports that are needed, not only for the scientific assessment of fisheries activities, but also in the calculation of Contracting Party contributions. **Contracting Parties are urged to ensure compliance with this NAFO requirement.**

7. Financial Statements for 2008

The NAFO Senior Finance and Staff Administrator presented the Financial Statements for the fiscal year ending 31 December 2008. It was noted in the Financial Statements that expenditures for the year were projected to slightly exceed the approved budget by \$7,000 or 0.5%. A delay in receiving Denmark's (in respect of the Faroe Islands and Greenland, hereinafter referred to as DFG) nominal catch reports required to calculate the 2008 contributions, necessitated the billing to be issued on the basis of using preliminary figures only. Given that DFG's internal financial regulations do not permit payment based on preliminary data, DFG requested the Secretariat to reissue the billing once final figures were submitted to the Secretariat later in the year. A revised billing was issued to DFG in early September 2008 which resulted in an increase to their billing of \$10,972. The Committee agreed to reflect this adjustment to the other Contracting Parties on the 2009 billing.

Regarding a possible need of adjustments of contributions, Russia proposed that any adjustments be made to the contribution of the following year. **STACFAD recommends an amendment of the NAFO Financial Regulations as follows in italics that should prevent adjustment of financial contributions after the billings are issued:**

4.6 bis. If a Contracting Party has not submitted its nominal catches according to the stipulations in the NAFO Convention Article XVI.3 by the required date, the most recent catch report available from that Contracting Party will be used for the calculation of contributions that are then considered final for that financial year. Subsequent reporting of applicable catches by the Contracting Party will be applied towards the calculation of contributions for the following financial year.

It was noted that NAFO currently has outstanding contributions of \$436,019 from five Contracting Parties (see table below).

	2008	2007	Total
Cuba	\$29,460	-	\$ 29,460
Denmark (in respect of Faroe Islands and Greenland)	173,200	-	173,200
France (in respect of St. Pierre et Miquelon)	31,503	-	31,503
Ukraine	28,586	\$31,623	60,209
USA	141,647	-	141,647
Total	\$404,396	\$31,623	\$436,019

STACFAD once again expressed serious concern about the high level of outstanding contributions.

The delegates from DFG and France (in respect of St. Pierre et Miquelon) informed the Secretariat that their respective payments would be submitted shortly. The USA advised the Committee that it had made a payment in 2008 of \$251,446 and that they have a budgetary commitment in place with respect to its arrears in 2009.

STACFAD recommends that Contracting Parties concerned are strongly urged to take immediate action to meet their financial obligations and bring financial stability to the Organization.

STACFAD recommends that the outstanding contribution from Ukraine (\$31,623) for the year 2007 be deemed uncollectible at the end of the current fiscal year if payment is not received by 31 December 2008 and that this amount be applied against the accumulated surplus. This procedure does not remove Ukraine's financial obligation for the 2007 contribution.

8. Contingency Funds

STACFAD reviewed the serious cash flow challenges faced by NAFO for the past four years due to significant levels of outstanding contributions from some Contracting Parties. As of September 1, 2008, the outstanding contributions amounted to \$436,000 or about one-third of the total billings to Contracting Parties. The level of annual outstanding contributions on December 31 for the past three years has exceeded \$300,000 – up from an amount exceeding \$130,000 for the previous two years. The Secretariat has dealt with the annual cash shortfalls by using the accumulated surplus fund which has been established for this purpose and by borrowing from the termination benefits fund.

As requested by STACFAD, in 2007 the Secretariat provided background information on the possibility of establishing a contingency fund. At the current meeting, the Secretariat repeated its suggestion that a more permanent contingency fund than the accumulated surplus account be implemented and that the level of such contingency fund be set at 50% of the annual budget. The Secretariat explained that two-thirds of the NAFO budget was spent on salaries and that any substantive financial shortcomings would therefore jeopardize the ability of the Organization to compensate its employees. The current level of the accumulated surplus account (20% of the annual budget) has been just sufficient to deal with the present lack of timely financial contributions but could not deal with any additional lack of funds or unforeseen expenses, such as an extraordinary meeting. STACFAD also recognized that it would be prudent for NAFO to have sufficient funds available to wind up the Secretariat/Organization to address such a contingency.

Delegates expressed concerns that those Contracting Parties that pay their contributions are penalized for the non-payment by others and while everyone acknowledged that the Organization had a duty towards its employees, the setup of a contingency fund to compensate for unpaid contributions might give the wrong signal to Parties. In response to concerns expressed by the Executive Secretary, STACFAD agreed that the Secretariat should prioritize cutting services to the Organization before considering cuts to salaries if such a situation ever arose.

