

SECTION VII
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**Report of the General Council and its Subsidiary Bodies
(STACFAD and STACFAC), 22nd Annual Meeting
18-22 September 2000
Boston, Massachusetts, USA**

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PART I

Report of the General Council Meeting

(GC Doc. 00/7)

22nd Annual Meeting, 18-22 September 2000

Boston, Massachusetts, USA

1. Opening of the Meeting (items 1-5 of the Agenda)

- 1.1 The meeting was opened by the Chairman of the General Council, Enrique Oltuski (Cuba).
- 1.2 The Representatives of sixteen (16) Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland-DFG), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and the United States of America (Annex 1). Two (2) Contracting Parties - Bulgaria and Romania were absent.
- 1.3 The Chairman welcomed the delegates to the 22nd Annual Meeting taking place in the historical city of Boston. He encouraged the delegates to work in the constructive spirit of cooperation (Annex 2).
- 1.4 The Honorable Rolland A. Schmitt, Deputy Assistant Secretary of International Affairs of the United States Department of Commerce, welcomed the NAFO delegates to Boston and the United States of America on behalf of his Government (Annex 3). Mr. Schmitt emphasized that the United States attaches great importance to NAFO as a successful regional fisheries management organization, both in its present conservation and management activities and its future ones.
- 1.5 The Heads of Delegations from (in order of presentation): Canada, European Union, United States and France (in respect of St. Pierre et Miquelon) addressed the Meeting (Annexes 4-7).
- 1.6 The meeting appointed the Executive Secretary as Rapporteur.
- 1.7 The Provisional Agenda was adopted as attached (Annex 8). The two items regarding Reports on Allocation of Fishing Rights and Shrimp Stocks were transferred to the Fisheries Commission agenda with the consent of Peter Gullestad (Norway), the Fisheries Commission Chairman, and two new sub-items e) and f) were added to Item 10 of the Agenda.
- 1.8 Admission of Observers was addressed by the Executive Secretary reporting on his invitations to FAO, ICCAT, ICES, NAMMCO, NASCO, NEAFC and NPAFC in accordance with new Rules of Procedure (9 and 10). These organizations acknowledged NAFO's invitations and all, except NAMMCO, advised that they would not be sending their observers to this NAFO meeting. NAMMCO was represented by Mr. K. Arnason (Iceland).

With regards to non-Contracting Parties harvesting fishery resources in the Regulatory Area, invitations have been sent to Belize, Honduras, Sao Tome e Principe and Sierra Leone. No attendance was noted.

- 1.9 On the item "Publicity", the meeting agreed to the normal procedure that no statements should be made to the media until after the conclusion of the meeting, when the NAFO Secretariat would issue a Press Release.

2. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs (items 6-7)

- 2.1 The membership and Contracting Parties' credentials were reported by the Executive Secretary. The total membership of 18 Contracting Parties and 16 members of the Fisheries Commission were noted. The credentials of 220 NAFO delegates were notified to the NAFO Secretariat before 18 September 2000.
- 2.2 With regards to Bulgaria and Romania participation in NAFO business, it was noted that two Contracting Parties, Canada and Ukraine, held communication with those members. There was indication from Bulgaria to start their process of reinstatement in NAFO, and Romania advised on its disinterest in NAFO participation and intention of eventual withdrawal.
- 2.3 Item 7, "Administrative Report", was referred to STACFAD. At the closing session, the STACFAD Chairman reported its recommendation of adoption of the Report, which was accepted by the General Council.

3. Coordination of External Relations (items 8-10)

- 3.1 Under item 8, "Communication with the United Nations", the Chairman noted the NAFO paper (GF/00-344 of 11 June 00) presented to the UN Secretariat regarding "Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on high seas, fisheries by-catch and discards, and other developments". The NAFO paper was developed through consultations and approval by NAFO members.
- 3.2 Under item 9, "FAO International Plans of Action on the Management of Fishing Capacity, Shark Fishery and Incidental Catch of Seabirds in Longline Fisheries", the European Union Representative and several delegations questioned the procedures for adoption of the USA proposal on this item by a mail vote intersessionally. The vote was conducted in accordance with NAFO Convention and Rules of Procedure. The European Union Representative thought that such voting decision to deliver copies of national FAO Reports to the NAFO Secretariat was in contradiction with the previous decision by the General Council to discuss this matter at the 22nd Annual Meeting (and then take a decision). In principle, the EU delegation was not objecting against cooperation with NAFO regarding FAO reports on this item.

The Representative of the United States and Estonia supported the decision to deliver copies of FAO reports to the NAFO Secretariat.

The heads of delegations decided at a separate meeting to recommend to Contracting Parties that their reports to FAO on this subject should be copied to the NAFO Secretariat, and the NAFO Secretariat, in turn, would circulate those reports to all Contracting Parties.

- 3.3 Item 10, "NAFO participation at other International Organizations", was presented by the Executive Secretary informing that Canadian observers represented NAFO at the FAO Consultations on CITES (1975 Convention on International Trade in Endangered Species of Flora and Fauna) and NASCO (North Atlantic Salmon Conservation Organization). The observer reports were circulated to the meeting.

Assistant Executive Secretary, T. Amaratunga, took part in FAO Working Party on Status and Trends of Fisheries (November 1999). His report was delivered to the Scientific Council June Meeting (SCS Doc. 00/15).

The NAMMCO Annual Meeting, 26-29 September 2000, will be attended by a delegate from Norway, and its report will be circulated to Contracting Parties.

The meeting decided to delegate NAFO observers to two additional meetings in 2000-2001. The Technical Consultations on Illegal, Unregulated, and Unreported Fishery (2-6 October 2000) will be covered by a Canadian delegate. The FAO Fisheries Committee Meeting (26 February - 02 March 2001) will be attended by observer from Iceland. Their reports will be circulated to Contracting Parties intersessionally.

4. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention (items 11-13)

- 4.1 Under item 11, "Consideration of non-Contracting Parties activities in the NAFO Regulatory Area and agreement on the task of STACFAC at the current meeting", the Chairman of STACFAC, J-Pierre Plé (USA) briefed the Meeting on the status of STACFAC activity and actions. He was optimistic on the latest non-activity by former non-Contracting Parties (NCPs) in the NAFO Regulatory Area, but urged the meeting to maintain NAFO's steady actions against illegal fishing by NCPs. He noted a new trend of re-flagging/double flagging that posed danger of revival of NCP fishing in the Regulatory Area. The meeting agreed that STACFAC should continue its work and then report to the General Council.
- 4.2 Item 12, "STACFAC Report", was presented to the meeting by Mr. J-Pierre Plé, STACFAC Chairman, underlining the following major issues and recommendations:
- a) There were no sightings of NCP vessels in the NAFO Regulatory Area in 2000 (and only two vessels in 1999); the Committee thought that "no sightings" does not necessarily imply an absence of such NCP activity;
 - b) There were no reports of landings or imports of species regulated by NAFO from NCPs in 2000;
 - c) During 1999-2000, NAFO diplomatic démarches were delivered to Honduras (by Canada); Sao Tome e Principe (by European Union); Belize and Sierra Leone (by USA). The results of those actions and communications with NCP authorities are presented in STACFAC Report (Part III). New diplomatic démarches were developed by STACFAC to Belize, Honduras, Panama and Sierra Leone.
 - d) The issue of Illegal, Unregulated and Unreported (IUU) Fishing should be under review of STACFAC pending on-going discussions at FAO;
 - e) The matter of possible double flagging arrangements to carry out fishing activities under two flags was a great concern of the Committee. Reference was made to Article 92 of UNCLOS, 1982.
- 4.3 STACFAC recommended the following actions and measures to the General Council.
- Démarches, in the form of letters signed by the President of NAFO be made to Belize, Honduras, Panama, and Sierra Leone.

- The Executive Secretary circulate, as soon as possible to the secretariats of ICCAT, NEAFC, and CCAMLR reports of non-Contracting Party fishing activity in the NAFO Regulatory Area, and request such organizations to share reports of non-Contracting Party fishing activity in their respective areas with NAFO.
 - The Executive Secretary circulate NAFO/GC Doc. 00/1 to ICCAT, NEAFC, and CCAMLR.
 - The Contracting Parties submit a report at the next Annual Meeting on what legal, administrative and practical action they have taken to implement the Scheme.
 - STACFAC undertake to study the impact of the proposed International Plan of Action on Illegal, Unregulated and Unreported (IUU) Fishing on NAFO at its next Annual Meeting.
- 4.4 The General Council adopted the STACFAC Report and its recommendations. The Chairman of the General Council signed the diplomatic démarches. The diplomatic démarches to Belize and Sierra Leone will be delivered by the USA delegation, and démarches to Honduras and Panama will be delivered by Canada.
- 4.5 The General Council was informed on new officers elected by STACFAC: Chairman, Mr. Daniel Silvestre (France-SPM), and Vice-Chairperson, Nadia Bouffard (Canada).
- 4.6 The General Council Representatives thanked Mr. J-Pierre Plé for his effective work as the STACFAC Chairman and attributed STACFAC progress to Mr. Plé's able chairmanship, hard work and vision. The Chairman wished him well on his new assignment.
- 4.7 Item 13, "Report of Working Group on Dispute Settlement Procedures (GC Doc. 00/4)", was presented to the meeting by the W.G. Chairman, Mr. Stein Owe (Norway). He summarized the discussions in a consolidated text of a proposal for a future DSP. The proposal contains text and alternatives in brackets reflecting the current level of views expressed to-date in the Working Group. He thought that progress was made to move further discussions. The European Union Representative noting the priority of this issue for the EU delegation, supported the DSP Report and thought that Contracting Parties should continue discussions to resolve this subject.

The Representative of Canada briefly reviewed the five (5) year history of DSP Working Group discussions noting that not much progress has been made as opposing views remained on significant issues concerning implementation of DSP within NAFO.

The Representative of Denmark (DFG) noted that the DSP Working Group moved far ahead and had good progress as there were not so many "square brackets" in the W.G. Report. He proposed to develop further guidelines to the Working Group by Heads of Delegations.

The Chairman summarized the discussions and proposed that the DSP W.G. Chair should undertake unofficial consultations with all interested parties and then report back to the General Council. The DSP Chair briefed the Heads of Delegations and then reported to the General Council. To his opinion, there was a high degree of support for the work of the DSP Working Group. However, it was recognized that there are still outstanding issues as witnessed by the brackets in the consolidated text of the proposal for a future DSP. The DSP Working Group Report (GC Doc. 00/4) was formally adopted by the General Council.

At the closing session, the General Council resolved to continue DSP discussions and call an intersessional Working Group in Dartmouth, N.S., Canada, 24-26 April 2001 (Annex 9). The Working Group will have to elect a new Chairman.

5. Finance (items 14-15)

5.1 Items 14-15 were referred to the Standing Committee on Finance and Administration (STACFAD). The STACFAD proceedings are attached in Part II of this General Council Report.

