

SECTION II

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**Report of the Special Meeting of the Fisheries Commission
and its Subsidiary Body (STACTIC)
29 January – 01 February, 2002
Helsingør, Denmark**

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Report of the Special Meeting of the Fisheries Commission

(FC Doc. 02/8)

29 January - 01 February 2002

Helsingør, Denmark

The Meeting was held in accordance with the decision taken by the Fisheries Commission through mail consultation (GF/01-737 dated Oct. 22/01).

1. Opening Procedures (items 1-3 of the Agenda)

- 1.1 The meeting was called to order by the Chairman, Mr. Peter Gullestad (Norway), at 1600 hrs on January 29, 2002. Representatives from the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), Estonia, European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Latvia, Lithuania, Norway, Poland, Russian Federation, Ukraine, and United States of America (Annex 1).
- 1.2 Mr. Allan Maclean (Canada) was appointed Rapporteur.
- 1.3 The provisional agenda was reviewed and adopted (Annex 2). The following comments were noted:
 - Items 9.1 and 10.1 – “Reports of the Fisheries Commission Working Group on Statistics and the Special Fisheries Commission Meeting” at the request of the United States of America
 - Item 10.3 – “Working Group Report on Oceanic Redfish” at the request of the United States of America
 - Other Business - “Discussion on the Precautionary Approach and Continuation of Discussion on Allocation Issues” - at the request of the United States of America
- 1.4 A number of Contracting Parties expressed concern that given NAFO's decision to roll over the management measures for 2002, they had not prepared for issues other than those identified in the provisional agenda and they were also concerned about being able to implement new management measures in 2002.

2. Report of STACTIC June 2001 Meeting (item 4)

- 2.1 The Chair of STACTIC, Mr David Bevan, provided a report of the work undertaken by STACTIC at inter-sessional meetings in May and June 2001 (FC Docs. 01/8 and 01/10).
- 2.2 He provided an update on the implementation of the automatic VMS system. While some Contracting Parties were still providing information in a manual manner, the system generally had been implemented. STACTIC agreed to correct a number of deficiencies in the system; a number of the elements in STACTIC WP 01/9 were accepted by STACTIC while other elements will require further review.
- 2.3 The Chair noted the proposal from Denmark which identified the issue of security and confidentiality of electronic reports and messages (STACTIC WP 01/15). It was **agreed that the ad hoc committee** on communications would review this issue and the remaining portions of STACTIC WP 01/9.

- 2.4 The Chair summarized the five proposals discussed at the June 2001 inter-sessional meeting with respect to the protection of juvenile fish and the reduction of excessive by-catch.
- Proposal to restrict directed fishing for Greenland halibut to a depth of 700 meters (STACTIC WP 01/1). It was agreed that STACTIC would **revisit the proposal at the annual meeting** based on further scientific advice;
 - Proposed expansion of the closed area for the 3M shrimp fishery (STACTIC WP 01/5). The initial proposal was to use a 450-meter depth contour as a means to describe the new closed area. This was rejected as most of the current fishing is prosecuted within the area proposed for the closure. It was agreed to **revisit the issue at the annual meeting** and to look at other means to protect juvenile shrimp in 3M. There was a suggestion that extension of the current time for the closure, using the existing 300-meter depth contour was one possibility and that other options could include more selective gear;
 - Proposed closed area on the Southeast Shoal of the Grand Banks with a view to protecting juvenile fish (STACTIC WP 01/2). The proposed closure would apply to all fisheries. This proposal was debated with no resolution and **referred to the annual meeting**;
 - Proposed increase in mesh size for groundfish to 145 mm (STACTIC WP 01/3). This proposal was **withdrawn** from consideration; and
 - Proposal to increase the skate mesh size to 305 mm with a view to protecting stocks under moratoria and juvenile fish (STACTIC WP 01/4). The data on vessels fishing for skate showed that the bulk of the catch often comprised several stocks under moratoria. After the June 2001 meeting, Canada had provided Contracting Parties with further information and data to support the justification for the 305-mm mesh size. This was **referred to the annual meeting** for further review.
- 2.5 With respect to the confidential treatment of electronic reports and messages (STACTIC WP 00/19), the Chair advised that it was agreed that Denmark and Norway would **redraft their respective papers** for presentation at the annual meeting.
- 2.6 The Chair described the discussion on the Icelandic ideas for an alternative observer program for shrimp fisheries in Division 3M (STACTIC WP 01/8) and that Iceland intended to make a formal presentation at the annual meeting.
- 2.7 He noted discussion on the use of observer data for scientific purposes (Scientific Council Document 00/23 and STACTIC WP 00/10). It had been agreed that the EU would submit a proposed amendment to STACTIC on Document 00/23 at the annual meeting.
- 2.8 With respect to chartering arrangements, a number of Contracting Parties indicated that they would not support their continuation.
- 2.9 He also reported on the STACTIC working group that met during May 1-3, 2001 with respect to the overhaul of the NAFO Conservation and Enforcement Measures.
- 2.10 The Chair concluded with two recommendations from STACTIC as follows:

- a small drafting group comprised of representatives of a few Contracting Parties to meet during 2002 to redraft the Conservation and Enforcement Measures in accordance with the table of contents developed at the May 1-3, 2001 Working Group meeting;
- the ad hoc committee on communications should meet inter-sessionally to undertake a more detailed study on the Danish proposal on the confidentiality issue, the data created by the VMS system as well as a technical proposal by Norway.