STACFAD continued to be of the opinion that the current cash flow situation be considered an emergency in accordance with Rule 4.4 of the Financial Regulations. As a consequence, an amount representing 20% of the proposed 2009 budget, namely \$323,600, be maintained as the minimum balance in the Accumulated Surplus Account. This should be considered to be an interim measure pending resolution of the current financial situation.

A number of ideas were expressed on how to improve the current situation of delayed payments which would provide some planning security to the Organization. These are all reflected in the recommendations.

STACFAD recommends the following:

- 1. The minimum balance for the accumulated surplus account should continue at the level of 20% of the total budget of 2009 to address non-payment of contributions.**
- 2. The President of NAFO should write letters on behalf of the Organization to those Contracting Parties that are in arrears to express serious concerns and request prompt payment. Similar letters or demarches could also be sent from individual Contracting Parties.**
- 3. Furthermore, if the Contracting Parties in arrears cannot make a firm commitment to honour these arrears promptly, they should provide the Executive Secretary with a finance plan for repayment of the major outstanding amounts that will be circulated to Contracting Parties.**
- 4. NAFO should establish a contingency fund in 2009 for the purpose of covering emergency and unforeseen situations, other than non payment of annual contributions, provided that all current major outstanding contributions are paid by that time. The details of the operation of the contingency fund would be decided at the 2009 Annual Meeting.**

9. Changes to NAFO Staff Rules

- **Equality of Benefits for Internationally Recruited Employees – Installation Allowance (Rule 8.6)**

In 2006, STACFAD agreed to change the installation allowance for relocating internationally recruited employees to a maximum of up to two months net salary. However, General Council deferred the adoption of this recommendation to a later date in view of the financial crisis. In 2007, STACFAD decided that the financial situation was not yet stable enough to again ask for adoption of this recommendation. The issue was re-addressed at the current meeting. Recognizing that the adoption and implementation of the amended Rule 8.6 should not have any financial implications during the next two years, **STACFAD recommends that Staff Rule 8.6 e) be amended as follows: “An installation allowance of up to two months net salary in the case of relocating internationally recruited members of the Secretariat” (STACFAD WP 08/7).**

- **Parental Leave (Rule 6.13)**

The Secretariat informed the Committee that in 2005, when NAFO extensively revised its Staff Rules, NAFO Staff Members did not have access to Canadian Employment Insurance benefits. Since then Canadian staff members have joined the Canadian Employee Insurance Program. To allow the Organization to make full use of the benefits, **STACFAD recommends to amend Staff Rule 6.13 pertaining to maternity and parental leave to reflect the allowances in the Canadian Government (Annex 4 - STACFAD WP 08/2, revised).**

10. Consideration of a NAFO Headquarters Agreement

In view of the process towards entry into force of the amendments to the NAFO Convention, STACFAD considered that it was appropriate to launch the process of concluding a headquarters agreement with the Government of Canada. Canada informed STACFAD that it is prepared to commence discussions on such an agreement. Canada will be requested to provide a draft text to NAFO for its consideration.

To this end, STACFAD recommends that NAFO Contracting Parties consult intersessionally by electronic means on the documentation to be provided by the Executive Secretary (including STACFAD WP 07/3) with a view to developing, by the end of the 2009 Annual Meeting, a text for further consideration leading to future negotiations with Canada.

11. Future changes to the Rules of Procedure as a result of amendments to the NAFO Convention

With the impending adoption/ratification of the amended NAFO Convention and the resulting merger of General Council and Fisheries Commission, it will be necessary for the Organization to amend the present Rules of Procedure. In light of this, the Secretariat had prepared STACFAD Working Paper 08/3. This paper was not meant to be a proposal but merely a way to assist Contracting Parties in their future work. It was suggested that this working paper could be reviewed by the Contracting Parties intersessionally and revisited next year for possible adoption. It should also be noted that any review of the Rules of Procedure for the Scientific Council will be conducted by the Scientific Council.

12. Amendments to GC and FC Rules of Procedure related to Observers

In 1999 NAFO introduced for the first time the possibility for NGOs to participate as observers at non-restricted meetings of the General Council and Fisheries Commission. At the time, the Executive Secretary had been asked to submit a report on the experiences with observers after two years. It was not until 2006 that an NGO had applied for observer status with NAFO and had its application accepted. In light of the positive experience over the last two years with NGOs participation at NAFO meetings, it was proposed that the current rules be amended to accord more permanent observer status to NGOs and to harmonize the relevant rules of the three bodies. The proposed amendments presented by the Secretariat were reviewed by STACFAD and accepted with some minor changes (Annex 5 - STACFAD W.P. 08/4, revised).

