

SECTION VII

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**Report of the Standing Committee on
International Control (STACTIC)****26-28 June 2001****Halifax, N.S., Canada**

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(FC Doc. 01/10)

**26-28 June 2001
Halifax, N.S., Canada**

STACTIC 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 3.28).

1. Opening of the Meeting

The Chairman, Mr. David Bevan (Canada), opened the meeting at 10.10 on 26 June 2001. Representatives from the following Contracting Parties were present: Canada, Denmark (in respect of the Faroe Islands and Greenland), Estonia, the European Union, Iceland, Japan, Norway, Russian Federation and the United States. A list of participants is given at Annex 1.

2. Appointment of Rapporteur

Mr. Wayne Evans (Canada) was appointed rapporteur.

3. Adoption of the Agenda

Following the addition to the agenda of three sub-items under "Other matters" by the representative of the European Union and one agenda item by the Secretariat re Automated System/VMS update (Mr. Engesaeter-Consultant), it was agreed to adopt the agenda as amended (Annex 2).

4. Report by NAFO Consultant on the NAFO Secretariat Automated System/VMS update

Mr. Engesaeter gave a brief update on the steps being taken by the selected Provider, Trackwell of Iceland, and the Secretariat to implement, as per Fisheries Commissions instructions, a VMS data system by July 1, 2001. The contract with the provider was signed June 22, 2001 and after a delay of one week due to the new version of Unix and shipping difficulties, installation will go ahead during the first week of July, 2001. No further delays are anticipated. The Chairman thanked Mr. Engesaeter for his work to date on this project.

5. Consideration of possible measures for protection of juvenile fish

The representative from Canada indicated that Canada would be presenting four proposals for possible measures to improve protection of juvenile fish.

In introducing the first proposal regarding depth restrictions relating to the Greenland halibut fishery, the representative from Canada called upon Dr. David Kulka, Canada, to give a presentation on the relationship between water depth and the size of Greenland halibut. This presentation, which had also been given at the June, 2001 meeting of the Scientific Council, demonstrated that there is a higher relative abundance of juvenile Greenland halibut in shallower water, i.e. less than 700 meters.

The representative of Canada proceeded to review the recommendations made by the Scientific Council in 1999 and 2000 regarding the need for STACTIC to examine proposals for the

protection of juvenile fish. The first Canadian proposal (STACTIC W.P. 01/1) is to implement a depth restriction prohibiting the fishing of Greenland halibut at depths less than 700m. The analysis presented by the Canadian representative indicated that such a restriction would be effective in minimizing the capture of juvenile fish but would not place undue hardship on the viability of the Greenland halibut fishery. Canada provided 47 coordinates to delineate the 700m depth contour in 3LMNO.

The representative of the European Union indicated that it was necessary to determine whether, and to what extent, problems concerning both outtake of juvenile fish as well as bycatches of moratoria species existed. He also pointed out that the Scientific Council has not yet replied to a request for advice on the distribution of fishable biomass of Greenland halibut in different depth strata. He considered this advice to be necessary for the determination of further action. He also queried whether the proposed coordinates were meant to be a sanctuary, how mixed fisheries, in waters depths above 700m would be dealt with and how a possible depth restriction could be adequately controlled. The representative from Japan noted that there is insufficient scientific advice to support the proposed depth restrictions. He added that measures aimed at the protection of fish must be balanced by practical considerations relating to the viability of commercial fisheries.

The representative of the United States expressed general support for the Canadian proposal but noted that further discussions with the rest of the U.S. delegation to review the coordinates would be required prior to the September meeting.

The Chairman concluded the discussion by suggestion that this issue is scheduled to be discussed by the Scientific Council and that they will review the distribution of Greenland halibut in different depth strata early in the week of the annual meeting so that their advice will be available to STACTIC during its meeting. It was agreed that the depth restriction proposal would be revisited by STACTIC at the next annual meeting in September 2001.

The second Canadian proposal (STACTIC W.P. 01/5) dealt with a possible enhancement of the closed area for the 3M shrimp fishery. Canada's initial proposal had been to expand the current 3M shrimp closure from the 300m depth contour to the 450m depth contour and to extend the closure from the current June 1 to September 30 to a year round closure. Recognizing that this would require a major alteration to current fishing activity, however, Canada amended its proposal to one that would retain the coordinates of the current closed area while extending the time period of the closure to the entire year.

The Norwegian representative indicated that he was encouraged by the amended Canadian proposal, as it would have less severe implications than the original proposal. He indicated, however, that while Norway may be able to agree to a longer closed period, they are not prepared to support a year-round closure at this time. He also enquired the possible meaning of "juvenile shrimp", and suggested that it could be appropriate to introduce a minimum size for shrimp. The representative from Denmark agreed with the Norwegian position on this issue. He also suggested that the possible use of a second sorting grid should be examined as an option to reduce the capture of juvenile shrimp.

The Chairman agreed that further debate is required regarding both fishing gear selectivity in the shrimp fishery and the length of the closure period for the closed area. He asked that Contracting Parties review these issues, including consultations with the fishing industry, and be prepared to further discuss this issue at the September, 2001 STACTIC meeting.