3. Possible Amendments to the Conservation and Enforcement Measures (item 5)

- 3.1 The Representative of Canada made a presentation to the Fisheries Commission which in his view identified a number of serious compliance issues in the NAFO Regulatory Area based on a detailed analysis of observer reports from 1999 and 2000 as well as a preliminary assessment of 2001 observer reports, Canadian surveillance information and VMS information. He advised that the presentation was intended to illustrate the rationale for the adoption of more effective management measures.
- 3.2 The presentation focused on directed fishing and excessive catches of moratoria stocks, exceeding quotas and misreporting of catch, directed fishing after a closure in 3L shrimp, the increased frequency of mesh size violations, increases in the issuance of citations of apparent infringements of the Conservation and Enforcement Measures and the non-submission or late submission of observer reports.
- 3.3 The Representative of Canada provided specific examples of each apparent infringement and noted that non-compliance in the NAFO Regulatory Area was increasing and that the impacts on stock recovery and growth were significant. He stated that the results of the Canadian analysis confirmed the detection capacity of the NAFO observer program. He expressed concern about the deterrence capacity of the enforcement programs of some Contracting Parties and the failure of many Contracting Parties to review their observer reports and respond to problems on a timely basis. He also noted significant discrepancies between observer reports and dockside inspections that needed to be resolved.
- 3.4 A number of Contracting Parties expressed concern and requested further information. The Representative of the European Union questioned the need to introduce additional management measures at this juncture and noted that the effects of the additional measures already introduced in 2000, i.e. the requirement to move fishing zone to avoid further by-catches of moratoria species, had not yet been properly assessed. Furthermore, he recalled that by-catches of moratoria species, which stayed within the prescribed limit of 5% under the currently applicable rules, were legitimate and deemed to have no adverse effects on the fish stocks concerned. Referring to the statement of the Scientific Council that "adherence to the NAFO by-catch would, in itself, contribute significantly to reducing by catches under moratoria" he concluded that the problem NAFO was confronted with was essentially one of control. If ever there were rogue vessels operating, these should be dealt with individually.
- 3.5 The Representative of Canada indicated that a detailed assessment of the 2001 fishery would be provided at the 2002 annual meeting and encouraged other Contracting Parties to conduct a similar analysis. He also indicated the desire to have the Fisheries Commission mandate STACTIC or a working group to regularly review observer reports, reports on non-compliance, to reconcile discrepancies between dockside inspection reports and observer reports, and to report its findings to the Fisheries Commission.

- 3.6 A number of working papers were presented as possible amendments to the Conservation and Enforcement measures:
- FC WP 02/5, Calculation of Incidental Catch Limits
 - 02/6 (revised), Proposal for an Alternative Observer Program
 - 02/8, Proposal to amend the NAFO Conservation and Enforcement Measures Regarding 3L Shrimp
 - 02/9, Depth Restrictions in the Greenland Halibut Fishery
 - 02/10, Closed Nursery Area for Groundfish
 - 02/11 Discussion Paper - Rules for By-catches and Undersized Fish
- 3.7 The Representative of Iceland made a formal presentation with respect to its proposal for an alternate observer program in shrimp fishing in Division 3M (FC WP 02/6 (revised)). He stated that Iceland has not supported 100% observer coverage in the 3M shrimp fishery since 1996 on the basis that it was not necessary in this fishery. While the fishery has increased since 1995, it has been conducted with little or no by-catch (1%) and there are no problems with high-grading. Under its proposal, vessels fishing in the area carry VMS and report to the monitoring and control of their flag State. The vessel would notify of its intention to enter the area and would report the catch onboard; the flag State would notify the NAFO Secretariat; and the vessel would transmit weekly catch reports. These reports would be sent to the Secretariat to permit a comparison of the catch and catch composition between vessels that have observers onboard and those without observers. This information would be transmitted to Contracting Parties that have an inspection presence in the area. This would allow Parties to see what vessels have different catches and catch composition. The advantages to using catch reporting would be the comparison between observed and unobserved vessels of catch on board, fish logs, landed catch, and other vessels fishing in the area. This would provide a system that was efficient enough to reduce the observer coverage in the 3M shrimp fishery.
- 3.8 There was considerable discussion on the Icelandic proposal. Some Contracting Parties saw benefits to reduced coverage but indicated that more information was necessary. Others expressed the view that since the entire observer program would be examined at the 2002 annual meeting, there was no reason for the 3M shrimp fishery to be treated in isolation. A number of Contracting Parties also raised concern about the loss of scientific information if there were a reduction in the level of observer coverage. The Representative of Iceland expressed his disappointment that his proposal was not agreeable to the Fisheries Commission and **FC WP 02/06 (revised) was withdrawn**. He stated that Iceland could not assure that they would continue to follow 100% observer coverage on a voluntary basis.
- 3.9 In reference to bycatch issues in FC WP 02/5 and FC WP 02/11, there was considerable discussion on how the by-catch rules were being applied and how to make them more understandable. It was **agreed to form a special working group** under STACTIC to modernize the Conservation and Enforcement Measures. The **issue was moved to the 2002 annual meeting** with a request to STACTIC to undertake a preliminary analysis.
- 3.10 In view of the over-fishing of 3L shrimp previously noted in the Canadian presentation, the Representative of Canada proposed an amendment to the NAFO measures with respect to 3L shrimp (FC WP 02/8) to restrict shrimp fishing in Division 3L to a total number of fishing days. He proposed that each Contracting Party be limited to 67t of shrimp or 14 fishing days - which ever came first. It was further proposed that Contracting Parties would report catches on a daily basis to the NAFO Secretariat. He also reiterated the need for the

current requirement that only one vessel fish shrimp in the NAFO Regulatory Area of Division 3L at one time.