STACFAD recommends that NAFO adopt the revised rules to provide for permanent accreditation for approved observers and that information on the current NGO observers is updated every five years.

13. Budget Estimate for 2009

The Secretariat presented the 2009 budget estimate (STACFAD Working Paper 08/4) to the Committee highlighting the following items:

Superannuation and Annuities:

The Secretariat presented STACFAD W.P. 08/9 (Annex 6) explaining that the actuarial valuation (undertaken every 3 years) of the Pension Plan of the International Fisheries Commissions Pension Society (IFCPS) for Employees of Participating Commissions with Headquarters in Canada was completed on 1 January 2008 and concluded that the Organization has a substantial deficit of \$975,000. Under Canadian Regulations, the liability is required to be funded and payment can be amortized over a maximum period of 15 years. Therefore NAFO is required to make annual supplementary payments of \$100,800 per year, for the next 15 years, or until the plan is fully funded. This amount will be partially offset in 2009 given a reduction of the employer's annual contribution.

The major factor that caused the additional liability was the early retirement of six long term NAFO employees since the 2005 valuation. As the pension plan has very few members, any deviations from the assumptions based on statistical averages will

have more noticeable effects than in larger plans. Concerns were expressed that the Actuarial Firm and the IFCPS did not anticipate early retirements and take precautionary measures.

STACFAD recommends that the IFCPS be requested to review the current assumptions to take into account the increased possibility of early retirement when considering future assessments.

The Committee was concerned at the increase in the preliminary budget and Contracting Party billings as a result of this extraordinary item. To offset the impact to the 2009 budget, the Secretariat was requested to propose reductions to categories other than salaries and benefits which were implemented by reducing services and operations in a number of areas, including additional help, computer services, equipment, other meetings and travel as well as professional services. These adjustments resulted in savings of \$59,000. This will have the effect that some operations of the Secretariat will not be carried out as required in 2009 but will still allow the core responsibilities of the Secretariat to be undertaken. The US delegate stated the USA is extremely concerned with the budgetary cuts as the Secretariat and its staff should receive adequate funding. The US echoed similar opinions of other delegates that the Organization should recognize that the current cuts are an unusual measure and should not be repeated in future years. The Committee recognized that these cuts are of a short-term nature for 2009 only and should not affect the budget proposal of next year when the Secretariat is expected to include all funds required for its normal operations. In conclusion, STACFAD agreed to the revised budget proposal by the Secretariat which represents a 5.8% increase over the 2008 budget.

STACFAD recommends that the budget for 2009 of \$1,618,000 (Annex 7) be adopted.

A preliminary calculation of billings for the 2009 financial year is provided in Annex 8.

14. Budget Forecast for 2010 and 2011

STACFAD reviewed the preliminary budget forecast for 2010 (\$1,737,000) and 2011 (\$1,840,000) (Annex 9) and approved the forecast in principle. It was noted that the budget for 2010 will be reviewed in detail at the next Annual Meeting. The budget forecast for 2010 and 2011 included an item for recruitment and relocation given that the term of the current Executive Secretary expires in 2010. **STACFAD recommends that the process for recruitment for an Executive Secretary be adopted at the 2009 Annual Meeting.**

15. Adoption of 2009 Staff Committee Appointees

The Secretariat nominated the following people to serve as members of the Staff Committee for September 2008-September 2009: Bill Brodie, Deirdre Warner-Kramer and Bob Steinbock.

STACFAD recommends that General Council appoint the three nominees.

16. Time and Place of 2009 – 2011 Annual Meetings

The Executive Secretary drew the Committee's attention to GC Working Paper 08/4 presented by the NAFO Scientific Council Chair regarding the overlap of NAFO Annual Meeting dates with those of the ICES Annual Science Conference. Most delegates, however, were of the opinion that the current timing of the NAFO Annual Meeting (i.e. third week of September) should remain the same. It was proposed that the Executive Secretary contact ICES to determine its flexibility of changing the date of its Annual Science Conference.