5.2 The Chairman of STACFAD, F. Kingston (EU) delivered its report to the General Council on 22 September and noted the following:

- a) The Auditors Report 1999 was circulated to Heads of Delegations on 15 April 2000, and this report was recommended by STACFAD for adoption;
- b) The NAFO Secretariat was represented at the Pension Society Meeting (the International Fisheries Commissions Society, IFCPS, of North America) by two staff members, and its report was reviewed at STACFAD. It was noted with satisfaction that a new set of investment guidelines for an improved asset unit of the Canadian Pension Plan Funds has been introduced during 1999/2000. These guidelines see a switch from 100% Guaranteed Investment Certificates (GIC's) to an asset unit of 50% equities and 50% bonds providing for a more stable investment base and return on investments.
- c) The Executive Secretary was instructed to provide to the General Council a proposal not later than 31 December 2000 regarding the financing of the Automated Hail and Satellite Tracking System. A full report on the status of the spending under this budget item and implementation of the Automated Hail and Satellite Tracking System should be delivered at the 23rd Annual Meeting 2001.
- d) The basic budgetary items of the NAFO Secretariat were agreed as follows:
 - the budget for 2001 to be adopted in the amount of \$1,389,000 Cdn.;
 - the Accumulated Surplus Account be maintained at a level not less than \$75,000 Cdn in order to fulfil NAFO's financial obligations in early 2001 until contributions are received;
 - the contributions from Bulgaria and Romania be deemed uncollectible and these amounts be applied against the Accumulated Surplus;
 - \$200,000 Cdn be allocated for the proposed Automated hail and Satellite Tracking System with a note that STACFAD was extremely concerned with the lack of information (from STACTIC and Fisheries Commission) upon which the Committee could properly evaluate this amount.
- e) STACFAD recommended that Contracting Parties continue attempts to contact Bulgaria and Romania in order to ascertain whether they intend to participate in NAFO and to inform them of their outstanding contributions. Such information should be exchanged to all Contracting Parties through the NAFO Secretariat.
- f) The Committee recommended to the General Council that Contracting Parties be urged to submit their fishery statistics (STATLANT 21A and 21B) to the NAFO Secretariat on time to ensure the ongoing integrity of the NAFO statistical database and scientific recommendations on fish stocks.

g) The dates of next Annual Meetings were recommended as follows:

2001	-	Scientific Council	-	12-21 September
	-	General Council	-	17-21 September
	-	Fisheries Commission	-	17-21 September
2002	-	Scientific Council	-	11-20 September
	-	General Council	-	16-20 September
	-	Fisheries Commission	-	16-20 September
2003	-	Scientific Council	-	10-19 September
	-	General Council	-	15-19 September
	-	Fisheries Commission	-	15-19 September

5.3 The venue of the 23rd Annual Meeting 2001 will be in Cuba.

5.4 The venue of the 24th Annual Meeting 2002 was proposed by the European Union Delegation in concurrence with Spanish delegates to be held in Spain. The meeting accepted this proposal and the Chairman thanked the European Union and the Government of Spain for this invitation.

5.5 The General Council reviewed the STACFAD recommendations and adopted the 2001 budget and report as a whole.

The Representative of the United States noted their reservation regarding the allocation of \$200,000 Cdn to the Automated Hail and Satellite Tracking System without proper evaluation and justification of the amount of funds.

6. Closing Procedures (items 16-19)

6.1 Item 16, "Time and Place of Next Annual Meeting", was reported by STACFAD (above).

6.2 Under item 17, "Other Business", the Chairman introduced a "Schedule of NAFO Meetings 2001", which was adopted by the General Council (Annex 9).

6.3 The draft Press Release was circulated to the Heads of Delegations and then finalized by the Secretariat incorporating the comments from Contracting Parties (Annex 10).

6.4 The meeting adjourned at 1330 on 22 September 2000.

Annex 1. List of Participants

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Annex 2. Opening Statement by the NAFO President – E. Oltuski (Cuba)

Dear NAFO representatives, distinguished observers and guests.

I have the honor of addressing you for the first time since my election as President of the Northwest Atlantic Fisheries Organization. I wish to thank you for the trust you have deposited on my country and myself.

The coming millennium requires urgently that we think more about the future and not only about today. To protect the resources of the sea is not just a duty but an obligation. Seventy percent of the commercial marine species are overfished or at maximum exploitation levels. NAFO statistics show that the catches have dropped considerably in the last 20 years.

The welfare of the future generations demand that we make mutual concessions for the benefit of all. Sustainable fishing is only possible through a compromise between necessity and possibility in the exploitation of the resources based on scientific evidence.

In the conservation and best utilization of those resources lie the objectives of our work at this annual meeting. I am sure that we will all work in that direction.

In the names of Vice President - Patrick Chamut, Executive Secretary – Leonard Chepel and myself, I wish to thank the authorities of the United States for the organization and warm welcome we have all received in this beautiful and historical city of Boston.

In the hope that our meetings will take place in an atmosphere of frank cooperation and understanding, I declare officially inaugurated the Twenty-second Annual Meeting of the Northwest Atlantic Fisheries Organization.

Annex 3. Speech of the Honorable Rolland A. Schmitten
Deputy Assistant Secretary for International Affairs
United States Department of Commerce

Good afternoon, Mr. President, Distinguished Delegates, Ladies and Gentlemen, and a special hello to the many friends and colleagues that I recognize at this NAFO meeting.

As you continue your tour of the world's great seaports of the North Atlantic at annual meetings of NAFO, it is my honor and sincere privilege to welcome you to Boston and the United States of America. I am delighted that we are able to host the Twenty-second Annual Meeting in city with a 400 year history and tradition of seafaring and fishing. Legend has it that long ago one could nearly walk across the bay on the backs of cod, a condition that today is but a memory as we work toward rebuilding stocks and achieving sustainable fisheries. But Boston is not only a feature in America's seafaring and fishing history, it is the cultural center that was home to Ralph Waldo Emerson, Henry Wadsworth Longfellow, James Russell Lowell, and Henry David Thoreau. It is presently home to more than forty colleges and universities, including Harvard, Boston University, Tufts, and MIT—in fact, it has the largest concentration of institutions of higher learning in the United States. With cobblestones underfoot and skyscrapers overhead, Boston welcomes the world as the gateway to New England and the United States. It is, in the words of Charles Dickens, "what the whole United States should be."

A second reason it gives me such pleasure to welcome you here is the great importance we attach to NAFO as a successful regional fisheries management organization, both in its present conservation and management activities and its future ones. It is true that we have encountered our share of problems and challenges, but the more important point is that we are addressing them responsibly. It is with some degree of pride that the United States has joined NAFO. It is often too easy to stay outside a regional fisheries management body and criticize its efforts without taking the responsible step to join and support the organization from within and seek improvements as a member.

NAFO's Convention Area extends south to Cape Hatteras, North Carolina, and its Regulatory Area to the same point seaward of the U.S. exclusive economic zone. With its fishing history, the United States has a real interest in the stocks presently managed by NAFO as well as those NAFO may decide to manage in the future. This interest is manifested in the human and financial resources we invest in NAFO's activities and the commitment I give you today that we will continue making these investments.

My third reason for welcoming you is that NAFO is stepping up to meeting the challenges posed by an unprecedented suite of global fisheries agreements reached in the last decade that collectively prescribe a new ethic for fisheries management. Starting with the imperatives articulated in 1992 by Agenda 21 of the United Nations Conference on Environment and Development, we have collectively responded with: the Food and Agriculture Organization of the United Nations (FAO) Compliance Agreement of 1993; the Code of Conduct for Responsible Fisheries of 1995; the United Nations Fish Stocks Agreement of 1995; the FAO's international plans of action implementing its Code of Conduct in respect of sharks, seabirds, and fishing capacity in 1999; the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean in 2000; and the emerging Convention on the Conservation and Management of Fishery Resources in the South East Atlantic Ocean. Yes, fisheries managers throughout the world have been active in the quest for improved fishing conditions and sustainability of our fisheries resources.

NAFO has taken up a number of the principles contained in these agreements and given them, or is in the process of giving them, expression in a manner consistent with its mission, including: the duty to cooperate to achieve effective conservation and management, standard requirements for the collection and sharing of data, the precautionary approach, measures taken by port states, dispute settlement, and transparency.

Finally, I welcome you because this meeting will grapple with issues in a manner that will again advance NAFO's reputation as an organization that meets challenges and succeeds. Here we will continue making decisions that take serious account of future as well as present generations in charting a course toward achieving and maintaining sustainable and responsible fisheries. In a time when the world focuses on measures to address illegal, unregulated, and unreported (IUU) fishing, NAFO will point to its innovative and successful efforts to address this problem. I hope I will see many of you in Rome next month as we bring our collective focus and wisdom to bear at the FAO's meeting on IUU fishing. Concerning IUU fishing, I envision that, in a context in which the international community is taking steps to ensure that all fishing vessels, from whatever home port, are bound to abide by the same rules, NAFO will continue striving to make its rules equitable, predictable, transparent, and responsive to the interests of all relevant partners.

On a personal note, for those who do not know, we have bid our farewells to Andy Rosenberg. It was my pleasure to have Andy as my deputy when I headed the National Marine Fisheries Service, and no one could ask for a more talented and competent partner. Even though Andy has returned to the halls of the academy, he will nevertheless join the U.S. delegation later this week. I am equally proud of our new head of delegation Patricia Kurkul, who I had the privilege to recommend for her current position as Regional Administrator of our Northeast Region, for the National Marine Fisheries Service. Yes, the United States is in good hands and committed to the challenges of NAFO.

And finally, to you, Mr. Chairman, we compliment you in your new position and we wish you good luck in your term. I again welcome all of you to Boston and the United States, wishing you fair weather and winds, and extending every good wish for a successful and productive meeting. Welcome.

Thank you, Mr. Chairman.

**Annex 4. Opening Statement by the Representative of Canada
(P. Chamut)**

Mr. Chairman, distinguished Representatives, it is a pleasure for Canada to participate at this year's NAFO Annual Meeting in the historic and beautiful city of Boston.

On behalf of the Canadian delegation, I wish to thank the United States for their hospitality and the opportunity to visit the historic sites in Boston.

Against the backdrop of this area, with its maritime heritage, we are here again, as members of NAFO, to give effect to our obligations to conserve fish stocks, and ensure their effective management. The importance of individually and collectively meeting our obligations has never been so high.

Many of the stocks of fish under NAFO stewardship continue to be at historically low levels. The work we do here to protect and rebuild those stocks has very real consequence for the hundreds of Canadian communities, and thousands of families which have relied upon these stocks for generations. These families, and communities, have nowhere else to go, and few economic alternatives.

Their present outlook is bleak, and their future outlook will be more promising only if this Organization maintains and strengthens its commitment to conservation, and stock rebuilding. Canada's objective at this meeting will be to ensure that we build on our achievements and we continue to build towards a brighter future.

Five years ago NAFO adopted strengthened Conservation and Enforcement Measures and two years ago NAFO adopted on a permanent basis the program for 100% observer coverage and satellite tracking on NAFO member vessels. These new strengthened measures were rightly hailed as a milestone towards enhanced international cooperation to achieve a common purpose. That purpose is to ensure that high seas fishing activities are conducted in a rational, sustainable and responsible manner.

We need to build on the achievements of recent years to sustain the progress which has been made in the establishment of sound conservation measures and in controlling overfishing and deterring unsustainable fishing practices. The implementation of these measures has laid the groundwork for the recovery and rebuilding of stocks in the Northwest Atlantic. This is of fundamental importance and benefit to all NAFO Parties who wish to see renewed fishing possibilities in the NAFO Regulatory Area.

The collapse of important groundfish stocks has demonstrated the need for enhanced conservation and disciplined management. The past abundance is a reminder of the challenge which faces us - the conservation and rebuilding of the once plentiful stocks of the Northwest Atlantic.