- 3.11 There was considerable discussion on this proposal. Some Contracting Parties expressed concern that there were vessels fishing in excess of 100 days for 67mt of shrimp when catch rates were as high as 20mt per day. Other Contracting Parties stated that restrictions on days would impact on their activities as they fished with small vessels and had small catch rates. There was no consensus on the effort limitation and the proposal was withdrawn. It was **agreed** that Contracting Parties would report vessel catches to the NAFO Secretariat on a **daily basis**.
- 3.12 The Representative of Canada proposed the adoption of depth restrictions in the Greenland halibut fishery to depths greater than 700m, an increased mesh size in the skate fishery to 305mm (FC WP 02/9), and a closed area on the Southeast Shoal which is nursery area for certain flatfish stocks (FC WP 02/10). He advised that the three proposals represented a complementary package with a view to reducing bycatches and the harvest of juveniles and thus should be reviewed together as a package.
- 3.13 There was considerable discussion on the merits of a depth restriction. Some Contracting Parties expressed the view that the measure was unjustified and that it would be difficult to enforce. There was also concern regarding the ecological effects of this measure on stocks found in depths greater than 700m. A number of Contracting Parties found the proposed depth restrictions too extreme as a management measure. Following this discussion, the Representative of Canada revised the depth restriction proposal to restrict fishing for Greenland halibut to waters greater than 500m (FC WP 02/9 (Revised)). No consensus was reached on the matter and it was brought to a vote. The proposal was **not adopted** with three Contracting Parties voting in favour of the proposal (Canada, Japan, USA), six against (Estonia, European Union, France-SPM, Latvia, Lithuania, Poland) and six abstained (Cuba, Denmark, Iceland, Norway, Russia, Ukraine).
- 3.14 There was discussion on the request for a closure on the Southeast Shoal. Some Contracting Parties requested additional information on the proposal. The Representative of the European Union expressed concern that the proposed closure would shut off a significant portion of fishing area in international waters. He stated that it would appear that this area was more of a nursery area for yellowtail flounder and not American plaice. There was no consensus on this issue and the **proposal was withdrawn** by Canada.
- 3.15 There was considerable discussion on the proposal for a skate mesh size increase. Most Contracting Parties agreed that there were merits to a mesh size increase however the proposed size was questionable. Some Contracting Parties were concerned about the implementation date and suggested a phased approach. The Representative of the European Union proposed a modification of the proposal to increase the mesh to 280mm in the cod end (FC WP 02/13). Consensus was reached on this proposal and **FC WP 02/13 was adopted** with implementation in 2003 (Annex 3).
- 3.16 The Representative of the United States of America proposed to establish a regularized process to provide a transparent review of compliance issues (FC WP 02/14). She suggested that this could be undertaken through STACTIC on an annual basis which could report to the Fisheries Commission on issues with subsequent follow up action by Contracting Parties.

- 3.17 There appeared to be general agreement on this proposal but the text was redrafted as a working document to the Fisheries Commission report -

"the United States document is hereby transferred to STACTIC for scrutiny at its intersessional meeting in May, 2002. In this context, STACTIC was directed as follows:

- i) To initiate a process of annual review of compliance with NAFO rules and regulations;
- ii) To consider sections 6 and 7 of the aforementioned document as preliminary guidelines for its work; and
- iii) To make appropriate recommendations to the Fisheries Commission for consideration and decision at its 24th annual meeting in Spain in September 2002."

- 3.18 The Representative of the United States did not find this statement completely consistent with what had been discussed as she (Ms. P. Kurkul) believed the entire document would be provided as a preliminary guideline with particular note of sections 6 and 7 for the process in 2002 and she wished to have the report reflect her understanding.

4. Report of STACTIC at the Special Meeting (item 6)

- 4.1 The Chair provided an overview of the STACTIC meetings at the Special Meeting.

He identified the future work for STACTIC relating to two working papers, FC WP 02/05- Calculation of Incidental Catch Limits and 02/11-Discussion Paper on Rules for By-catch and Undersized Fish that had been adopted by the Fisheries Commission.

- 4.2 A proposal for a closed area on the Southeast Shoal of the Grand Banks was discussed. The discussion was inconclusive and was referred to the Fisheries Commission for decision or for further guidance.
- 4.3 A proposal to increase the mesh size for the skate fishery to 305mm was discussed at length. The proposal for the depth restriction **was referred back to the Fisheries Commission** without a recommendation.
- 4.4 A proposal for an alternative observer program was discussed and issues clarified as to what was intended by the working paper. After some discussion, it was suggested that Iceland would present a working paper to the Fisheries Commission, as modified by the discussions of STACTIC.
- 4.5 With respect to the STACTIC working group on the overhaul of the NAFO Conservation and Enforcement Measures, it **was agreed** to recommend a meeting of a **small drafting group** meet in July 2002 (the dates will be agreed between meeting parties) comprised of the United States, European Union and Canada, to redraft the conservation enforcement measures, in accordance with the table of contents developed at May 1-3, 2001 meeting.
- 4.6 It was indicated that Mr David Bevan was **re-elected** as Chairman of STACTIC.
- 4.7 The report of STACTIC was **adopted**, including the amendments in Annex 3. The Fisheries Commission agreed that STACTIC will meet in Copenhagen, Denmark, May 6-10, 2002 to discuss the items according to the STACTIC proposal (Part II, Annex 4).