Therefore, as previously agreed, the dates of the 2009 and 2010 Annual Meetings (to be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization), are as follows:

2009:

Scientific Council	-	21 – 25 September
General Council	-	21 – 25 September
Fisheries Commission	-	21 – 25 September

2010:

Scientific Council	-	20 – 29 September
General Council	-	20 – 24 September
Fisheries Commission	-	20 – 24 September

STACFAD recommends that the dates of the 2011 Annual Meeting (to be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) are as follows:

Scientific Council	-	19 – 28 September
General Council	-	19 – 23 September
Fisheries Commission	-	19 – 23 September

For budgetary planning purposes, STACFAD urges that any invitations by a Contracting Party to host an Annual Meeting be issued as early as possible.

17. Election of Vice-Chair

Deirdre Warner-Kramer (USA) was elected Vice-Chair.

18. Other issues including any questions referred from the General Council during the current Annual Meeting

No other issues were referred to STACFAD from the General Council.

19. Adjournment

The final session of the STACFAD meeting adjourned on 25 September 2008.

Annex 1. List of Participants

Name	Contracting Party
Bob Steinbock	Canada
Rhonda Hash	Canada
Caterina Ventura	Canada
Toke Hansen	Denmark (in respect of Faroe Islands and Greenland)
Alan Gray	European Union
Christiane Laurent-Monpetit	France (in respect of St. Pierre et Miquelon)
Masatoshi Kusaka	Japan
Odd Gunnar Skagestad	Norway
Temur Tairov	Russian Federation
Deirdre Warner-Kramer	United States of America
Kiki Jenkins	United States of America
Johanne Fischer	NAFO Secretariat
Stan Goodick	NAFO Secretariat
Bev McLoon	NAFO Secretariat
Barry Crawford	NAFO Staff Representative

Annex 2. Agenda

1. Opening by the Vice-Chair, Bob Steinbock (Canada)
2. Election of Chair
3. Appointment of Rapporteur
4. Adoption of Agenda
5. Auditors' Report for 2007
6. Administrative and Activity Report by Secretariat
7. Financial Statements for 2008
8. Contingency Funds
 - Review of Accumulated Surplus Account
 - Available options to manage emergency cash flow situations
9. Changes to the NAFO Staff Rules
 - Equality of Benefits for Internationally Recruited Employees – Installation Allowance (Rule 8.6)
 - Parental leave (Rule 6.13)
10. Consideration of a NAFO Headquarters Agreement
11. Future changes to the Rules of Procedure as a result of amendments to the NAFO Convention
12. Amendments to GC and FC Rules of Procedure related to observers
13. Budget Estimate for 2009
14. Budget Forecast for 2010 and 2011
15. Adoption of 2009 Staff Committee Appointees
16. Time and Place of 2009 - 2011 Annual Meetings
17. Election of Vice-Chair
18. Other issues including any questions referred from the General Council during the current Annual Meeting
19. Adjournment

Annex 3. Amendment of Financial Regulation Rule 7.10
(STACFAD W.P. 08/2, revised)

At the 2007 Annual Meeting, STACFAD *requested the Secretariat to draft a recommendation for the next annual meeting regarding a possible ceiling on the consecutive number of years that an auditing firm can be engaged.* In line with this, the Secretariat suggests that Rule 7.10 of the Financial Regulations be amended as follows:

7.10 The Auditors shall serve for a maximum term of three (3) years.

Annex 4. Proposed Amendments to Rule 6.13 of the Staff Rules
(STACFAD W.P. 08/2, Revised)

E. Maternity and Parental Leave

Rule 6.13

Members of the Secretariat who have completed six months of continuous service with NAFO shall be entitled to maternity leave for pregnancy upon presentation of medical certificate and a written application submitted at least four (4) weeks before such absence is to commence for a period not exceeding seventeen (17) weeks. The maternity leave shall begin no earlier than eight (8) weeks before the anticipated date of delivery set out in the medical certificate and shall terminate no later than 17 weeks following the actual date of birth.

Members of the Secretariat who have completed six months of continuous service with NAFO shall be entitled to parental leave up to a maximum of thirty-seven (37) weeks in the year following either (a) the day the child is born, or (b) the day the child comes into the employee's actual care and custody upon a written application submitted at least four weeks before such leave is to commence. Either one parent may take all the parental leave or both parents may share the parental leave. In either case, the total parental leave cannot exceed thirty-seven (37) weeks. The total aggregated amount of maternity and parental leave that may be taken by one or both parents in relation to the same birth or adoption is fifty two weeks.

NAFO will pay the employee a maternity and/or parental allowance equivalent to 93 per cent of his/her gross salary. If a Member of the Secretariat is enrolled in the Canadian Employment Insurance the gross amount of his/her EI benefits will be deducted from this allowance.