This 22nd annual meeting of NAFO will be an especially critical one for the Organization, as we are facing a number of important issues which will have significant implications for the future.

The recommendations of the Scientific Council underline the need for continuing restraint and vigilance in surveillance and enforcement of the NAFO conservation measures in order to ensure that the path to rebuilding of stocks is not compromised.

The Scientific Council recommends continuing in 2001 most of the moratoria on fishing for groundfish stocks. However, there are some positive signs. It is heartening to see continued rebuilding of 3LNO yellowtail flounder and Greenland halibut.

While enjoying the benefits of these encouraging signs, we must also be vigilant to the danger signals reported by the Scientific Council, in particular the high proportion of catches of young, immature fish. More effective bycatch and discard rules, increased minimum fish and mesh sizes as well as area and seasonal closures must be considered to protect juvenile fish and non-target species that are at low abundance and require protection if they are to rebuild.

Canada's objective is that all Parties can once again enjoy the bounty of sustainable fisheries in the Northwest Atlantic. I am sure this objective is shared by all. However with most of the NAFO stocks currently under moratoria, it is clearly too early to benefit from the restraint we have practised over the past several years nor consider that the challenges we face have been overcome. In fact, continued progress will depend upon our willingness to modify or extend some conservation measures or to introduce new ones if we are to achieve our goal.

As Contracting Parties to the NAFO Convention, we all share the responsibility to conserve the resources in the NAFO Regulatory Area. We must ensure that achievement of that responsibility remains our primary objective, rather than accommodating short term economic interests.

I am looking forward to a constructive and positive dialogue at this session which will help advance the interests of this Organization and all its members, and provide for a brighter future for all those who are dependant on resources under our stewardship. Thank you.

**Annex 5. Opening Statement by the Representative of the
European Union (E. Mastracchio)**

Mr. Chairman, distinguished delegates, ladies and gentlemen,

It is once again a great pleasure for my delegation and I to be here at a NAFO Annual Meeting, this time in the United States in this beautiful city of Boston for the very first time. We know the significance of fisheries for this part of the Northwest Atlantic and particularly for one of our recent members, the USA.

We cannot but state our continued belief in the future of fisheries, in the Northwest Atlantic, in that it lies with the sound conservation and management of fishery resources based on the best possible scientific advice available. It is our common interest that NAFO remains at the forefront of good management in international fisheries.

There are many issues to be discussed this week and the commitment of the Community to the principles I mentioned above will be very evident throughout. We insist that there is consistency and compatibility between action taken both within areas of national jurisdiction and beyond. I am therefore deeply concerned that once again, Canada has taken regulatory measures for 2000 for cod in area 2J3KL despite the action taken in the 1999 Annual Meeting in the context of NAFO. Our whole basis for decision this week must remain sound conservation and management of fish stocks throughout their entire area of distribution.

Of particular interest to the Community this week will be a number of issues, not least of which are the future of Dispute Settlement Procedures in NAFO and the next steps to take on the Program for observers and satellite tracking.

On Dispute Settlement Procedures, the Community would like to see some real progress. I reiterate what I said last year. We strongly support compulsory and binding dispute settlement procedures, the prevention of disputes and, where necessary, the existence of mechanisms that entail binding decisions with due regard to the peculiarities of the NAFO Convention. Progress must be made on this issue, preferably in the NAFO context.

With regard to observers and satellite tracking, there is clearly a need for us to re-examine the relevance of observer coverage before any permanent scheme can be contemplated. Furthermore, it is the preference of the Community that 100% satellite tracking should become the cornerstone of any future permanent scheme within NAFO waters.

Mr. Chairman, there are of course other issues to discuss this week, but they are very many and they have great importance for us all. At this point, I must wish all delegates present today the very best towards achieving a successful meeting. We, in the Community Delegation, look forward to working with you and all those who participate in a constructive manner so that our common objectives can be reached and our challenges fulfilled in the interest of this Organization. This will enable NAFO to remain at its prominent position in the lead for international fisheries.

Finally, Mr. Chairman, may I welcome you here in your new capacity. You will have a daunting but, nevertheless, I feel a satisfying week's work ahead. Thank you.

**Annex 6. Opening Statement by the Representative of the
United States of America (P. Kurkul)**

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen,

The United States Delegation adds a warm welcome to all participants in this 22nd Annual Meeting of NAFO. Our delegation is very excited to be hosting the first of NAFO's annual meeting to be held in the US. We hope you will enjoy your stay in Boston, and we intend to work with you and all delegations to make this meeting a success.

NAFO has taken up a number of exciting challenges in recent years, including: the precautionary approach, quota allocation, improved data collection and management systems, transparency, and dispute settlement. All of these issues spring from the FAO Code of Conduct for Responsible Fisheries and the UN Fish Stocks Agreement, the latter of which should enter into force in the very near future. We have more work to do on many of these issues, but no regional fisheries management organization can take more pride than NAFO for having tackled them and made progress. I hope that this meeting continues this progress. I also wish to note that NAFO may also have important contributions to make in the implementation of the FAO's international plans of action, particularly those concerning the conservation and management of sharks and the management of fishing capacity.

Although NAFO may not currently be setting TACs for a large amount of fish, we are the stewards for managing a very important and productive area of the world's oceans. We must therefore adhere conservatively to the best scientific advice available for all stocks, and we must continue to improve our management practices by, among other things, being precautionary in our management of new, existing, and recovering fisheries.

Again, the U.S. Delegation welcomes the opportunity at this meeting to work with friends and colleagues to continue making NAFO a model regional fisheries management organization for the world.

Thank you very much.

**Annex 7. Opening Statement by the Representative of France
on behalf of St. Pierre et Miquelon (G. Grignon)**

Mr. Chairman, Dear Colleagues,

May we, first of all, express our thanks to the U.S. government and to the U.S. delegation for their hospitality and warm welcome in this beautiful city of Boston.

France in respect of Saint-Pierre and Miquelon is now an old new Contracting Party since we have been a member of the organization for five years.

Of course, Saint-Pierre and Miquelon has been in the Convention Area for a much longer period, since the first French settlements in the island of Saint Pierre and Miquelon go back to the seventeenth century.

As a coastal state in the area under Article I.3 of the Convention, Saint Pierre and Miquelon is highly dependent on sea resources; the last figure of catch records used to set up the draft budget shows that more than 5000 tonnes were caught by the French fishermen of Saint Pierre and Miquelon in the convention area in 1998 for a population of 6000. Such a figure illustrates the fact that France on behalf of Saint-Pierre and Miquelon is a Contracting Party whose economy is overwhelmingly dependent on the fishery, with a small coastal community dependant on stocks present in the convention area.

For these reasons, we are fully aware of the necessity of ensuring appropriate sustainable management of the stocks, and stringent rules concerning the fishing activity. As you know, Mr Chairman, fishing vessels can always leave for others fishing grounds, but coastal communities like ours do not have that option.

We know that the organization has done a lot already and is working hard to set up and improve the rules of management and cooperation taking into account the interests of all Contracting Parties.

We are looking forward to fully participate in this work in order to reach this goal, which is th cornerstone of international cooperation.

Annex 8. Agenda

I. Opening Procedure

1. Opening by Chairman, E. Oltuski (Cuba)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

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

6. Review of Membership
 - a) General Council
 - b) Fisheries Commission
 - c) Reports from Contracting Parties on their communication with Bulgaria and Romania
7. Administrative Report

III. Coordination of External Relations

8. Communication with the United Nations (Resolution 53/33 - 24 November 1998)
9. FAO International Plans of Action on the Management of Fishing Capacity, Shark Fisheries and Incidental Catch of Seabirds in Longline Fisheries
10. NAFO Participation at other International Organizations
 - a) FAO Consultation on the Suitability of the CITES Criteria for Listing Commercially Exploited Aquatic Species (28-30 June 2000).
 - b) FAO ACFR (Committee on Fisheries Research) Working Party on Status and Trends of Fisheries (29 November 1999)
 - c) NASCO Meeting, 2000
 - d) NAMMCO Annual Meeting, 2000
 - e) The Technical Consultation on Illegal, Unregulated, and Unreported Fishing, 2-6 October 2000, Rome, Italy
 - f) FAO Committee on Fisheries Meeting, 26 February to 2 March 2001, Rome, Italy

IV. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention

11. Consideration of non-Contracting Party activity in the NAFO Regulatory Area and agreement on the task of STACFAC at the current meeting
12. Report of STACFAC at the Annual Meeting and decisions on actions
13. Report of the Working Group on Dispute Settlement Procedures (DSP)

14. Report of the Working Group on the Allocation of Fishing Rights

15. Report of the Meeting on Shrimp Stocks

V. Finance

16. Report of STACFAD at the Annual Meeting

17. Adoption of the Budget and STACFAD recommendations for 2001

VI. Closing Procedure

18. Time and Place of Next Annual Meeting

19. Other Business

20. Press Release

21. Adjournment

Annex 9. Schedule of NAFO Meetings, 2001

<u>Meetings</u>	<u>Date (full days)</u>	<u>Place</u>
Working Group of Fisheries Commission on oceanic Redfish (in co-operation with NEAFC)	20-21 February	Reykjavik, Iceland
Working Group of the Fisheries Commission on Shrimp Data (catch and effort statistics) Special Fisheries Commission Meeting (Shrimps)	27-29 March	Copenhagen, Denmark
Working Group of the General Council on Dispute Settlement	24-26 April Canada	Dartmouth, N.S.,
STACTIC Meeting (VMS/confidentiality Juveniles/by-catch)	26-28 June (at NEAFC)	London, U.K.
Working Group (small) of STACTIC to overhaul Conservation and Enforcement Measures (FC Doc 00/1 and Supplement 2001)	Canada to arrange/ advise dates (Spring 2001)	Ottawa or St. John's, Canada
Working Group (small) of the Fisheries Commission on Precautionary Approach	EU to arrange/advise dates (Spring 2001)	Brussels, Belgium

Annex 10. Press Release

1. The 22nd Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Boston, Massachusetts, USA, during 18-22 September 2000, under the chairmanship of Enrique Oltuski (Cuba), President of NAFO. The NAFO constituent bodies - General Council, Fisheries Commission and Scientific Council convened their sessions at the Boston Back Bay Hilton.
2. The meeting was attended by 220 participants from sixteen Contracting Parties - Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and United States of America.
3. Prior to the 22nd Annual Meeting, the following NAFO meetings were held during 2000: (1) Joint Scientific Council and Fisheries Commission Working Group on Precautionary Approach (Brussels, Belgium, 29 February-02 March); (2) Working Group on Allocation of Fishing Rights (Washington, D.C., USA, 28-30 March); (3) Meeting on Shrimp Stocks in the Regulatory Area (Washington, D.C., USA, 27 March); (4) Working Group on Dispute Settlement Procedures (DSP) (Copenhagen, Denmark, 29-31 May); (5) Standing Committee on International Control (Dartmouth, Canada, 27-29 June); (6) STACTIC Technical Working Group on Communications (Dartmouth, Canada, 30 June); (7) Scientific Council Meeting (Dartmouth, Canada, 1-15 June); (8) Workshop on Assessment Methods (Boston, Mass., USA, 13-15 September).
4. The Scientific Council, under the chairmanship of Bill Brodie (Canada), reviewed and assessed the status of 19 fish stocks in the NAFO Regulatory and Convention Areas. The scientific advice and recommendations from the Scientific Council were presented to the Fisheries Commission with recommendation that major groundfish stocks are continuing to be at low abundance and there should not be a direct fishery for those stocks in 2001. The Scientific Council reported biomass increases for Greenland halibut in Divisions 2J+3KLMNO and Yellowtail flounder in Div. 3LNO. The Joint Scientific Council/Fisheries Commission Working Group on Precautionary Approach evaluated and discussed a *precautionary approach (PA)* to NAFO-managed stocks and proposed PA steps in the fields of "harvest strategies", "conservation and enforcement measures" and "research/monitoring" for two model stocks - Cod in Div. 3NO, Yellowtail flounder in Div. 3LNO.
5. The Fisheries Commission, under the chairmanship of P. Gullestad (Norway), considered the Scientific Council recommendations and agreed on joint international measures and actions for the conservation and utilization of the fishery resources in the Regulatory Area. For all stocks scientific advice on levels of harvest was adopted.