5. Canadian Management Measures for Cod in Div. 2J3KL in 2001 (item 7)

- 5.1 There was considerable debate on Canada's decision to conduct a fishery for cod in Div. 2J3KL in 2001. Three Contracting Parties expressed displeasure with this decision and stated that it was inconsistent with the NAFO practice of having consistent measures inside and outside the Canadian zone. Misgivings were expressed that Canada not only fished over 5,000 tonnes last year but also once again has opened a cod fishery in this area, this time for a three-year period. The representative of the European Union stressed that the opening of this fishery was inconsistent with scientific advice and was done in disregard of concerns expressed on numerous occasions. As in previous years, there were neither any indications whatsoever to distinguish between different stock components for the inshore and offshore fisheries nor any justification of the decision in question. There was, therefore, in his view a clear and present danger that the Canadian measures would seriously undermine the efforts to ensure a long-term sustainability and the recovery of the stock.
- 5.2 The Representative of Canada stated that it was Canada's sovereign right to manage fisheries in its waters. He advised that the fishery would be conducted within 12-miles by inshore vessels, most less than 35 feet, with very strict limitations in place. The fishery is conducted to provide information on stock structure, distribution and age structure of the inshore component of this stock.

6. Summary of Scientific Advice by the Scientific Council (item 8)

- 6.1 The Chair of Scientific Council (shared by Mr. Bill Brodie and Mr. Ralph Mayo) drew the attention of delegates to three reports from Scientific Council: SCS Document 01/24, June 2001, 01/25, September 2001, and 01/26 from November 2001.
- 6.2 Advice for 2002
- | | |
|------------------------------|--|
| Redfish 3M | 3,000- 5,000mt - by-catch of juvenile redfish at lowest possible level |
| Yellowtail Flounder 3LNO | not to exceed 13,000mt |
| Squid (<i>Illex</i>) 3+4 | 19,000 - 34,000mt |
| Greenland Halibut 2 + 3KLMNO | not to exceed 2001 level of 40,000mt |
| Capelin 3NO | no advice available |
| Cod 3NO | no directed fishery, lowest possible by-catch |
| Redfish 3LN | no directed fishery, lowest possible by-catch |
| American plaice 3LNO | no directed fishery, lowest possible by-catch |
| Shrimp 3L | 6,000mt |
| Shrimp 3M | 45,000mt |

Scientific Council provided an interim report on 3M cod, 3NO with flounder and American plaice in 3M, with flounder in Div.2J, 3K, 3L and Squid (*Illex*) in SA 3 + 4. There were no changes from previous advice.

- 6.3 Scientific Council presented responses to special requests including requests for information on the distribution of American plaice and yellowtail flounder, the effect of increasing mesh size in the Greenland halibut fishery, the methodology for scientific research for stocks under moratoria, advice on redfish in Division 1F and adjacent ICES areas, the size and stock distribution of pelagic *Sebastes mentella* in the NAFO Convention Area (1F, 2GHJ, and 3K) and ICES Div. XIV, X11 and Va, and information on unregulated species/stocks in the Regulatory Area.

- 6.4 Scientific Council also provided information on the distribution of the fishable biomass of the main commercial species in relation to depth intervals of 100m, maturity at depth, the medium term development of several stocks under various assumptions and the distribution of fishable biomass for 3LNO shrimp. Scientific Council raised concern about the catch of juvenile fish, increased catches of species under moratoria and the non-submission of observer log records to NAFO. There were a number of questions for clarification and comments. The Representative of Norway expressed concern that a number of Contracting Parties had fished in excess of 100 days in Division 3L for 67mt of shrimp when their catch rates were approximately 20mt per day and questioned how increased catches could affect the advice provided and if there were changes in distribution of shrimp in Division 3L. Scientific Council indicated that it was still unclear if the quota had been exceeded and the stock appeared to be increasing. They also advised that the distribution remained relatively the same as previous years.
- 6.5 The Representative of Latvia commented that it appeared shrimp in Division 3M was underestimated.
- 6.6 The Representative of the European Union expressed the view that there was conflicting advice on Greenland halibut in relation to the exploitation of juveniles in this fishery.
- 6.7 The Representative of Denmark expressed concern that there was a lack of information for shrimp that would be available at the September meeting to provide advice on the 2003 fishery.

7. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2002 - Shrimp in Division 3M (item 9)

- 7.1 The Representative of Denmark (in respect of the Faroe Islands and Greenland) proposed a TAC and quota system in Division 3M (FC WP 02/02). Denmark noted the lack of support for its proposal and informed that it would not during this meeting further pursue the proposal and therefore withdrew it.
- 7.2 There was considerable discussion on the management measures for shrimp in Division 3M. A number of Contracting Parties expressed the desire to have a roll over of the management measures in this fishery from 2001 (75% of effort level) while others wanted a return to the 2000 management measures (90% of effort level). The Representative of Estonia proposed to have the management measure return to a 90% effort level (FC WP 02/16). After the first round of discussions, there was no consensus on the issue. Consequently, the Representative of Denmark (in respect of the Faroe Islands and Greenland) withdrew his proposal FC WP 02/12, but reserved the right to return to it at a later stage. During later discussions in a Heads of Delegations meeting, it became evident that a majority of the Contracting Parties could agree to the Estonian proposal (FC WP 02/16). As part of these discussions, the Representative of Denmark (in respect of the Faroe Islands and Greenland) offered to put proposal FC WP 02/12 back on the agenda. FC WP 02/16 was put to a vote. There were nine affirmative votes (Denmark-F&G, Estonia, European Union, Japan, Latvia, Lithuania, Poland, Russia, Ukraine) and six against (Canada, Cuba, France-SPM, Iceland, Norway, United States of America). The proposal was **adopted**. At this stage, Denmark (in respect of the Faroe Islands and Greenland) re-introduced FC WP 02/12, which was **adopted by** consensus.

8. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2002 (item 10)

Shrimp in Division 3LNO

- 8.1 The Representative of Denmark proposed a new sharing arrangement for shrimp in Division 3L in 2002 based on 93% historical catch, 3% on contribution to science, and 4% other (FC WP 3/02). This sharing proposal was the same as the one proposed for 3M shrimp. As there was no support for this proposal Denmark (in respect of the Faroe Islands and Greenland) informed that it would not during this meeting further pursue the proposal and therefore withdrew it. Furthermore, Denmark (in respect of the Faroe Islands and Greenland) expressed its disappointment that there was no support for its proposal and reserved its right to lodge an objection to any adoption regarding sharing of the 3L shrimp quota not taking into account the interests of Denmark (in respect of the Faroe Islands and Greenland).
- 8.2 There was considerable discussion on management measures for shrimp in Division 3L and it was **agreed** that the management measures that were in place relating to quota and sharing of the quota were **rolled over from 2001**. The quota was 6000mt with 5000mt available to Canada and 1000mt to other Contracting Parties (67mt per CP).

Greenland Halibut in Divisions 3LMNO

- 8.3 The Representative of the European Union expressed the view that the fishery could be conducted safely with a TAC of 44,000mt. Other Contracting Parties supported an increase from the current level of 40,000t. The Representative of Canada expressed concern in relation to the high catches of juveniles in this fishery and the bycatch of species under moratoria. He indicated that he could only support 40,000mt if measures were put in place to protect juveniles and reduce bycatches.
- 8.4 There was also concern raised about the accuracy of statistics supplied by Contracting Parties for this fishery and the large number of vessels fishing against the "Others quota" in this fishery. There was a need to ensure that Contracting Parties were working to ensure their catch reports were accurate.
- 8.5 The Representative of Denmark expressed concern over the footnote on the "Others quota" that states no more than 40% of catch by the first of May and 80% by the first of October. This stipulation would make fishing difficult for vessels with no other fishing opportunities. Thus he suggested that the footnote be amended. The Representative of France shared the Danish concern with respect to this footnote. He stated that he did not necessarily want the footnote deleted but maybe other options could be reviewed.
- 8.6 No consensus could be reached on the TAC for this fishery. The Representative of the European Union proposed an increase of the Greenland halibut TAC to 44,000mt (FC WP 02/18 (revised)). This proposal was put to a vote and was **adopted** with eight Contracting Parties in favour (Estonia, European Union, Japan, Latvia, Lithuania, Poland, Russia, Ukraine), six against (Canada, Cuba, Denmark-F&G, Iceland, Norway and the United States of America) and one abstention (France-SPM).

Redfish in Division 1F

- 8.7 The Representative of Canada introduced a proposal for a cooperative management approach between NAFO and NEAFC with respect to oceanic redfish (FC WP 02/7 - NAFO Management of Pelagic *Sebastes mentella* (Oceanic Redfish) in the NAFO Convention Area). There had been discussions on Oceanic Redfish at the Special Fisheries Commission Meeting in March 2001. It had been agreed to apply the NEAFC allocation on an interim basis for 1F redfish in 2001 and to otherwise use the NAFO Conservation and Enforcement Measures. Information received since then had prompted Canada to review this decision. In 2000 there was a substantial fishery in 1F and this continued in 2001. In 2001 the fishery moved further westward into Divisions 2J and 2H. There appeared to be a few thousand tonnes of redfish harvested outside Division 1F in the NRA in 2001.
- 8.8 ICES had indicated that the stock component in the upper water column has a higher distribution in the NAFO Regulatory Area than that which occurs in the NEAFC Convention Area. The Representative of Canada indicated that the distribution extends westward into Canada's fishing zone. As a result, the Representative of Canada proposed a sharing of the quota 75% to the coastal States and 25% to other Contracting Parties.
- 8.9 The Representative of Denmark (on behalf of Greenland) indicated that as a coastal State it had some say with respect to Oceanic Redfish. He appreciated the Canadian proposal and agreed that there was a need to find a way to ensure management between NAFO and NEAFC and it was important to have scientific advice from one body (i.e. ICES). He agreed with the idea of NEAFC setting the overall TAC but the sharing of quotas was a concern. The numbers in the sharing exercise would have to address what Greenland as a coastal State wanted in its zone. At this time, Denmark (on behalf of Greenland) could not enter into a discussion on quota shares as they have no instructions.
- 8.10 There appeared to be a consensus on the need for cooperation among NAFO and NEAFC/ICES given that this was an extremely complex situation. After the Chairman divided FC WP 02/17 (Revised) into 2 issues, namely the first two and the last pages, the Fisheries Commission **adopted** by consensus a revised version of the terms of reference of the ad hoc group (Annex 4) and then agreed that the ad hoc group would meet in Dartmouth, June 24-26. Canada **withdrew** the first two pages of FC W.P. 02/17 (Revised).