In the case of maternity leave, NAFO will pay a maternity allowance for up to a maximum of seventeen (17) weeks. In the case of parental leave, NAFO will pay a parental allowance for up to a maximum of thirty seven (37) weeks. The total aggregated amount of maternity and parental allowance that may be received by one or two employees in relation to the same birth or adoption is fifty two (52) weeks.

During maternity or parental leave the Members of the Secretariat shall continue to receive allowances and benefits based on his/her salary, excluding the accrual of sick or annual leave provided he/she continues to remain in the Organization's employment for a period of at least six (6) months after returning to work. Should he/she fail to return to work for the required six (6) month period he/she shall be indebted to the Organization for the amounts received as maternity or parental leave allowances and benefits. At the expiration of the leave, the employee shall be reinstated to the position prior to the commencement of the leave or where this is not possible, to a comparable position with the same wages and benefits and in the same location.

Annex 5. Revision of Rules of Procedure for Observers
(STACFAD W.P. 08/4, Revised)

Rules of Procedure 9 for the Commission (GC Rule 9, FC Rule 10)

Rule 9

- 9.1 The Executive Secretary shall invite:
- a) intergovernmental organizations that have regular contacts with NAFO as regards fisheries matters or whose work is of interest to NAFO or *vice-versa*.
 - b) non-Contracting Parties identified as harvesting fishery resources in the Regulatory Area.
- 9.2 All non-governmental organizations (NGOs) that support the general objectives of NAFO and with a demonstrated interest in the species under the purview of NAFO should be eligible to participate as an observer in all non-restricted meetings of the Commission.
- 9.3. Any NGO desiring to participate as an observer in meetings of the Commission shall notify the Secretariat of its desire to participate at least 100 days in advance of the first meeting it wishes to attend. This application must include:
- a) name, address, telephone, fax number of the organization;
 - b) address of all its national/regional offices;
 - c) aims and purposes of the organization and a statement that the NGO fully supports the objectives of NAFO, i.e., optimum utilization, rational management and conservation of the fishery resources of the NAFO Convention Area;
 - d) information on the organization's total number of members, its decision-making process and its funding;
 - e) a brief history of the organization and a description of its activities;
 - f) representative papers or other similar resources produced by or for the organization on the conservation, management, or science of fishery resources to which the Convention applies;
 - g) a history of NAFO observer status granted/revoked;
- 9.4 The Executive Secretary shall review applications received and shall notify the Contracting Parties of the names and qualifications of NGOs having fulfilled the requirements stipulated in Rule 9.3. If one or more of the Contracting Parties object giving in writing its reasons within 30 days, the matter will be put to a vote by written procedure. Applications will then be considered as accepted in accordance with the procedures laid down in Article V para 2 of the Convention. The Executive Secretary shall also circulate any reasons given in a preliminary objection as well as any comments that Contracting Parties may include with their vote on this matter.
- 9.5 Observer status shall apply to all non-restrictive sessions of the Commission, whether at the Annual Meeting or at intersessional meetings.
- 9.6 Any NGO with observer status that wishes to attend a Commission meeting is required to register its representatives at the NAFO Secretariat at least *fourteen* days in advance of the meeting.
- 9.7 Any NGO with observer status to the Commission that has not communicated with the Secretariat or attended at least one meeting of the Commission in the previous three years should cease to be an accredited NGO to the Commission but may reapply in writing to the Executive Secretary.
- 9.8 During all NAFO meetings accredited NGOs may not issue press releases or other information to the media on agenda items under discussion at the meeting, until after the Commission has agreed on its own Press Release.
- 9.9 Any NGO admitted to a meeting of the Commission may not use audio or video recording devices etc. to record meeting proceedings.
- 9.10 All observers admitted to a meeting shall comply with these and all rules and procedures applicable to other participants in the meeting. Failure to conform to these rules or any other rules that NAFO may adopt for the conduct of observers may result in removal from the meeting by the presiding officer and revocation of observer status;