The Commission agreed to impose "no direct fishery" in 2001 on the following stocks: Cod in Divisions 3M and 3L (that portion within the Regulatory Area) and 3NO, Redfish in Div. 3LN, American plaice in Divisions 3M and 3LNO, Witch flounder in Div. 3NO and 3L (that portion within the Regulatory Area) and Capelin in 3NO. The Quota Table for 2001 was adopted (Attachment 1).

With respect to management measures for cod in 2J3KL, Contracting Parties other than Canada expressed their serious concern that management measures for this stock may not be consistent throughout its range in the Convention Area in the year 2000.

New conservation and enforcement measures were agreed:

- To avoid excessive incidental catch a new fishing strategy will apply by changing fishing areas, etc.
 - Concerning the shrimp fishery on the Flemish Cap in Division 3M, it was decided that the existing effort allocation Scheme in the shrimp fishery and all other regulatory measures should continue, and that the fishing days should be 90% of maximum number of those observed by Contracting Parties for their vessels in one of the years during 1993-1995.
 - The Program for Observers and Satellite Tracking was modified to integrate the hail system with the satellite tracking and vessel monitoring systems (VMS), which will be in force as of January 1, 2001.
 - Regulatory measures for chartering vessels between Contracting Parties were modified, including more precise guidelines for notification and charter arrangements, and a provision that the catch of the chartered vessel be added to the catch statistics of the Contracting Party to whom fishing possibilities have been allocated.
6. The General Council, under the chairmanship of E. Oltuski (Cuba), deliberated several outstanding issues regarding internal and external NAFO policy on the following terms:
- Standing Committee on non-Contracting Party Fishing Activity in the Regulatory Area (STACFAC) shall undertake the study of the impact of the FAO International Plans of Action on Illegal, Unregulated and Unreported (IUU) Fishing on NAFO at its next Annual Meeting.
 - The issue of Dispute Settlement Procedures will be deliberated at the General Council in the near future.
 - Although there were no sightings of non-Contracting Party (NCP) fishing in the NAFO Regulatory Area in 2000, the consensus was to continue appropriate actions to deter NCP activity in the NAFO Area.
 - The President of NAFO signed diplomatic démarches to the Non-Contracting Party flag-States whose vessels have fished in the NAFO Regulatory Area in recent years, namely Belize, Honduras, Panama and Sierra Leone.
7. The following elections of NAFO officers took place:
- | | | |
|---|---|--|
| Chairman of Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) | - | Daniel Silvestre (France in respect of St. Pierre et Miquelon) |
| Vice-Chairman of Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) | - | Nadia Bouffard (Canada) |
| Chairman of the Standing Committee on Fisheries Environment (STACFEN) | - | Manfred Stein (EU) |

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2001 of particular stocks in Subareas 3 and 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.

Contracting Party	Cod		Redfish		American plaice		Yellowtail	Witch	Capelin	G. halibut	Squid (Illex) ³	Shrimp
	Div. 3M	Div. 3NO*	Div. 3M	Div. 3LN*	Div. 3M*	Div. 3LNO*						
1. Canada	0	0	500	0	0	0	12675 ⁷	0	0	4 446	N.S. ⁴	5 000
2. Cuba	0	-	1750	0	-	-	-	-	0	-	510	67
3. Denmark (Faroe Islands and Greenland)	0	-	69	-	-	-	-	-	-	-	-	67
4. European Union	0	0	3100	0	0	0	260 ⁷	-	0	16 406	N.S. ⁴	67
5. France (St. Pierre et Miquelon)	-	-	69	-	-	-	-	-	-	-	453	67
6. Iceland	-	-	400	-	-	-	-	-	0	3 038	510	67
7. Japan	-	-	69	-	-	-	-	-	-	-	453	67
8. Korea	0	-	-	-	-	-	-	-	0	-	-	67
9. Norway	0	-	-	-	-	-	-	-	0	-	227	67
10. Poland	0	-	-	-	-	-	-	-	0	-	-	67
11. Estonia	0	0	13 850 ¹	0	0	0	-	0	0	-	1 133 ¹	67
12. Latvia	-	-	-	-	-	-	-	-	-	-	-	67
13. Lithuania	-	-	-	-	-	-	-	-	-	3 779	-	67
14. Russia	-	-	-	-	-	-	-	-	-	-	-	67
15. Ukraine	-	-	-	-	-	-	-	-	-	-	-	67
16. United States of America	-	-	69	-	-	-	-	-	-	-	453	67
17. Others	0	0	124	0	0	0	65 ⁷	0	-	1 971 ⁵	794	0
Total Allowable Catch	*	*	5 000 ⁶	*	*	*	13 000 ⁸	*	*	29 640	34 000	6 000

¹ Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply.

² The opening date for the Squid (Illex) fishery is 1 July.

³ 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.

⁴ Not specified because 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.

⁵ Of which no more than 40% (788 t) may be fished before 1 May 2001 and no more than 80% (1577 t) may be fished before 1 October 2001.

⁶ Each Contracting Party shall notify the Executive Secretary bi-weekly of catches taken by its vessels from this stock. Not more than 2500 tons may be fished before July 1, 2001. 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 percent of the TAC for that stock.

⁷ Contracting Parties shall inform the NAFO Executive Secretary before 1 December 2000 of the measures to be taken to meet the advice of the NAFO Scientific Council.

⁸ The provisions of Part I, Section A.5c) of NAFO Conservation and Enforcement Measures shall apply.

* No directed fishing - The provisions of Part I, Section A.5a and c of NAFO Conservation and Enforcement Measures shall apply.

**Annex 11. Decisions and Actions by the General Council
(22nd Annual Meeting, 18-22 September 2000)**

Substantive Issue	Decision/Action (GC Doc. 00/7, Part I: item)
1. FAO International Plans of Action on the Management of Fishing Capacity, Shark Fishery and Incidental Catch of Seabirds in Longline Fisheries	Agreed: Contracting Parties report to FAO shall be sent in copy to the NAFO Secretariat, which in turn would circulate the reports to other Contracting Parties; item 3.2
2. NAFO observers at international meetings. FAO, Rome: - Technical Consultation on Illegal, Unregulated and Unreported Fishing - FAO Fisheries Committee Meeting	Represented by: - Delegate of Canada, October 2000 - Delegate of Iceland, Feb-March, 2001; item 3.3.
3. Report of STACFAC - New diplomatic demarches to Belize, Honduras, Panama and Sierra Leone	Discussed: items 4.1-4.6 Agreed/signed; item 4.4.
4. Working Group on Dispute Settlement Procedures (DSP) - Intersessional meeting of the Working Group	Discussed: item 4.7. Decided to meet in Dartmouth, N.S., Canada, 24-26 April 2001; item 4.7.
5. Election of Officers - Chairman of STACFAC - Vice-Chairperson of STACFAC	Daniel Silvestre (France-SPM) Nadia Bouffard (Canada)
6. Budget for 2001 - Hail and VMS Automated System	Adopted \$1,389,000 Cdn; item 5.2d, 5.5 - \$200,000 Cdn
7. Venue of 24th Annual Meeting, 2002	Agreed: Spain, 11-20 September 2002; item 5.4

PART II

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

1. Opening by the Chairman

The first session of the Standing Committee on Finance and Administration (STACFAD) was opened by Mr. Fred Kingston (European Union) at 1015 hrs on 18 September 2000.

The Chairman welcomed all delegates and in his opening remarks noted that the agenda had a number of additional issues that would result in further costs for the Organization. Delegates from the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), European Union, Japan, Latvia, Norway, Russian Federation, Ukraine and United States of America. (Annex 1)

2. Appointment of Rapporteur

Deirdre Warner-Kramer (USA), Nikki Brajevich (USA), and Stan Goodick (NAFO Secretariat) were appointed Rapporteurs.

3. Adoption of Agenda

The provisional agenda was adopted as circulated to the Contracting Parties (Annex 2).

4. Auditors' Report for 1999

The Executive Secretary presented the Auditors' Report and Financial Statements of the Northwest Atlantic Fisheries Organization for the Year Ended 31 December 1999. The Executive Secretary indicated that the Auditors' Report, signed by Deloitte & Touche, was circulated to the Heads of Delegation on 25 April 2000 and no comments had been received on the report.

As stated in Note 4 of the Auditors' Report entitled "Provision for Employee Termination Benefits", the Committee noted the Organization's practice of funding this liability at the rate of \$10,000 per annum as approved by the General Council at the 20th Annual Meeting in 1998.

The EU inquired about the existence of a headquarters agreement. In response to the question, the Executive Secretary stated that there was no headquarters agreement as such and provided copies of Order in Council P.C. 1980-132 dated January 1980 as referred to in the Auditors Report, and also copies of the NAFO Staff Rules dated March 1999.

STACFAD recommended to the General Council that the 1999 Auditors' Report be adopted.

5. Meeting of the Pension Society

The International Fisheries Commissions Pension Society (IFCPS) administers the pension plans and benefits for employees of NAFO and other international fisheries commissions based in North America. The annual meeting was held during 26-28 April 2000 in Seattle, Washington, USA. The next annual meeting of the IFCPS is scheduled to take place in Vancouver, British Columbia, Canada during 25-27 April 2001.

The Executive Secretary presented STACFAD Working Paper 00/4 summarizing the annual meeting, which was attended by the NAFO Secretariat staff Forbes Keating and Stan Goodick. The following items were noted:

- a) The IFCPS renewed its contract with Eckler Partners Limited for a two year period to provide pension consulting, actuarial and administrative services. The Society and representatives from the Commissions have been pleased with the services provided by Eckler Partners Limited and NAFO's annual share of the contract is approximately \$1,700.
- b) A new set of investment guidelines for an improved asset mix of the Canadian Pension Plan Funds was established during 1999. The new guidelines see a switch from 100% Guaranteed Investment Certificates (GIC's) to an asset mix of 50% equities and 50% bonds providing for a more stable investment base and return on investment. As GIC's are maturing, the proceeds are being reinvested into the new asset mix.

6. Review of Cost Implications of the Hail and Satellite Tracking Systems at the NAFO Secretariat

STACFAD Working Paper 00/3 was presented by the Executive Secretary. He noted that research for the development of an automated system at the NAFO Secretariat for handling all hail and satellite tracking reports and their transmission to Contracting Parties with inspection presence in the NAFO Regulatory Area was ongoing. A STACTIC Working Group on Technical Communications met to discuss this issue on 30 June 2000.