9. Formulation of Request to the Scientific Council (item 11)

- 9.1 The Representative of Canada made reference to FC WP 02/19 - Fisheries Commission's Request for Scientific Advice on Management in 2003 of Certain Stocks in Sub-areas 3 and 4, including supplementary questions on Division 3M shrimp for 2002. He noted that this proposal reflected some degree of consensus among scientists and technical experts of various delegations. FC WP 02/19 was **adopted** (Annex 5).
- 9.2 The Chair drew attention to Scientific Council Report 01/25, September 2001, page 15 which proposed bi- annual assessments for six stocks which would rationalize workload. Scientific Council requested that the same be put in place for three additional stocks: yellowtail flounder 3LNO, squid 3&4 and redfish 3M. It proposed that there would be an intermediate assessment for yellowtail and squid and an assessment on redfish in the summer of 2002, and then biannually after that.
- 9.3 The Representatives of the European Union and Canada indicated that they wished to have an assessment of American plaice in 3LNO in 2002. This would not mean amending the

schedule of the sequence of assessments but to have a special assessment in 2002, the scheduled assessment in 2003, intermediate assessment in 2004 and regular assessment in 2005. The requirement is to have a special assessment in 2002 not an intermediate assessment. The Chair advised that it had to be clearly written in any proposal why there was a requirement for a full assessment. **The Scientific Council's request to have three additional species assessed on a bi-annual basis was adopted.**

10. Election of Chairman and Vice-Chairman (item 12)

- 10.1 Following a proposal by Denmark (on behalf of the Faroes and Greenland), Mr. Dean Swanson (USA) was **elected** as Chairman of the Fisheries Commission.
- 10.2 Following a proposal by Estonia, Mr. Boris Prischepa (Russia) was **elected** as Vice Chairman of the Fisheries Commission.

11. Time and Place of the Next Meeting (item 13)

- 11.1 The annual meeting of NAFO will take place September 16-20, 2002 in Santiago de Compostela, Spain.

12. Other Business (item 14)

Precautionary Approach

- 12.1 The Representative of the United States of America tabled FC WP 02/15 which revisited the Precautionary Approach and reaffirmed what had been agreed at the 2000 annual meeting. She proposed that the Fisheries Commission agree to a working group meeting prior to the 2002 annual meeting.
- 12.2 There were questions on attendance (scientific, technical, administrative). The Representative European Union offered to host the meeting. The Representative of Canada indicated that they would work with the EU and the USA on this matter. The Representative of Russia proposed that the group meet just after Scientific Council in June 2002 in order to reduce expenses.
- 12.3 The Representative of Denmark suggested that it may be preferable to establish terms of reference that would help Contracting Parties determine if they wish to send a delegation. It would also determine whether this was a preparatory meeting to something larger or whether there would be recommendations to the Fisheries Commission. There was also a need to clarify the term "Precautionary Approach".
- 12.4 The Representative of the European Union stated that we are not starting from scratch and that there had been two working group meetings of science and managers on this subject. He saw the intention of the proposal to bring together an informal working group of interested parties with everyone welcome. He envisaged that this would be a reflection exercise that would review new developments and give indications on future work. The experts would identify further work and terms of reference may not be necessary. They would advise the Fisheries Commission of requests to Scientific Council.
- 12.5 It was **agreed** that an informal meeting of the working group on the precautionary approach would be held June 20-21 in Dartmouth, N.S., Canada. The preliminary terms of reference have been presented in FC W.P. 02/15 (Annex 6).

12.6 The Representative of Denmark indicated that there were some **issues related to chartering** and they wanted this issue tabled at the next annual meeting. In preparation for this discussion, he requested that the NAFO Secretariat prepare two papers:

- a comprehensive overview of all chartering arrangements; and
- an overview of compliance with Part 1.B. 7 of the Conservation and Enforcement Measures.

12.7 The Representative of the United States of America indicated that there had been an agreement in 2000 to return to **quota allocation issues** and she requested that this item be reflected on the September 2002 agenda.

13. Adjournment (item 15)

13.1 The Chairman thanked everyone for their cooperation over the last four challenging years. He stated that while there had some tough times, a lot had been achieved. He adjourned the meeting at 1400 hrs on February 1, 2002.

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Annex 2. Agenda

1. Opening by the Chairman, P. Gullestad (Norway)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Report of STACTIC June 2001 Meeting
5. Possible amendments to the Conservation and Enforcement Measures
6. Report of STACTIC at the Special Meeting
7. Canadian Management Measures for Cod in Div. 2J3KL in 2001
8. Summary of Scientific Advice by the Scientific Council
9. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2002
 - 9.1 Shrimp in Div. 3M
10. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2002
 - 10.1 Shrimp in Div. 3LNO
 - 10.2 Greenland halibut in Div. 3LMNO
 - 10.3 Redfish in Division 1F
11. Formulation of Request to the Scientific Council:
 - a) Timetable and Frequency of Assessments
 - b) Scientific advice on the management of fish stocks in 2003
12. Election of Chairman and Vice-Chairman
13. Time and Place of the Next Meeting
14. Other Business
15. Adjournment

Annex 3. Increased Mesh Size
(FC W.P. 02/13-Rev.)