- 9.11 The Executive Secretary will review the accreditation of an approved NGO every five years taking into account any new information or development regarding the NGO since the last accreditation and circulate a summary of the review to Contracting Parties. If one or more of the Contracting Parties object to a renewal of the accreditation of the NGO with NAFO giving in writing its reasons within 30 days, the matter will be put to a vote by written procedure. Renewal of the accreditation will then be considered as accepted in accordance with the procedures laid down in Article V.2 of the Convention. The Executive Secretary shall also circulate any reasons given in a preliminary objection as well as any comments that Contracting Parties may include with their vote on this matter.
- 9.12 Any NGO admitted to a meeting of the Commission may:
- a) attend meetings, as set forth above, but may not vote;
 - b) make oral statements during the meeting upon the invitation of the Chair;
 - c) distribute documents at meetings through the Secretariat;
 - d) engage in other activities as appropriate and as approved by the Chair.
- 9.13 Observers may be required to pay a fee, which will cover the additional expenses generated by their participation, as determined annually by the Executive Secretary.
- 9.14 The Executive Secretary will determine whether, due to conference room capacity, seating limitations require that a limited number of observers per NGO may be present at any meetings. The Executive Secretary will transmit any such determination in the conditions of participation.
- 9.15 All observers admitted to a meeting shall be sent or otherwise receive the same documentation generally available to Contracting Parties and their delegations, except those documents deemed confidential by a Contracting Party or the Executive Secretary.
- 9.16 These rules shall be subject to review and revision, as appropriate. If any Contracting Party so requests, the adequacy of these rules shall be reviewed and assessed and, if necessary, amendments shall be adopted in the light of the need of NAFO to function effectively when conducting its business.

Annex 6. NAFO Pension Plan Unfunded Liability

by NAFO Secretariat

Pension Plan - Unfunded Liability (as at 1 January 2008):

Actuarial Value of Assets	\$3,863,000
Actuarial Value of Liabilities	\$4,838,000
Unfunded Liability	(\$975,000)

Explanation: The NAFO pension plan reaches back to ICNAF times, when such a plan was set up for intergovernmental fisheries organization in North-America to ensure that the employees of these organizations could maintain a living after retirement. The International Fisheries Commissions Pension Society manages the pensions for these organizations through a board of directors that apply all relevant Canadian laws and government regulations for the calculation of contributions, the investments of funds, the payments to the pensioners, etc. The management rules followed by the directors foresee that official statistical figures from Canada are used when calculating the future requirements for funding and payments.

Five NAFO employees who were employed in the 1970s were eligible for retirement after 30 years of employment and opted to retire at an early age (55-58) between 2005 and 2007. Such a large number of early retirees represents a significant deviation from the statistical average in Canada where people typically retire at 65 years. These retirees will receive pension for a much larger number of years than a typical employee with the effect that the NAFO pension plan was suddenly underfunded and is faced with a shortfall of \$975,000.

Canadian regulations require that the pension liabilities or shortfalls be repaid in full in order to meet its future pension payment obligations. The liability may be paid in full by making a one time payment, or may be repaid over a longer period of time (maximum repayment term is 15 years). If the loan is not paid all at once, interest will be charged at a rate of 6.5% which is a low interest rate in Canada.

Options to repayment Periods and Approximate Annual Payments

Repayment Term	Annual Payment	Total Payment	Total Interest (6.5% per year)
1 Year	\$975,000	\$975,000	\$0
2 Years	\$521,000	\$1,042,000	\$67,000
5 Years	\$228,924	\$1,144,620	\$169,620
10 Years	\$132,852	\$1,328,520	\$353,520
15 Years	\$100,800	\$1,512,000	\$537,000

The lowest annual payments are coupled with the longest repayment term and result in a higher overall interest amount (with a constant interest rate of 6.5% per year). Nonetheless, Contracting Parties clearly favoured this option, i.e. a 15 years repayment term.

Required Annual Funding Payment \$100,800

Funding/Payment Term (Maximum) 15 years (2009 to 2024)

In view that Contracting Parties could not prepare for the resulting budgetary increase in 2009, STACFAD requested the Secretariat to reduce other services and operations to significantly compensate for this increase. An amount of \$59,000 from the original budget proposal was therefore cut resulting in an overall much lesser increase of the total NAFO budget of 5.8% in 2009 versus 2008.

The actuarial report from 2008 is accessible on the NAFO member website (General Council/STACFAD).