The third Canadian proposal dealt with the possible creation of a closed area on the Southeast Shoal area of the Grand Bank in Division 3N. This area has been identified by the Scientific Council as a nursery area for 3NO cod, 3LNO American plaice, 3LNO yellowtail flounder and 3NO witch flounder. The Canadian representative indicated that there is increasing evidence that some vessels are conducting directed fisheries for moratoria species in the proposed nursery area.

The European Union questioned whether the closure proposed by Canada would apply to all fisheries. Canada confirmed that that would be the case.

The representative of the United States supported the proposal in principle but suggested further study by the Scientific Council might be warranted.

The representatives of the European Union and Japan noted that the Scientific Council had not made a recommendation with respect to an area closure. The representative from Canada acknowledged this but stated that the Scientific Council had only been asked to provide advice regarding the distribution of juvenile fish and had not been asked to comment on the appropriateness of an area closure.

The representative from the European Union stated that there are still many uncertainties regarding the Canadian proposal and that this matter should not be treated as an isolated matter. He also stated that the direction from the Fisheries Commission to STACTIC was to review options for the protection of juvenile Greenland halibut, not other species. The representative of Canada disagreed with this interpretation and quoted from the Fisheries Commission report from the 21st annual meeting which stated that "STACTIC shall review all management options by which catches of juvenile fish can be reduced..."

The Chairman suggested that the Fisheries Commission could be asked to consider the nature of the debate at STACTIC in September and, at their discretion, take a decision or provide further direction to STACTIC on this issue.

The fourth Canadian proposal related to the minimum mesh size for groundfish fisheries. The Canadian representative indicated that Canada, as the coastal state, increased its minimum otter trawl mesh size to 145mm in the mid 1990s. The Canadian proposal was that the minimum mesh size for groundfish trawls in the NAFO Regulatory Area be increased from 130mm to 145mm when fishing at depths less than 700 meters to allow for increased escapement of juvenile Greenland halibut and cod. After discussions Canada later agreed to withdraw this proposal from consideration at this meeting.

6. Restriction and regulation of by-catch of moratoria species

The representative from Canada presented a proposal relating to the possible adoption of new measures to protect flounder species and species under moratoria in the skate fishery, where these species are taken and reported as incidental catch. He reviewed the findings of the Scientific Council regarding the need to protect juveniles and reduce bycatch. He also presented data to demonstrate that vessels using larger mesh size (270-305mm) can effectively fish for skate while avoiding incidental catches of flounder. On the other hand, vessels using 130mm mesh experience excessive incidental catches of moratoria species. He expressed the opinion that information from observer reports could be seen as evidence that some vessels using 130mm mesh in the skate fishery are actually directing for moratoria species. He also noted that catches of moratoria species far exceed the 5% limit both on a daily basis and an overall trip basis.

The Canadian proposal calls for the establishment of a minimum mesh size for skate of 305mm for the cod-end and 254mm for all other parts of the trawl.

The representative from the European Union stated that more analysis is required to determine whether or not there is a real problem with excessive by-catches of moratoria species at this time. He noted that new measures were put into place in 2000 to deal with the incidental catch issue. These measures require vessels to move to a new fishing area when incidental catches exceed the specified limits. He stated that the effectiveness of these measures should be reviewed before serious consideration can be given to the adoption of new measures to deal with the same issue. The representative of Japan agreed on this point.

The representative from Denmark (in respect of the Faroe Islands and Greenland) questioned why the Canadian proposal specifies two mesh sizes, one for the cod-end and another for the rest of the trawl. The Canadian representative responded that requiring 305mm in the entire trawl would significantly affect the catch of skate due to escapement in the wings of the trawl and that the proposed mesh sizes have proven effective in reducing by-catch without reducing skate catch.

The representative of the European Union stated that while the objective of the Canadian proposal is laudable, the rationale behind the particular mesh sizes (305mm and 254mm) proposed is not clear. The representative from Canada responded by stating that the proposed mesh sizes were selected on the basis of test conducted by Canadian vessels in the mid 1990's. He undertook to provide copies of the test reports to the NAFO Secretariat for distribution to the Contracting Parties.

The representative of the United States expressed support in principle for the Canadian proposal but stated that they would like to review the reports on tests conducted by Canada before making a final judgment.

The representative of Russia questioned whether the Canadian proposal would apply only to trawl fisheries. The Canadian representative stated that while only trawl fisheries are currently being conducted in the NRA, in Canadian waters the proposed mesh sizes apply to both trawl and gillnet fisheries.

The Chairman suggested that since there was no consensus reached regarding the Canadian proposal, and as the Canadian information will be provided after this Meeting, this issue could be revisited at the next annual meeting of STACTIC in September. This was agreed to.

7. Confidential treatment of the electronic reports and messages transmitted to the NAFO Secretariat

The representative of Denmark (in respect of the Faroe Islands and Greenland) introduced STACTIC Working Paper 00/19 regarding the confidentiality and security of electronic haul reports and messages.