Part V, Schedule IV of the NAFO Control and Enforcement measures shall read as follows :

Authorised Mesh Size of Nets

<u>Species</u>	<u>Mesh Size</u>
a) All principal groundfish, flatfishes and other groundfish and other fish with the exception of capelin and skate, as listed in Part V, Schedule II, Attachment II	130 mm
b) skate - codend	280 mm ⁽¹⁾
all other parts of trawl	220 mm ⁽²⁾

Existing b) and c) be re-lettered c) and d).

⁽¹⁾This measure shall apply from 01 July 2002.

⁽²⁾This measure shall apply from 01 January 2003.

**Annex 4. NAFO Ad hoc Group on NAFO Management of Oceanic Redfish
Terms of Reference**

(FC W.P. 02/17-Rev.)

An Ad hoc Group on NAFO Management of Oceanic Redfish shall be established to meet during 2002 to consider management of the oceanic redfish stock in the NAFO Convention Area. The Ad hoc Group shall report its recommendations to the NAFO annual meeting in September 2002.

The Ad hoc Group shall consider all aspects of management including:

- a) the distribution of the oceanic redfish stock in the Northwest Atlantic;
- b) scientific advice from ICES;
- c) relationship and management process between NAFO and NEAFC.

**Annex 5. Fisheries Commission's Request for Scientific Advice on Management
in 2003 of Certain Stocks in Subareas 3 and 4**

1. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2002 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 2003:

Redfish (Div. 3M)
Shrimp (Div. 3M, 3LNO)
Greenland halibut (Subarea 2 and Div. 3KLMNO)
Capelin (Div. 3NO)

2. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2002 Annual Meeting, provide advice on the scientific basis for the management of the following fish stocks on an alternating year basis:

Cod (Div. 3NO; Div. 3M)
Redfish (Div. 3LN)
Yellowtail flounder (Div. 3LNO)
American plaice (Div. 3LNO; Div. 3M)
Witch flounder (Div. 2J3KL; Div. 3NO)
Squid (Subareas 3 and 4)

- In 2001, advice was provided for 2002 and 2003 for cod in 3NO, witch flounder in 2J3KL and redfish in 3LN. These stocks will next be assessed in 2003.
- In 2001, advice was provided for 2002 and 2003 for American plaice in 3LNO. The Fisheries Commission with the concurrence of the Coastal State, requests Scientific Council in advance of the 2002 Annual Meeting, to conduct a full analytical assessment of American plaice in Div. 3LNO and to review its advice for 2003. Scientific Council is further requested to analyse and comment on the precision of the estimates of the recent increase in fishing mortality. The next assessment will then take place in 2003 as per the alternate year schedule.
- In 2002, advice will be provided for 2003 and 2004 for cod in 3M, American plaice in 3M, yellowtail flounder in 3LNO, witch flounder in 3NO and squid in SA 3 & 4. These stocks will next be assessed in 2004.

The Fisheries Commission requests the Scientific Council to continue to monitor the status of all these stocks annually and, should a significant change be observed in stock status (e.g. from surveys) or in by-catches in other fisheries, provide updated advice as appropriate.

3. The Commission and the Coastal State request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above:
 - a) The preferred tool for the presentation of a synthetic view of the past dynamics of an exploited stock and its future development is a stock assessment model, whether age-based or age-aggregated.
 - b) For those stocks subject to analytical-type assessments, the status of the stocks should be reviewed and management options evaluated in terms of their implications for fishable stock size in both the short and long term. As general reference points, the implications of fishing at $F_{0.1}$ and F_{2001} in 2003 and subsequent years should be evaluated. The present

stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.

- c) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the general reference points should be the level of fishing effort or fishing mortality (F) which is calculated to be required to take the MSY catch in the long term and two-thirds of that effort level.
- d) For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.
- e) Spawning stock biomass levels considered necessary for maintenance of sustained recruitment should be recommended for each stock. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing reproductive potential of the stock, management options should be offered that specifically respond to such concerns.
- f) Information should be provided on stock size, spawning stock sizes, recruitment prospects, fishing mortality, catch rates and TACs implied by these management strategies for the short and the long term in the following format:
 - I. For stocks for which analytical-type assessments are possible, graphs of all of the following for the longest time-period possible:
 - historical yield and fishing mortality;
 - spawning stock biomass and recruitment levels;
 - catch options for the year 2003 and subsequent years over a range of fishing mortality rates (F) at least from $F_{0.1}$ to F_{max} ;
 - spawning stock biomass corresponding to each catch option;
 - yield-per-recruit and spawning stock per recruit values for a range of fishing mortalities.
 - II. For stocks for which advice is based on general production models, the relevant graph of production as a function of fishing mortality rate or fishing effort. Age-aggregated assessments should also provide graphs of all of the following for the longest time-period possible:
 - exploitable biomass (both absolute and relative to B_{MSY})
 - yield/biomass ratio as proxy for fishing mortality (both absolute and relative to F_{MSY})
 - estimates of recruitment from surveys, if available.
 - III. Where analytical methods are not attempted, the following graphs should be presented, for one or several surveys, for the longest time-period possible:
 - time trends of survey abundance estimates, over:
 - an age or size range chosen to represent the spawning stock (SSB)
 - an age or size-range chosen to represent the fishable stock biomass
 - recruitment proxy or index for an age or size-range chosen to represent the recruiting population.
 - fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the fishable stock.