Annex 7. Budget Estimate for 2009
(Canadian Dollars)

	Approved Budget 2008	Projected Expenditures 2008	Preliminary Budget Forecast 2009	Budget Estimate 2009
1. Personal Services				
a) Salaries	\$829,000	\$838,000	\$862,000	\$884,000
b) Superannuation and Annuities	89,000	87,000	89,000	179,000
c) Medical and Insurance Plans	80,000	76,000	85,000	81,000
d) Employee Benefits	92,000	113,000	103,000	107,000
Subtotal Personal Services	1,090,000	1,114,000	1,139,000	1,251,000
2. Additional Help	20,000	20,000	20,000	15,000
3. Communications	26,000	26,000	27,000	26,000
4. Computer Services	27,000	27,000	28,000	25,000
5. Equipment	36,000	36,000	36,000	31,000
6. Fishery Monitoring	48,000	48,000	48,000	45,000
7. Hospitality Allowance	6,000	3,000	6,000	3,000
8. Materials and Supplies	33,000	33,000	33,000	33,000
9. NAFO Meetings				
a) Sessional	93,000	82,000	88,000	80,000
b) Inter-sessional Scientific	20,000	20,000	12,000	14,000
c) Inter-sessional Other	30,000	29,000	30,000	20,000
Subtotal NAFO Meetings	143,000	131,000	130,000	114,000
10. Other Meetings and Travel	40,000	40,000	41,000	30,000
11. Professional Services	40,000	40,000	40,000	30,000
12. Publications	20,000	18,000	20,000	15,000
	\$1,529,000	\$1,536,000	\$1,568,000	\$1,618,000

Notes on Budget Estimate 2009
(Canadian Dollars)

Item 1(a)	Salaries Salaries budget estimate for 2009		\$884,000
Item 1(b)	Superannuation and Annuities Employer's pension plan which includes employer's contributions, administration costs, and actuarial fees. The latest actuarial valuation of the pension plan showed the plan to be in a deficit requiring an unfunded liability payment.		\$179,000
Item 1(c)	Group Medical and Insurance Plans Employer's portion of Canada Pension Plan, Employment Insurance, Group Life Insurance, Long Term Disability Insurance and Medical Coverage.		\$81,000
Item 1(d)	Employee Benefits Employee benefits as per the NAFO Staff Rules including overtime, repatriation grant, termination benefits, vacation pay, and travel to home country for internationally recruited members of the Secretariat. Termination Benefits Liability	\$72,000 35,000	\$107,000
Item 2	Additional Support Digitization and translation of NAFO Fisheries Information (e.g. Observer Reports), interns and other assistance as required.		\$15,000
Item 3	Communications Phone, fax and internet services Postage Courier/Mail service	\$13,000 9,000 4,000	\$26,000
Item 4	Computer Services Computer hardware, software, supplies and support.		\$25,000
Item 5	Equipment Leases (print department printer, photocopier and postage meter) Purchases Maintenance	\$21,500 5,000 4,500	\$31,000
Item 6	Fishery Monitoring Vessel Monitoring System (VMS) annual license and maintenance fee Lloyd's Register of vessels	\$45,000	\$45,000

Item 9(a)	NAFO Sessional Meetings June (SC), September (FC, GC and SC) and November (SC), Halifax/Dartmouth, Nova Scotia, Canada.	\$80,000
Item 9(b)	NAFO Inter-sessional Scientific Meetings Invited expert travel costs for an Ecosystem Approach to Fisheries Management Study Group (date/venue to be determined), and the ICES/PICES/UNCOVER symposium on “Rebuilding Depleted Stocks - Biology, Ecology, Social Science and Management Strategies” to be held November 2009 in Warnemünde/Rostock, Germany.	\$14,000
Item 9(c)	NAFO Inter-sessional Other General provision.	\$20,000
Item 10	Other Meetings and Travel International Meetings regularly attended by the NAFO Secretariat: <ol style="list-style-type: none"> 1. Aquatic Sciences and Fisheries Abstracts (ASFA) 2. Co-ordinating Working Party on Fishery Statistics (CWP), including the attendance by the Vice Chair of SC 3. Fisheries Resources Monitoring Systems (FIRMS) 4. International Fisheries Commissions Pension Society (IFCPS) 5. NEAFC Advisory Group for Data Communication (AGDC) 6. Regional Fishery Body Secretariats Network (RSN) 7. Secretariats of the North Atlantic Regional Fisheries Management Organizations (NARFMO) <p>Plus other not yet determined meetings</p>	\$30,000
Item 11	Professional Services Professional Services (audit, consulting, legal fees, and insurance) Professional Development and Training Public Relations	\$30,000 \$18,000 7,000 5,000
Item 12	Publications Production costs of NAFO publications which may include the following: Conservation and Enforcement Measures, Convention, Inspection Forms, Journal of Northwest Atlantic Fishery Science, Meeting Proceedings, Rules of Procedure, Scientific Council Reports, Scientific Council Studies, etc.	\$15,000

