

SECTION V

(pages 73 to 80)

**Report of the STACTIC Working Group to Overhaul
the NAFO Conservation and Enforcement Measures****1-3 May 2001
Ottawa, Canada**

Report of the Meeting.....	75
1. Opening of the Meeting.....	75
2. Appointment of Rapporteur.....	75
3. Adoption of Agenda.....	75
4. Process for Conducting Review.....	75
5. Identification of redundancies and inconsistencies in the NAFO Conservation and Enforcement Measures.....	76
6. Review to be submitted to the NAFO Secretariat.....	76
7. Other business.....	77
8. Adjournment.....	77
Annex 1. List of Participants.....	78
Annex 2. Agenda.....	80
Annex 3. Inconsistencies/Redundancies in the NAFO Conservation and Enforcement Measures (STACTIC W.G. Working Paper 01/1).....	not attached

(Note: Annex 3 consisting of 115 pages has been distributed as a working paper to the heads of delegations of the General Council/Fisheries Commission and STACTIC Working Group only)

**Report of the STACTIC Working Group to Overhaul
the NAFO Conservation and Enforcement Measures**
(FC Doc. 01/8)

**1-3 May 2001
Copenhagen, Denmark**

The Working Group met in accordance with the decision taken by the Fisheries Commission at the 22nd Annual Meeting, September 2000 (FC Doc. 00/21, Part I, item 3.27).

1. Opening of the Meeting

The meeting was opened by the Chairman, Mr. David Bevan (Canada), who welcomed delegates to Ottawa. A list of participants is attached (Annex 1).

2. Appointment of Rapporteur

Mr. R. Steinbock (Canada) was appointed as Rapporteur.

3. Adoption of Agenda

The agenda was adopted with the following addition, new agenda item 4 – "Process for Conducting Review" with consequential numbering changes to the remainder of the agenda (Annex 2).

4. Process for Conducting Review

The Chairman reviewed the mandate of the STACTIC Working Group as one of identifying the redundancies and inconsistencies in the current NAFO Conservation and Enforcement Measures (NCEM) and to provide a report to the Fisheries Commission by June 30, 2001. Delegates agreed that the purpose of the exercise was to identify these ambiguities to improve the coherence and overall comprehensibility of the text of the NCEM and not to develop or introduce new provisions.

After discussions on the substance of redundancies and inconsistencies under agenda item 5, the meeting revisited the process for conducting the review. It was agreed to take sufficient time for this exercise and that it was important not to mix this exercise with the usual STACTIC activity. The meeting agreed on the following two-step process to ensure that proposed changes to the text of the NCEM are carefully considered and tracked.

- 1) To transform STACTIC WG WP 01/01 Revised (Annex 3) by the NAFO Secretariat into a new document with the left column showing the reordered NCEM according to the agreed assignments as well as a sequential numbering of the current annexes, and a blank right column for comments for redrafting. It was estimated that this task could take two weeks. The Secretariat report and the Rapporteur's report would be sent to the Fisheries Commission by June 30.
- 2) To proceed with the project to revise the NCEM in concurrence of STACTIC/ Fisheries Commission at the 23rd Annual Meeting as follows:

- i) To designate a small drafting group to review the document for overall consistency and prepare a redraft to be sent to Contracting Parties. The Secretariat report would be sent electronically to this drafting group.
- ii) To convene an intersessional meeting of the drafting group during the October-December 2001 period to recommend changes to the text of the NCEM to improve its coherence for consideration by STACTIC W.G. in 2001, and by STACTIC and the Fisheries Commission during the Annual Meeting in 2002.

The meeting also considered a process to avoid the future introduction of Fisheries Commission decisions that may be inconsistent with the revision that is eventually adopted for the NCEM. It was recognized that one could not preclude ad hoc solutions that are sometimes developed in haste by the Fisheries Commission. The meeting agreed that there was a need for a process to integrate new provisions into a revised NCEM in a rational and consistent way. It was suggested that this could be achieved after the fact or before the fact through more careful consideration and formulation of proposals on where new provisions should properly fit. It was suggested that the above-noted drafting group recommend to the Fisheries Commission a link between the Fisheries Commission's decisions and subsequent integration of the measure(s) into the NCEM.

5. Identification of redundancies and inconsistencies in the NAFO Conservation and Enforcement Measures

Canada submitted a discussion document entitled "Proposed Changes to Conservation and Enforcement Measures". After an explanation of the format and content of the document, the meeting agreed to use the document to guide and facilitate its discussions.

Following a proposal by the EU, it was agreed to consider a table of contents which might be considered for reorganizing and restructuring the current NCEM. The meeting elaborated and agreed on the chapters and sub-items to be included in the table of contents. It was agreed to also include sections on introduction and scope as well as on definitions to cover the various terms currently defined in the NCEM. It was also agreed to streamline the various schedules and annexes under one category - Annexes and number them sequentially. The table of contents as agreed is contained in Annex 3.

The meeting considered the appropriate assignment of the provisions of the current NCEM and agreed on a notional reorganization of the NCEM according to the table of contents. This discussion resulted in a consensus text which is attached in STACTIC WG WP 01/01 Revised - "Inconsistencies/Redundancies in the NAFO Conservation and Enforcement Measures" (Annex 3). It was agreed that this document would also be headed with "Discussion Document Only". It was noted that some annexes may be redundant and no longer necessary but it was agreed to maintain the present text for further reflection. It was agreed that the assignment remains notional and may require further reflection by Contracting Parties.

6. Review to be submitted to the NAFO Secretariat

It was agreed that the document prepared by the NAFO Secretariat and the Rapporteur's Report would be submitted to the Fisheries Commission by June 30, 2001.

7. Other Business

There was no other business.

8. Adjournment

The meeting adjourned on Thursday, May 3, 2001 at 1040 am.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening by the Chairman, D. Bevan (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Process for Conducting Review
5. Identification of redundancies and inconsistencies in the NAFO Conservation and Enforcement Measures
6. Review to be submitted to the NAFO Secretariat
7. Other business
8. Adjournment