The representatives of the European Union, Norway, Iceland, and Russia stressed the importance of confidentiality and indicated support for the Denmark proposal. The representative of Norway however noted that the current draft of the working paper would not allow Contracting Parties that do not have an inspection presence in the NRA to have access to port inspection reports.

The representative from Canada questioned whether fishing vessel position information would be provided to Contracting Parties conducting surveillance prior to the actual arrival of the surveillance platform in the NRA. He emphasised that access to this information is essential for

effective planning of patrol activities. Other Contracting Parties indicated that the Canadian concerns can be accommodated under a model similar to the one currently employed in NEAFC.

The Canadian representative indicated that he will reserve judgement on the Denmark proposal pending a visit of Canadian representatives to the NEAFC headquarters for a review of the NEAFC system (to be completed prior to the September 2001 NAFO meeting).

The representative of Denmark agreed to review STACTIC Working Paper 00/19 based on the comments received at this meeting and to submit a revised proposal at the September meeting.

8. Program for Observers and Satellite Tracking for shrimp in Division 3M

The representative of Iceland introduced STACTIC Working Paper 01/8 (Ideas for an alternative observer program regarding shrimp fisheries in Division 3M). He reviewed Iceland's reasons for objecting to 100% observer coverage and invited other Contracting Parties to comment on the alternative observer program proposed in the Icelandic working paper.

The representative of Norway concurred with Iceland's view that 100% observer coverage was not necessary in the 3M shrimp fishery.

The representative of the European Union stated that observers and VMS are to be reviewed over the coming year with possible changes to be implemented by 2003. He emphasized the need for a systematic review and cautioned against isolated exceptions for different fisheries.

The representative from Denmark noted that there have been difficulties in ensuring that bycatch is recorded correctly in the shrimp fishery and there have also been problems with highgrading. These issues are best dealt with by observers. The representative from Iceland responded by noting that bycatch information from Icelandic observers has been provided to the Scientific Council and that this data indicates very low bycatches in the shrimp fishery.

The representative of Canada stated that Canada is willing to examine any proposals that might lead to improved compliance. He noted however that a number of issues are not addressed by the Icelandic proposal, e.g. analysis of the 20% coverage level, procedures for the comparison of observed and non-observed vessels, measures to prevent unobserved shrimp vessels from participating in other fisheries and sanctions to deal with non-compliance.

The Representative of Iceland indicated that Iceland will be submitting a formal proposal regarding an alternative observer program at the September annual meeting.

9. Report to the Fisheries Commission

It was agreed that this Report with relevant working papers and the annexes would form the report to the Fisheries Commission.

10. Other matters

a) The use of observer information for scientific purposes

The representative of the European Union referred to Scientific Council document 00/23 (Harmonized NAFO Observer Program Data System Proposal) which was adopted by the Fisheries Commission in 2000. He stated that certain elements of this document need to be revisited, e.g. confidentiality and identification of data elements required for scientific purposes.

The representative of the European Union also referred to STACTIC Working Paper 00/10 (NAFO Observer Manual Proposal by the European Union) that was presented at the June, 2000 meeting of STACTIC. He expressed the view that there continues to be the clear need for an observer manual which would include details on a working schedule for observers, electronic data flow to the NAFO Secretariat and scientific data requirements. After some discussion the representative of the EU stated that the European Union will review this issue and will submit proposed amendments to SCS 00/23 at the September annual meeting. The European Union may also submit a proposal for an observer manual.

b) Chartering arrangements

The representative of the European Union expressed concerns about the current chartering arrangement and stated that it was the position of the European Union that the pilot project should not continue beyond the current year. He stressed that, in principle, there should be a genuine link between the vessel and the quota beneficiary. Furthermore the 100 days of 3M shrimp should in no case be transferable.

The representative of Norway agreed with the European Union's general concern and added that the effort allocation scheme for shrimp was not meant to allow Contracting Parties with no track record in the shrimp fishery to sell or barter the 100 days of 3M shrimp fishing effort for business purposes. The allocation of 100 days was to allow Contracting Parties to participate and develop a shrimp fishery. Iceland agreed with the Norwegian observation regarding chartering arrangements in the 3M shrimp fishery.

c) Report of the STACTIC Working Group to overhaul the NAFO Conservation and Enforcement Measures

The representative of the European Union thanked Canada for the meeting in Ottawa from May 1-3, 2001 saying it was a good meeting with tangible results. He asked the Secretariat to make copies of STACTIC W.G. W.P. 01/1- Inconsistencies/Redundancies in the NAFO Conservation and Enforcement Measures available to all Contracting Parties, some of which were not represented at the Ottawa meeting. The Chairman noted that STACTIC will be asked to validate the framework during the meeting in September, 2001. He hoped that all Contracting Parties would review the document W.G. W.P. 01/1 and be prepared to accept it or offer suggestions on improvements to the framework and how to proceed with the project.

11. Adjournment

The Report was adopted by STACTIC, and the meeting adjourned at 10.10 on 28 June 2001.

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Annex 2. Agenda

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