**Annex 8. Preliminary calculation of billing for Contracting Parties
against the proposed estimate of \$1,618,000 for the 2009
financial year (based on 12 Contracting Parties to NAFO)
(Canadian Dollars)**

Budget Estimate	\$1,618,000
Deduct: Amount from Accumulated Surplus (pending approval from General Council)	<u>\$180,200</u>
Funds required to meet 2009 Administrative Budget	<u>\$1,437,800</u>

60% of funds required =	\$862,680
30% of funds required =	\$431,340
10% of funds required =	\$143,780

Contracting Parties	Nominal Catches for 2006	% of Total Catch in the Convention Area	% of Total			2009 Preliminary Billing
			10%	30%	60%	
Canada (1)	542,408	53.43%	\$82,245.35	\$35,945.00	\$460,929.93	\$579,120.28
Cuba (2)	2,728	0.27%	-	35,945.00	2,329.24	38,274.24
Denmark (in respect of Faroe Islands and Greenland) (3)	192,661	18.98%	29,213.19	35,945.00	163,736.66	228,894.85
European Union	45,062	4.44%	-	35,945.00	38,302.99	74,247.99
France (in respect of St. Pierre et Miquelon)	2,609	0.26%	395.60	35,945.00	2,242.97	38,583.57
Iceland	4,054	0.40%	-	35,945.00	3,450.72	39,395.72
Japan	1,886	0.19%	-	35,945.00	1,639.09	37,584.09
Republic of Korea	-	-	-	35,945.00	-	35,945.00
Norway	2,314	0.23%	-	35,945.00	1,984.16	37,929.16
Russian Federation	10,242	1.01%	-	35,945.00	8,713.07	44,658.07
Ukraine	404	0.04%	-	35,945.00	345.07	36,290.07
United States of America (1)	210,551	20.75%	31,925.86	35,945.00	179,006.10	246,876.96
	1,014,919	100.00%	\$143,780.00	\$431,340.00	\$862,680.00	<u>\$1,437,800.00</u>
Funds required to meet 1 January - 31 December 2009 Administrative Budget						<u>\$1,437,800.00</u>

2008 Billing - Comparison Purposes		
2008 Annual Assessment	Less Recovery of Contributions	2008 Assessment after Recovery of Contributions
\$ 1,529,000.00		
		266,598.00
		<u>1,262,402.00</u>
		117,543.00
		<u>\$ 1,144,859.00</u>
\$517,654.99	(\$46,858.27)	\$470,796.72
32,468.98	(3,009.10)	29,459.88
190,166.86	(16,966.43)	173,200.43
72,234.64	(6,620.02)	65,614.62
34,867.94	(3,364.76)	31,503.18
36,634.91	(3,439.30)	33,195.61
32,999.19	(3,058.46)	29,940.73
31,560.05	(2,938.58)	28,621.47
33,074.93	(3,756.68)	29,318.25
44,512.29	(4,095.20)	40,417.09
31,560.05	(2,973.84)	28,586.21
204,667.17	(20,462.36)	184,204.81
\$1,262,402.00	(\$117,543.00)	\$1,144,859.00

(1) Based on 2006 provisional catch reports.

(2) Based on provisional catch reports received from chartering arrangements.

(3) Faroe Islands = 3,461 metric tons

Greenland = 189,200 metric tons (based on 2005 catch reports)

Annex 9. Preliminary Budget Forecast for 2010 and 2011

(Canadian Dollars)

	Preliminary Budget Forecast 2010	Preliminary Budget Forecast 2011
1. Personal Services		
a) Salaries	\$921,000	\$936,000
b) Superannuation and Annuities	181,000	182,000
c) Medical and Insurance Plans	94,000	95,000
d) Employee Benefits	94,000	102,000
Subtotal Personal Services	1,290,000	1,315,000
2. Additional Help	20,000	20,000
3. Communications	27,000	27,000
4. Computer Services	29,000	30,000
5. Equipment	36,000	36,000
6. Fishery Monitoring	48,000	48,000
7. Hospitality Allowance	3,000	3,000
8. Materials and Supplies	33,000	34,000
9. NAFO Meetings		
a) Sessional	92,000	89,000
b) Inter-sessional Scientific	14,000	14,000
c) Inter-sessional Other	25,000	25,000
Subtotal NAFO Meetings	131,000	128,000
10. Other Meetings and Travel	42,000	42,000
11. Professional Services	40,000	40,000
12. Publications	16,000	17,000
13. Recruitment and Relocation	22,000	100,000
	\$1,737,000	\$1,840,000