The General Council, at the 21st Annual Meeting of NAFO, allocated \$35,000 to the 2000 budget for the automation of the hail system. Of this amount, only \$330 was used to finance a computer consultant at the STACTIC Working Group in June 2000. Unless a resolution on this issue is made for the current year, the remaining 2000 budgetary amount of \$34,670 will be returned to the Accumulated Surplus.

The Chair presented STACTIC Working Paper 00/14 - Overview of NEAFC Scheme re Automated Communications – which amplified the request from STACTIC for funding in the amount of \$200,000 for the Automated Hail and Satellite Tracking System. In response to a request from STACFAD, a representative from STACTIC came and answered technical and cost questions. The representative from the United States noted that while the Committee supported the Automated Hail and Satellite Tracking System in principle, there were concerns about how the requested funds would be spent and what safeguards were in place to ensure transparency in the bidding process. The representative from Canada concurred, further noting that the Committee also required a detailed workplan. STACFAD members noted that the lack of adequate and specific information greatly hampered their ability to ensure transparency, accountability and the presence of safeguards.

After a lengthy discussion, STACFAD recommended to the General Council that it authorize and approve a budget including an expense not to exceed \$200,000 for the proposed Automated Hail and Satellite Tracking System. However, STACFAD was extremely concerned with the lack of information upon which the Committee could properly evaluate this requested amount. STACFAD recommended that the General Council instruct the Executive Secretary to provide on or before October 31, 2000 a more detailed report regarding the NEAFC System. STACFAD further recommended to the General Council that it instruct the Executive Secretary, in conjunction with the Fisheries Commission, to provide to the General Council a proposal not later than December 31, 2000 regarding the financing of the

Automated Hail and Satellite Tracking System. This proposal should, at a minimum, consist of the following:

- Clearly defined procedures for selecting consultants/experts (with proven experience with similar type projects) to prepare a Call for Tender and to advise on the most suitable tender,
- An implementation workplan for the Automated Hail and Satellite Tracking System,
- Procedures guaranteeing transparency to the Contracting Parties in expenditures, decision-making and the selection process,
- An evaluation process, including periodic progress reports.

The representative from the European Union noted that the Fisheries Commission might find it necessary to appoint an Ad Hoc Working Group that would meet from time to time to advise the Executive Secretary on this matter.

STACFAD further recommended that the General Council instruct the Executive Secretary, in conjunction with the Fisheries Commission, to provide a full report on the status of the spending under this budget item and the implementation of the Automated Hail and Satellite Tracking System at the next Annual Meeting.

7. Administrative and Financial Statements for 2000 (July)

The Committee reviewed the Administrative Report and Financial Statements (NAFO GC Doc. 00/5) for 2000.

The representative of the Scientific Council noted that the term of Manfred Stein (European Union), Chair of STACFEN, had been extended until September 2001.

The Secretariat reviewed the financial statements for 2000 contained in Statement I of the Administrative and Financial Statements.

- the total 2000 projected expense obligations are \$1,160,500, which is \$3,500 over the approved budget of \$1,157,000.
- salaries are projected to be \$5,000 over budget. According to Rule 6.1 of the Financial Regulations, NAFO follows the salary scale of the Public Service of Canada. Salary levels were updated pursuant to contracts ratified by the Treasury Board of Canada and the Public Service Alliance of Canada. The contracts were for the period June 1999 to June 2000 and salary increases were retroactive to June 1999.
- The costs of the Annual General Meeting and Scientific Council Meetings are projected to be \$9,000 over budget. The Committee noted that due to the practice of establishing budgetary amounts prior to receiving the final list of meetings, this budget item had been consistently underestimated for several years.
- Computer Services is projected to be \$34,000 under budget. From the \$35,000 allocated for the automation of the hail system, \$330 was expended and from the \$15,000 allocated to computer services, \$15,670 was expended, \$670 over-budget.

STACFAD recommended to the General Council that in accordance with Rule 6.1 of the Financial Regulations it approve the 2% salary increase for Secretariat employees, in line with contracts negotiated between the Public Service Alliance of Canada and the Treasury Board of Canada. This increase will be applied retroactively from June 1999. This salary increase is independent from the recent pay equity settlement granted to the Public Service Alliance of Canada.

The representative of the European Union noted that expenditures for intersessional meetings were significantly over budget for a number of years running. For information purposes the Executive Secretary provided STACFAD W/P 00/8 (Annex 3) outlining certain travel and meeting cost estimates for the NAFO Secretariat. The Committee requested the Executive Secretary to provide such reports on annual basis. The Committee agreed to address this issue in more detail under Agenda item 9, Preliminary Budget Estimate for 2001. The representative of the Scientific Council requested that the costs of the November Scientific Council shrimp meeting be moved from under the intersessional line item to the Scientific Council/Annual Meeting line item, as this was a regular meeting occurring each year. The Committee agreed to this request.

Contributions Receivable from Contracting Parties for 2000 fiscal year are \$71,489. These outstanding contributions are due from Cuba (\$17,459.98), France (in respect of St. Pierre et Miquelon) (\$19,171.13), Republic of Korea (\$16,842.79) and the Russian Federation (\$18,015.45). The representative from France (in respect of St. Pierre et Miquelon) noted that its payment was in the process of being issued. It was also noted that contributions were not received from Bulgaria and Romania.

The representative from the Russian Federation informed participants that a change in the approval process of payments to international organizations within his government has delayed its payment. Efforts are however being made to make the contribution in the near future.

Canada informed the Committee that their communications with Romania have indicated that Romania has put in motion procedures to withdraw from NAFO. The withdrawal process within the Romanian Government is a lengthy process, although, indications are that most of the approvals have gone forward. Any estimates on the completion of this process would be premature at this time.

USA noted that it had in previous years forwarded démarches to the Governments of Bulgaria and Romania with no positive information on their intentions. This however, was the first year that the USA had not attempted such contacts.

The Executive Secretary noted that Bulgaria had contacted the NAFO Secretariat (GC W/P 00/2) with intentions to confirm its participation to NAFO and continue its membership as well as to negotiate future quotas and other conditions of this participation, including payment of outstanding contributions.

The Committee discussed how the payment of any outstanding contributions would be applied. The Committee instructed the Executive Secretary to look into this matter and report to STACFAD at the next Annual Meeting.

As in prior years, STACFAD recommended to the General Council that contributions from Bulgaria and Romania be deemed uncollectible and recommended that these amounts be applied against the Accumulated Surplus.

A schedule of outstanding contributions detailing the total amounts due from Bulgaria and Romania is attached. (Annex 4).

The Committee recommended that Contracting Parties continue attempts to contact Bulgaria and Romania in order to ascertain whether they intend to participate in NAFO and to inform them of their outstanding contributions. The Committee further recommended that Contracting Parties exchange information about such contacts through the NAFO Secretariat.

The Committee noted that fishery statistics (STATLANT 21A & 21B) were outstanding from a number of Contracting Parties. The Committee also wished to note the recommendation made by Scientific Council at its June 2000 Meeting that *'the Scientific Council should prepare a document for submission to the General Council and the Fisheries Commission on the adverse effect the absence of the STATLANT 21A and 21B data was having on the work of the Scientific Council'*.

STACFAD recommended to the General Council that Contracting Parties be urged to submit their fishery statistics (STATLANT 21A & 21B) to the NAFO Secretariat on time to ensure the ongoing integrity of the NAFO Statistical database.

8. Review of the Accumulated Surplus Account

The accumulated surplus account was reviewed and it was noted that the year-end balance is estimated to be \$234,814, provided that all outstanding member contributions (excluding Bulgaria/Romania) are received.

As in past years, STACFAD recommended that \$75,000 be maintained as a minimum balance in this account in order to fulfill NAFO's financial obligations in early 2001 until contributions are received.

The question was raised whether the \$75,000 balance maintained in the accumulated surplus in order to finance appropriations pending receipt of annual payments by Contracting Parties is adequate. The Committee requested that the Executive Secretary ask the Auditors to review this issue and report on what would be the minimum/maximum level at the next Annual Meeting.

The remaining estimated accumulated surplus balance (\$159,814) at the end of 2000 would be used to reduce contributions due from Contracting Parties in 2001.

9. Budget Estimate for 2001

The Executive Secretary presented the budget estimate for 2001 (Annex 5).

The Committee reviewed the preliminary budget estimate of \$1,389,000 that noted the following:

- salary levels include a 2% economic increase. This is independent from the recent pay equity settlement granted to the Public Service Alliance of Canada.
- the meeting account has been itemized to reflect the reclassification of the November Scientific Council Shrimp Meeting from the inter-sessional meetings line item to the Annual/Scientific Meetings line item, as well as an increase in the inter-sessional meeting line item, to reflect a more realistic estimate.

- a new line item for the development of an automated system at the NAFO Secretariat for handling all hail and satellite tracking reports and their transmission to Contracting Parties with inspection presence in the NAFO Regulatory Area.

The Committee discussed in length the proposal to apply the pay equity settlement granted Canadian public service employees by the Treasury Board of Canada, following a 1998 ruling by the Canadian Human Rights Tribunal to certain clerical employees on the basis of Rule 6.1 of the Financial Regulations. As reflected in STACFAD WP 00/1, this would result in

- signing bonuses in the amount of \$6,000,
- clerical pay scale increases of approximately \$17, 933 paid to four clerical staff, and
- pay equity adjustment dating back to 1985 in the amount of \$190,651.

The representative from Canada questioned the applicability of these pay equity increases proposed for certain Secretariat clerical employees. Canada informed the Committee that the pay equity settlement only applies to specific federal government employees in specific job categories. It does not apply to agencies, contractors and the like. For information purposes Canada distributed STACFAD W/P 00/5 concerning Information on Pay Equity Agreement between the Treasury Board of Canada (TB) and the Public Service Alliance of Canada (PSAC) and STACFAD W/P 00/6 concerning information on Implementation of signing bonus re: Program and Administrative Services between TB and PSAC. The representative of Canada mentioned that the issue of pay equity also raises questions with respect to the classification of NAFO employees. Canada suggested that a review of the job descriptions be undertaken to determine fairness of remuneration. The representatives from the United States and the European Community concurred that, although the Committee acknowledged the Secretariat's discretion to grade and remunerate its employees as it saw fit, given the large amount of money involved in the settlement, the Committee would prefer as much transparency as possible.

Canada will undertake to review the job descriptions that will be provided by the NAFO Secretariat. The review will apply to those positions identified as being in the CR Category in STACFAD Working Paper 00/1. Canada will prepare a report outlining the review of its findings for the 2001 Annual Meeting and will circulate that report in advance of the Meeting, if possible.

The Committee remains committed to providing priority to resolving this issue at the next Annual Meeting.

Included in the budget estimate for 2001 are requests from Scientific Council for financial support (STACFAD W/P 00/2) which were discussed and the Committee amended as follows:

- a) Joint ICES/NAFO Symposium, August 2001 (\$8,000).
- b) NAFO Symposium on Deep-sea Fisheries, September 2001 (\$8,000).
- c) Assistant Executive Secretary at FAO & non-FAO Regional Bodies February 2001 (\$3,500).
- d) Assistant Executive Secretary and STACREC Chairman, CWP Session, New Caledonia, July 2001 (\$10,000).
- e) Website work and scanning of Scientific Council Journals (21 Volumes) and Scientific Council Studies (21 Volumes) (\$8,000).

The Committee in reviewing the requests emphasized that the funding for the attendance of the STACREC Chairman at the CWP Session is of an exceptional nature. STACFAD notes that this is

not a precedent for future funding and that Contracting Parties should ensure that appropriate funding is made available for such attendance.

Regarding the funding of Symposia in general, the Committee was concerned that proper procedures be put in place to ensure that i) funding could be recovered in the event that a Symposium was cancelled, after payment was made and that ii) an accounting be submitted by the recipient. The Committee requested that NAFO Secretariat develop such procedures and report back to STACFAD at the next Annual Meeting.

The Committee requested that any future requests for funding be supported by adequate documentation for STACFAD to make an informed decision.

The preliminary calculation of the 2001 billing is \$1,229,186 (Annex 6).

STACFAD recommended to the General Council that the budget of \$1,389,000 be adopted for 2001.

10. Preliminary Budget Forecast for 2002

STACFAD reviewed the preliminary budget forecast for 2002 of \$1,190,000 (Annex 7) and approved the forecast in principle. It was noted that the preliminary budget forecast for 2002 would be reviewed in detail during the 23rd Annual Meeting.

11. Time and Place of 2002 and 2003 Annual Meetings

The location of the Annual Meeting for 2001 is Cuba. The 2002 and 2003 Annual Meetings will be held in Halifax, Nova Scotia, Canada, unless an invitation to host the Annual Meeting is extended by a Contracting Party and accepted by the Organization.

The dates of the next Annual Meetings are as follows:

2001	-	Scientific Council	-	12-21 September
	-	General Council	-	17-21 September
	-	Fisheries Commission	-	17-21 September
2002	-	Scientific Council	-	11-20 September
	-	General Council	-	16-20 September
	-	Fisheries Commission	-	16-20 September

STACFAD recommended that the dates of the 2003 Annual Meeting be as follows:

2003	-	Scientific Council	-	10-19 September
	-	General Council	-	15-19 September
	-	Fisheries Commission	-	15-19 September

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

There were no items referred over from the General Council for the consideration of STACFAD.

13. Adjournment

The final session of the STACFAD meeting adjourned at 1600 hrs on 21 September 2000.

Annex 1. List of Participants

<u>Name</u>	<u>Contracting Party</u>
Edith Dussault	Canada
Victor Sarda Espinosa	Cuba
Lise Lind	Denmark (in respect of Faroe Islands and Greenland)
Fred Kingston	European Union
Serge Segura	European Union
Manfred Stein	European Union
Andrew Thomson	European Union
Yousuke Ochi	Japan
Yoshiharu Kashio	Japan
Richard Derkacs	Latvia
Halvard P. Johansen	Norway
M.G. Botvinko	Russian Federation
Gennady Gusev	Russian Federation
Vasyl Chernik	Ukraine
Nikki Brajevich	United States of America
Jean-Pierre Plé	United States of America
Deirdre Warner-Kramer	United States of America
Leonard I. Chepel	NAFO Secretariat
Stan M. Goodick	NAFO Secretariat
Forbes D. Keating	NAFO Secretariat

Annex 2. Agenda

1. Opening by the Chairman, G.F. Kingston (EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditor's Report
5. Meeting of the Pension Society
6. Review of Cost Implications of the Hail and Satellite Tracking Systems in the Regulatory Area
7. Administrative and Financial Statements for 2000 (July)
8. Review of Accumulated Surplus Account
9. Preliminary Budget Estimate for 2001
10. Preliminary Budget Forecast for 2002
11. Time and Place of 2002-2003 Annual Meeting
12. Other issues including any questions referred from the General Council during the current Annual Meeting
13. Adjournment

Annex 3. Travel and Meeting Costs Estimate for the NAFO Secretariat
(for information purposes only)
(STACFAD Working Paper 00/8)

(Canadian \$)

Travel Costs Estimate for NAFO Secretariat

<u>Meeting of FAO and Non-FAO Regional Fishery Bodies FAO Headquarters, Rome</u>	<u>Costs</u>	<u># of Staff</u>	<u>Total Cost</u>
Airfare	\$1,500		
Hotel	\$ 900		
Per Diem & Misc	<u>\$ 900</u>		
Total Travel Costs Estimate	<u>\$3,300</u>	x 1	= <u>\$3,300</u>
 <u>Inter-sessional Meeting – Brussels</u>			
Airfare	\$1,500		
Hotel	\$1,000		
Per Diem & Misc	<u>\$ 900</u>		
Total Travel Costs Estimate	<u>\$3,400</u>	x 2	= <u>\$6,800</u>
 <u>Inter-sessional Meeting – Copenhagen</u>			
Airfare	\$1,500		
Hotel	\$1,200		
Per Diem & Misc	<u>\$ 900</u>		
Total Travel Costs Estimate	<u>\$3,600</u>	x 2	= <u>\$7,200</u>
 <u>Inter-sessional Meeting – Washington</u>			
Airfare	\$ 600		
Hotel	\$1,300		
Per Diem & Misc	<u>\$ 700</u>		
Total Travel Estimate	<u>\$2,600</u>	x 2	= <u>\$5,200</u>
 <u>Inter-sessional Meeting – Spain</u>			
Airfare	\$1,500		
Hotel	\$1,200		
Per Diem & Misc	<u>\$ 900</u>		
Total Travel Estimate	<u>\$3,600</u>	x 2	= <u>\$7,200</u>

Meeting Costs Estimate for NAFO SecretariatIntersessional Meeting – NAFO Headquarters

Airfare	\$ 0		
Hotel	\$ 0		
Per Diem & Misc	<u>\$ 0</u>		
Total Meeting Costs Estimate	<u>\$ 0</u>	=	<u>\$ 0</u>

Intersessional Meeting – Dartmouth Holiday Inn

Hotel Rental	\$4,000		
Equipment Rental	\$ 500		
Phones/Fax Lines	<u>\$ 500</u>		
Total Meeting Costs Estimate	<u>\$5,000</u>	=	<u>\$5,000</u>

Annex 4. Schedule of Outstanding Contributions from Bulgaria and Romania

The following is a summary of outstanding contributions from Bulgaria and Romania:

	<u>Bulgaria</u>	<u>Romania</u>
1 January – 31 December 1982		\$2,700.75
1 January – 31 December 1983		11,000.00
1 January – 31 December 1984		11,483.06
1 January – 31 December 1985		12,688.81
1 January – 31 December 1986		11,784.09
1 January – 31 December 1987		15,273.97
1 January – 31 December 1988		14,189.50
1 January – 31 December 1989		16,618.05
1 January – 31 December 1990		17,875.65
1 January – 31 December 1991		20,060.56
1 January – 31 December 1992		18,702.14
1 January – 31 December 1993	18,109.12	17,473.10
1 January – 31 December 1994	14,893.10	14,893.10
1 January – 31 December 1995	16,614.28	16,614.28
1 January – 31 December 1996	15,944.93	15,944.93
1 January – 31 December 1997	15,002.75	15,002.76
1 January – 31 December 1998	16,121.90	16,121.89
1 January – 31 December 1999	16,267.88	16,267.87
1 January – 31 December 2000	16,842.79	16,842.79
	\$129,796.75	\$281,537.30

Annex 5. Budget Estimate for 2001

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Budget Estimate for 2000

(Canadian Dollars)

	Approved Budget for 2000	Projected Expenditures for 2000	Preliminary Budget Forecast for 2001	Budget Estimate for 2001
1. Personal Services				
a) Salaries	\$ 677,500	\$ 682,500	\$691,000	\$699,500 ^a
b) Superannuation and Annuities	73,500	73,500	74,000	76,000
c) Additional Help	1,000	1,000	1,000	1,000
d) Group Medical and Insurance Plans	52,000	57,000	52,000	57,500
e) Termination Benefits	23,000	34,000	21,500	23,000 ^b
f) Accrued Vacation Pay	1,000	1,000	1,000	1,000
g) Termination Benefits Liability	10,000	10,000	10,000	10,000
2. Travel	20,000	20,000	10,000	19,000 ^c
3. Transportation	1,000	1,000	1,000	1,000
4. Communications	60,000	57,000	60,000	60,000
5. Publications	28,000	29,000	37,000	37,000
6. Other Contractual Services	43,000	45,000	43,000	44,000
7. Materials and Supplies	30,000	30,000	30,000	30,000
8. Equipment	5,000	5,000	5,000	5,000
9. Meetings				
Annual General Meeting and Scientific Council Meetings	62,000	71,000	61,000	64,000 ^d
Inter-sessional Meetings	20,000	27,500	20,000	30,000 ^e
Symposium	50,000	16,000	15,000	15,000 ^f
10. Computer Services	50,000	16,000	15,000	15,000 ^g
11. Automated Hail System	-	-	-	200,000
	\$1,157,000	\$1,160,500	\$1,132,500	\$1,389,000

^a Contracts between the Treasury Board of Canada and the Public Service Alliance of Canada negotiated during the year included retro-active salary increases to June 1999. 1999. If approved by General Council, NAFO's projected salaries for the year 2000 will be 682,500. NAFO's salaries budget estimate for 2001 includes a 2% economic increase.

^b This figure is for 2001 credits and conforms with NAFO Staff Rule 10.4(a).

^c Travel costs for 2001 include i) the Assistant Executive Secretary to the February 2001 meeting of the Food and Agriculture Organization of the United Nations (FAO) and Non-FAO Regional Fishery Bodies or Arrangements and the associated Co-ordinating Working Party on Fishery Statistics (CWP) Intersessional Meeting at FAO Headquarters, Rome, Italy, ii) the Assistant Executive Secretary and the STACREC Chairman to the CWP 19th Session in Noumea, New Caledonia (9-13 July 2001) and iii) two staff members to the meeting of Directors and Executive Secretaries of the International Fisheries Commissions Pension Society re: pension scheme, April 2001, Vancouver, Canada.

^d This figure includes the cost for Annual Meeting, September 2001, Havana, Cuba and the Scientific Council Meeting, June 2001, Halifax, Canada, and the Scientific Council Shrimp Meeting, November 2001, venue to be determined.

^e General provision for inter-sessional meetings during 2001.

^f Contribution to the Joint ICES/NAFO Symposium, August 2001 and NAFO Symposium on Deep-sea Fisheries, September 2001.

^g The 2000 budget included \$35,000 for the automation of the hail system at NAFO Headquarters.

Annex 6. Preliminary Calculation of Billing for 2001

Preliminary calculation of billing for Contracting Parties
against the proposed estimate of \$1,389,000 for the 2001
financial year (based on 18 Contracting Parties to NAFO).
(Canadian Dollars)

Budget Estimate.....	\$1,389,000.00
Deduct: Amount from Accumulated Surplus Account.....	<u>159,814.00</u>
Funds required to meet 2001 Administrative Budget.....	<u>\$1,229,186.00</u>

60% of funds required = \$737,511.66
30% of funds required = 368,755.74
10% of funds required = 122,918.60

Contracting Parties	Nominal Catches for 1998	% of Total Catch in the Convention Area	10%	30%	60%	Amount Billed
Bulgaria	-	-	-	\$ 20,486.43	-	\$ 20,486.43
Canada ¹	493,576	59.28	\$77,195.83	20,486.43	\$437,196.88	534,879.14
Cuba	-	-	-	20,486.43	-	20,486.43
Denmark (in respect of Faroes and Greenland) ^{1,2}	97,555	11.72	15,257.71	20,486.43	86,436.36	122,180.50
Estonia	5,533	0.66	-	20,486.43	4,867.58	25,354.01
European Union	23,209	2.79	-	20,486.43	20,576.57	41,063.00
France (in respect of St. Pierre et Miquelon)	5,394	0.65	843.63	20,486.43	4,793.83	26,123.89
Iceland	6,572	0.79	-	20,486.43	5,826.34	26,312.77
Japan	3,000	0.36	-	20,486.43	2,655.04	23,141.47
Republic of Korea	-	-	-	20,486.43	-	20,486.43
Latvia	1,191	0.14	-	20,486.43	1,032.52	21,518.95
Lithuania	3,107	0.37	-	20,486.43	2,728.80	23,215.23
Norway ¹	1,340	0.16	-	20,486.43	1,180.03	21,666.46
Poland	148	0.02	-	20,486.43	147.51	20,633.94
Romania	-	-	-	20,486.43	-	20,486.43
Russian Federation	2,601	0.31	-	20,486.43	2,286.30	22,772.73
Ukraine	-	-	-	20,486.43	-	20,486.43
United States of America ¹	189,394	22.75	29,621.43	20,486.43	167,783.90	217,891.76
	832,620	100.00	\$122,918.60	\$368,755.74	\$737,511.66	<u>\$1,229,186.00</u>
Funds required to meet 1 January - 31 December 2001 Administrative Budget						<u>\$1,229,186.00</u>

¹ Provisional Statistics used when calculating 1998 nominal catches which have not been reported from some Contracting Parties.

² Faroe Islands = 8,345 metric tons
Greenland = 89,210 metric tons

Annex 7. Preliminary Budget Forecast for 2002
(Canadian Dollars)

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

1.	Personal Services	
	a) Salaries	\$ 707,000
	b) Superannuation and Annuities	80,000
	c) Additional Help	1,000
	d) Group Medical and Insurance Plans	59,000
	e) Termination Benefits	20,000 ^a
	f) Accrued Vacation Pay	1,000
	g) Termination Benefits Liability	10,000
2.	Travel	20,000 ^b
3.	Transportation	1,000
4.	Communications	60,000
5.	Publications	29,000
6.	Other Contractual Services	45,000
7.	Materials and Supplies	30,000
8.	Equipment	5,000
9.	Meetings	
	Annual General Meeting and Scientific Council Meetings	65,000 ^c
	Inter-sessional Meetings	30,000
10.	Computer Services	15,000
11.	Automated Hail System	<u>12,000^d</u>
		\$1,190,000

^a This figure is for 2002 credits and conforms with NAFO Staff Rule 10.4(a).

^b Travel costs for 2002 include i) two persons to meeting of Directors and Executive Secretaries of the International Commissions Pension Society re discussion of pension scheme for employees, April 2002 ii) the Assistant Executive Secretary's attendance at a sessional meeting of CWP and iii) the Executive Secretary's home leave to the Ukraine.

^c This figure includes the cost for Annual Meeting, September 2002 and the Scientific Council Meeting, June 2002, in Halifax, N.S., Canada and for Scientific Council Shrimp Meeting, November 2002.

^d Annual communication charge for X.25 line.

PART III

Report of the Standing Committee on the Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC)

1. Opening by the Chairman

The meeting was called to order by the Chairman, Dr Jean-Pierre Plé (USA) at 10.15 on 18 September 2000. The following Contracting Parties were present: Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Community (EC), France (in respect of St. Pierre and Miquelon), Iceland, Japan, Korea, Norway, and the United States of America (USA) (Annex 1). The Chairman warmly welcomed all delegates to the meeting.

2. Appointment of Rapporteur

Mr. Alan Gray (EC) was appointed rapporteur.

3. Adoption of Agenda

The Provisional Agenda was presented for adoption by delegates. Denmark (in respect of the Faroe Islands and Greenland) proposed to add discussion on the potential effect of the outcome of the discussions on Illegal, Unregulated and Unreported (IUU) Fishing, being held in the FAO, would have on NAFO. France (in respect of St. Pierre and Miquelon) proposed that relations between NAFO and other regional fisheries management organisations (RFMOs) should also be discussed. The EU wanted to raise the issue of double flagging of vessels. With the agreement to the inclusion of these items, the agenda was adopted (Annex 2).

4. Review of 2000 information on activities of non-Contracting Party vessels in the Regulatory Area

The Contracting Parties reported no sightings of non-Contracting Party vessels in the Regulatory Area thus far in 2000. In reply to a question from the Chairman on the overall level of surveillance, the EU and Canadian representatives noted that their respective surveillance efforts had not diminished.

The Committee agreed that the fact that there had been no sightings of non-Contracting Party fishing vessels in the Regulatory Area does not necessarily imply an absence of such activity. The EU representative noted that there was reason to believe that such activities were being undertaken and being reported as catches taken inside the Regulatory Area of other regional organizations. This could be addressed by the strengthening of co-operation and information exchange between regional organizations.

The Chairman concluded that although there were no reported sightings of non-Contracting Party vessels fishing in the Regulatory Area, the Contracting Parties must remain vigilant and continue efforts to deter non-Contracting Party fishing in the Regulatory Area.

5. Review of 2000 information on landings and transshipments of fish caught by non-Contracting Party vessels in the Regulatory Area

No Contracting Party reported any landings or transshipments by non-Contracting Party vessels in the Regulatory Area. However, the EU representative noted that there had been indications of

landings where there were doubts on the veracity of the origin of the fish landed. This could be due to misreporting of where the fish were caught. The Chairman again complimented Denmark (in respect of the Faroe Islands and Greenland) for the action that it had taken in 1999 to deny the attempted landing of fish from non-Contracting Party vessels. This action sent a strong message to these vessels of the measures they now faced.

6. Review of 2000 information on imports of species regulated by NAFO from non-Contracting Parties whose vessels have fished in the Regulatory Area

No Contracting Party reported any information on imports of species regulated by NAFO from non-Contracting Parties whose vessels fished in the Regulatory Area. The EU representative reported that although there had been no imports from non-Contracting Party vessels that fished in the NAFO area, investigations were underway in the EU regarding imports of uncertain origin, possibly from or via African states.

7. Reports by Contracting Parties on diplomatic contacts with non-Contracting Party Governments concerning fishing in the Regulatory Area

In accordance with the decisions taken by the General Council, diplomatic démarches were made to the non-Contracting Party governments whose vessels were sighted fishing in the Regulatory Area in 1999. Such démarches were made to Honduras, Belize, Sierra Leone, and Sao Tomé and Principe.

Canada reported on the contacts it had with Honduras regarding two vessels that were identified as being registered in that country. Honduras replied to this démarche, which was forwarded to the NAFO Secretariat (STACFAC Working Paper 00/1). In its reply, Honduras confirmed that the two vessels concerned, the "High Sierra" and the "Albri II" are not registered in Honduras.

The U.S. representative reported that the United States made the NAFO démarches to Belize and Sierra Leone. The reply from Belize confirmed that the "High Sierra" and the "Albri II" are not registered in Belize. No reply has been received from Sierra Leone.

The EU representative reported that a démarche was made to Sao Tomé and Principe regarding the vessels "Austral" or "Australia" in July, following the completion of the legislative process concerning the EU regulation implementing the NAFO Scheme. No reply has been received. However, inspection reports indicate that the registration of this vessel in Sao Tomé and Principe was of a temporary nature and has not been renewed. Nonetheless, this should not stop further contacts with Sao Tomé and Principe requesting that all vessels registered there should comply with the conservation measures applied in various RFMOs. The EU representative undertook to follow-up on the démarche made to Sao Tomé and Principe.

The Chairman noted that there are reasons to believe that Belize and Honduras fully understand the seriousness of the matter. The Chairman added there seemed to be improved co-operation with Belize, Honduras, Sierra Leone, and Panama and this seemed to indicate that the démarches made to these countries had been successful. France noted that although these countries may now be cooperating with NAFO, there is still concern regarding similar cooperation with other RFMOs, in particular with respect to non-Contracting Party fishing vessels flying the flag of Panama in the Convention Area of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR).

France (in respect of St. Pierre and Miquelon) raised a question about the flag status of the non-Contracting Party vessel, the "Austral", that was sighted in the North-East Atlantic Fisheries

Commission (NEAFC) area in 1999. The Chairman stated that at the 1999 Annual Meeting, STACFAC concluded that there were reasonable grounds to suspect that this vessel was without nationality. The Chairman then explained U.S. national measures regarding the treatment of stateless vessels engaged in large-scale driftnet fishing. He noted that under U.S. law such vessels could be assimilated and considered to be subject to U.S. jurisdiction. After boarding and inspection, such vessels may be arrested if it is determined that the vessel violated U.S. law. Current U.S. law does not extend to dealing with stateless fishing vessels that undermine NAFO conservation and management measures, but the need for such legislation was raised with Congress. Canada informed the Committee that it had national legislation that permitted it to board, inspect and arrest stateless non-Contracting Party vessels operating in the Regulatory Area. Norway reported that it was developing legislation to deal with stateless fishing vessels.

The Chairman prepared letters for signature by the NAFO President, to be sent to Belize, Honduras, Panama, and Sierra Leone. The letters note that there have been no sightings of non-Contracting Party vessels from any country. The letters go on to express satisfaction for their co-operation in this matter and urges them to co-operate in similar fashion with other organizations. The letters also bring to the attention of these countries the current information available on vessels previously sighted in the NAFO Regulatory Area. The letters are attached in Annex 3.

Regarding the request from France (in respect of St. Pierre and Miquelon) concerning contact and information exchange between NAFO and other RFMOs, the Chairman referred the Committee to STACFAC Working Paper 00/2, Information on non-Contracting Party Fishing Activities (by other International Organizations), which contained letters from the International Commission for the Conservation of Atlantic Tunas (ICCAT) and NEAFC. The Chairman noted that co-operation between NAFO and other RFMOs, and in particular with NEAFC, is a problem faced by RFMOs and highlighted the need to continue and improve information exchange and co-operation among RFMOs. ICCAT and NEAFC have requested that NAFO maintain an open exchange of information. The Chairman noted that such exchanges will benefit all three organizations.

Denmark (in respect of the Faroe Islands and Greenland) welcomed this action by other RFMOs and noted the problem of reconciling reported sightings in one RFMO and the reporting of catches from another regulated area. Such information exchange should be carried out when sightings are made and not left until the annual meeting of the respective organizations. This point was supported by Canada. The Committee agreed that the NAFO Secretariat should communicate with ICCAT, NEAFC, and CCAMLR and request that they share with NAFO information on sightings of non-Contracting Party vessels in their respective areas as soon as possible. The Committee also agreed that the NAFO Secretariat should share with these organizations such sightings in the NAFO Regulatory Area as soon as possible. The Chairman asked that members of NAFO that are also members of NEAFC to support better communication between these two organizations.

8. Review of the performance of the NAFO Scheme to deal with non-Contracting Parties fishing in the NAFO Regulatory Area

The Chairman noted that NAFO/GC Doc. 00/1, the 1999 Report to the General Council, presented a positive picture regarding the actions of Contracting Parties in the implementation of NAFO Scheme. It was also noted that the performance of the Scheme was aided by improvements in the information exchange with non-Contracting Party governments and other RFMOs.

The representative of the EU agreed that this gave a fair description of the situation and that NAFO should take pride in the Scheme as it set the precedent for other organizations.

The Chairman noted that point 4 from last year's recommendation had not been carried out and should be resubmitted to the General Council.

The Chairman also reminded the Committee that in 1999 the Committee recommended to the General Council that Contracting Parties should submit annual reports under paragraph 13 of the Scheme, including negative reports if appropriate.

9. Report and Recommendations to the General Council

STACFAC recommends to the General Council that:

- Démarches, in the form of letters signed by the President of NAFO be made to Belize, Honduras, Panama, and Sierra Leone.
- The Executive Secretary circulate, as soon as possible to the secretariats of ICCAT, NEAFC, and CCAMLR reports of non-Contracting Party fishing activity in the NAFO Regulatory Area, and request such organizations to share reports of non-Contracting Party fishing activity in their respective areas with NAFO.
- The Executive Secretary circulate NAFO/GC Doc. 00/1 to ICCAT, NEAFC, and CCAMLR.
- The Contracting Parties submit a report at the next Annual Meeting on what legal, administrative and practical action they have taken to implement the Scheme.
- STACFAC undertake to study the impact of the proposed International Plan of Action on Illegal, Unregulated and Unreported (IUU) Fishing on NAFO at its next Annual Meeting. (See discussion under Section 11.)

10. Election of Chairman and Vice-Chairman

The Chairman brought to Committee's attention that the terms of service of both the Chairman and the Vice-Chairman would soon expire. Mr Daniel Silvestre (France) (in respect of St. Pierre and Miquelon) was elected Chairman for the next two years. Ms Nadia Bouffard (Canada) was elected Vice-Chairman for the next two years. The Committee thanked the current Chairman for his work during the past five years and wished him well on his new assignment.

11. Other matters

1) Illegal, Unregulated and Unreported (IUU) Fishing - effect of work in FAO on NAFO

It was agreed that STACFAC should review the outcome of the FAO meetings concerning the development of a proposed International Plan of Action on IUU Fishing with a view to determining whether follow-up action within NAFO is appropriate. The Committee is confident that the FAO is well aware of developments in NAFO on this subject.

2) Double flagging agreements

The EU representative informed the Committee of information that his delegation had received regarding commercial operators within a Contracting Party actively seeking approval to operate under a double flagging arrangement. This would permit the operators to carry out fishing activities under two flags in order to make the most possible use of quotas of different Contracting Parties. The EU representative expressed concern about any such practice, which, if it were to

emerge, would lead to these vessels being considered stateless under international law. In such cases, these vessels may be subject to the NAFO Scheme, as amended in 1999.

All other members of the Committee shared this concern and shared the view that greater vigilance and clarity of the facts are required. The Chairman concluded that the double flagging issue, if confirmed, would violate international law. This practice raised the possibility of undermining NAFO Conservation and Enforcement Measures. It was also noted that this is an issue that might go beyond the remit of STACFAC. The Committee notes that all Contracting Parties should respect the provisions of Article 92 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

12. Adjournment

The Committee adjourned at 13.45 on Wednesday, 20 September 2000.

Annex 1. List of Participants

<u>Name of Participant</u>	<u>Contracting Party</u>
Nadia Bouffard Allison Saunders	Canada "
Einar Lemche	Denmark (in respect of the Faroe Islands and Greenland)
Emanuel Rosing Andras Kristiansen	" "
Friedrich Wieland Alan Gray Isabel Aragon Sonja Feldthaus	European Community " " "
Daniel Silvestre Valérie Sinquin	France (in respect of St. Pierre and Miquelon) "
Kolbeinn Árnason	Iceland
Kengo Tanaka Saori Nagase	Japan "
You-Sub Jung Sang-Jung Yoo	Korea "
Stein Owe	Norway
Gene Martin Jean-Pierre Plé	United States of America "

Annex 2. Agenda

1. Opening by the Chairman, Dr J-P Plé (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of 2000 information on activities of non-Contracting Party vessels in the Regulatory Area
5. Review of 2000 information on landings and transshipments of fish caught by non-Contracting Party vessels in the Regulatory Area
6. Review of information on imports of species regulated by NAFO from non-Contracting Party whose vessels have fished in the NAFO Regulatory Area
7. Reports by Contracting Parties on diplomatic contacts with non-Contracting Party Governments concerning fishing the Regulatory Area
8. Review of the performance of the NAFO Scheme to deal with non-Contracting Parties fishing in the NAFO Regulatory Area
9. Report and Recommendations to the General Council
10. Election of Chairman and Vice-Chairman
11. Other matters
 - 1) Illegal, Unregulated and Unreported (IUU) Fishing – effect of work in FAO on NAFO
 - 2) Double flagging agreements
12. Adjournment

Annex 3. NAFO Letters

Address
Foreign Minister of Belize

Dear Mr. Minister:

I have been instructed by all members of the Northwest Atlantic Fisheries Organization (NAFO) present at its 22nd Annual Meeting to note that NAFO is encouraged that no new vessels registered in Belize, or any other Non-Contracting Party, have thus far been observed fishing in the NAFO Regulatory Area during 2000.

I wish also to express the satisfaction of all NAFO members for the cooperation of your government to counter Non-Contracting Party fishing activities in the NAFO Regulatory Area. NAFO would appreciate your continued cooperation to deter any such fishing activity in the future by vessels flying the flag of Belize, and urges you to cooperate in similar fashion with other regional fisheries management organizations. In particular, NAFO asks that Belize remain vigilant concerning any attempt to misuse the flag of Belize in order to undermine NAFO conservation and management measures.

In this regard, NAFO draws your particular attention to the vessels "Austral" (also known as the "Australia"), the "High Sierra" (also known as the "Albri II"), "Porto Santo", and "Santa Princesa", all of which had previously been identified by NAFO as flying the flag of a Non-Contracting Party while fishing in the NAFO Regulatory Area. In addition, as a result of conflicting information regarding their nationality, NAFO determined at its 21st Annual Meeting that there are reasonable grounds for suspecting that the vessels "Austral"/"Australia" and the "Albri II"/"High Sierra" are vessels without nationality. NAFO would be grateful that you notify the organization if any of the above mentioned vessels attempt to register in Belize.

On behalf of the Contracting Parties to NAFO present at its 22nd Annual Meeting, September 18-22, 2000: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre and Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, the Russian Federation, Ukraine and the United States of America.

(DATE)

E. Oltuski
President and
Chairman of the General Council

Address

Foreign Minister of Honduras

Dear Mr. Minister:

I have been instructed by all members of the Northwest Atlantic Fisheries Organization (NAFO) present at its 22nd Annual Meeting to note that NAFO is encouraged that no new vessels registered in Honduras, or any other Non-Contracting Party, have thus far been observed fishing in the NAFO Regulatory Area during 2000.

I wish also to express the satisfaction of all NAFO members for the cooperation of your government to counter Non-Contracting Party fishing activities in the NAFO Regulatory Area. NAFO would appreciate your continued cooperation to deter any such fishing activity in the future by vessels flying the flag of Honduras, and urges you to cooperate in similar fashion with other regional fisheries management organizations. In particular, NAFO asks that Honduras remain vigilant concerning any attempt to misuse the flag of Honduras in order to undermine NAFO conservation and management measures.

In this regard, NAFO draws your particular attention to the vessels "Austral" (also known as the "Australia"), the "High Sierra" (also known as the "Albri II"), "Porto Santo", and "Santa Princesa", all of which had previously been identified by NAFO as flying the flag of a Non-Contracting Party while fishing in the NAFO Regulatory Area. In addition, as a result of conflicting information regarding their nationality, NAFO determined at its 21st Annual Meeting that there are reasonable grounds for suspecting that the vessels "Austral"/"Australia" and the "Albri II"/"High Sierra" are vessels without nationality. NAFO would be grateful that you notify the organization if any of the above mentioned vessels attempt to register in Honduras.

On behalf of the Contracting Parties to NAFO present at its 22nd Annual Meeting, September 18-22, 2000: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre and Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, the Russian Federation, Ukraine and the United States of America.

(DATE)

E. Oltuski
President and
Chairman of the General Council

Address
Foreign Minister of Panama

Dear Mr. Minister:

I have been instructed by all members of the Northwest Atlantic Fisheries Organization (NAFO) present at its 22nd Annual Meeting to note that NAFO is encouraged that no new vessels registered in Panama, or any other Non-Contracting Party, have thus far been observed fishing in the NAFO Regulatory Area during 2000.

I wish also to express the satisfaction of all NAFO members for the cooperation of your government to counter Non-Contracting Party fishing activities in the NAFO Regulatory Area. NAFO would appreciate your continued cooperation to deter any such fishing activity in the future by vessels flying the flag of Panama, and urges you to cooperate in similar fashion with other regional fisheries management organizations. In particular, NAFO asks that Panama remain vigilant concerning any attempt to misuse the flag of Panama in order to undermine NAFO conservation and management measures.

In this regard, NAFO draws your particular attention to the vessels "Austral" (also known as the "Australia"), the "High Sierra" (also known as the "Albri II"), "Porto Santo", and "Santa Princesa", all of which had previously been identified by NAFO as flying the flag of a Non-Contracting Party while fishing in the NAFO Regulatory Area. In addition, as a result of conflicting information regarding their nationality, NAFO determined at its 21st Annual Meeting that there are reasonable grounds for suspecting that the vessels "Austral"/"Australia" and the "Albri II"/"High Sierra" are vessels without nationality. NAFO would be grateful that you notify the organization if any of the above mentioned vessels attempt to register in Panama.

On behalf of the Contracting Parties to NAFO present at its 22nd Annual Meeting, September 18-22, 2000: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre and Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, the Russian Federation, Ukraine and the United States of America.

(DATE)

E. Oltuski
President and
Chairman of the General Council

Address
Foreign Minister of Sierra Leone

Dear Mr. Minister:

I have been instructed by all members of the Northwest Atlantic Fisheries Organization (NAFO) present at its 22nd Annual Meeting to note that NAFO is encouraged that no new vessels registered in Sierra Leone, or any other Non-Contracting Party, have thus far been observed fishing in the NAFO Regulatory Area during 2000.

I wish also to express the satisfaction of all NAFO members for the cooperation of your government to counter Non-Contracting Party fishing activities in the NAFO Regulatory Area. NAFO would appreciate your continued cooperation to deter any such fishing activity in the future by vessels flying the flag of Sierra Leone, and urges you to cooperate in similar fashion with other regional fisheries management organizations. In particular, NAFO asks that Sierra Leone remain vigilant concerning any attempt to misuse the flag of Sierra Leone in order to undermine NAFO conservation and management measures.

In this regard, NAFO draws your particular attention to the vessels "Austral" (also known as the "Australia"), the "High Sierra" (also known as the "Albri II"), "Porto Santo", and "Santa Princesa", all of which had previously been identified by NAFO as flying the flag of a Non-Contracting Party while fishing in the NAFO Regulatory Area. In addition, as a result of conflicting information regarding their nationality, NAFO determined at its 21st Annual Meeting that there are reasonable grounds for suspecting that the vessels "Austral"/"Australia" and the "Albri II"/"High Sierra" are vessels without nationality. NAFO would be grateful that you notify the organization if any of the above mentioned vessels attempt to register in Sierra Leone.

On behalf of the Contracting Parties to NAFO present at its 22nd Annual Meeting, September 18-22, 2000: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre and Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, the Russian Federation, Ukraine and the United States of America.

(DATE)

E. Oltuski
President and
Chairman of the General Council