For age-structured assessments, yield-per-recruit graphs and associated estimates of yield-per-recruit based reference points should be provided. In particular, the three reference points, actual F, $F_{0.1}$ and F_{max} should be shown.

- g) For shrimp in Div. 3M, including the area in footnote 1 of Part I, G of the Conservation and Enforcement Measures (the 3L ‘box’), Scientific Council is requested, in advance of the annual NAFO Meeting of September 2002, to provide information on the monthly distribution of shrimp by size as taken in the commercial fishery and to comment on these distributions in relation to the closed area of Div. 3M as defined by co-ordinates in footnote 2 of Part I, G of the Conservation and Enforcement Measures and the consequences to the stock of the following scenarios: a) closure of the area during June 1 through December 31, and b) no closure at any time.
4. Noting the progress made by the Scientific Council on the development of a framework for implementation of the Precautionary Approach, the Fisheries Commission requests that the Scientific Council provide the following information for the 2002 Annual Meeting of the Fisheries Commission for stocks under its responsibility requiring advice for 2003, or 2003 and 2004:
- a) the limit and target precautionary reference points described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (when precautionary reference points cannot be determined directly, proxies should be provided);
 - b) information including medium term considerations and associated risk or probabilities which will assist the Commission to develop the management strategies described in paragraphs 4 and 5 of Annex II in the Agreement;
 - c) information on the research and monitoring required to evaluate and refine the reference points described in paragraphs 1 and 3 of Annex II of the Agreement; these research requirements should be set out in the order of priority considered appropriate by the Scientific Council;
 - d) any other aspect of Article 6 and Annex II of the Agreement which the Scientific Council considers useful for implementation of the Agreement's provisions regarding the precautionary approach to capture fisheries;
 - e) propose criteria and harvest strategies for re-opening of fisheries and for new and developing fisheries; and
 - f) to work toward the harmonization of the terminology and application of the precautionary approach within relevant advisory bodies.
5. In addition, the following elements should be taken into account by the Scientific Council when considering the precautionary approach:
- a) Many of the stocks in the NAFO Regulatory Area are well below any appreciable level of B_{lim} or B_{buf} . For these stocks, the most important task for the Scientific Council is to inform on how to rebuild the stocks. In this context and building on previous work of the Scientific Council in this area, the Scientific Council is requested to evaluate various scenarios corresponding to recovery plans with timeframes of 5 to 10 years, or longer as appropriate. This evaluation should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, including information on the consequences and risks of no action at all.

References to “risk” and to “risk analyses” should refer to estimated probabilities of stock population parameters falling outside biological reference points.

- b) Where reference points are proposed by the Scientific Council as indicators of biological risk, they should be accompanied by a description of the nature of the risk incurred if the reference point is crossed (e.g. short-term risk of recruitment overfishing, loss of long-term yield, etc.)
- c) When a buffer reference point is proposed in order to maintain a low probability that a stock, measured to be at the buffer reference point may actually be at or beyond the

limit reference point, the Scientific Council should explain the assumptions made about the uncertainty with which the stock is measured, and also the level of 'low probability' that is used in the calculation.

- d) Wherever possible, short and medium term consequences should be identified for various exploitation rates (including no fishing) in terms of yield, stability in yield from year to year, and the risk or probability of moving the stock beyond B_{lim} or B_{buf} . Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the risks of falling below B_{lim} and B_{buf} , as well as of being above F_{lim} and F_{buf} , the risks of stock collapse and recruitment overfishing, as well as the risks of growth overfishing and the consequences in terms of both short and long term yields.
 - e) When providing risk estimates, it is very important that the **time horizon** be clearly spelled out. By way of consequence, risks should be expressed in timeframes of 5, 10 and 15 years (or more), or in terms of other appropriate year ranges depending on stock specific dynamics. Furthermore, in order to provide the Fisheries Commission with the information necessary to consider the balance between risks and yield levels, each harvesting strategy or risk scenario should include, for the selected year ranges, the risks and yields associated with various harvesting options in relation to B_{lim} (B_{buf}) and B_{target} , and F_{lim} (F_{buf}) and F_{target} .
6. For squid (Illex) in Subareas 3 and 4, the Scientific Council is encouraged to further analyze available data toward developing possible indicators that could be used under an in-season management regime.
 7. The Fisheries Commission, with the concurrence of the Coastal State, requests that the Scientific Council comment on the possible relationship of witch flounder in 2J3KL to that reported as caught in Div. 3M based on examination of all survey and biological data available.
 8. Regarding pelagic *S. mentella* redfish in NAFO Subareas 1-3, the Scientific Council is requested to review the most recent information on the distribution of this resource, as well as on the affinity of this stock to the pelagic redfish resource found in the ICES Sub-area XII, parts of SA Va and XIV and to the shelf stocks of redfish found in ICES Sub-areas V, VI and XIV, and NAFO Subareas 1-3.
 9. With regard to shrimp in Divisions 3LNO, the Fisheries Commission, with the concurrence of the Coastal State, requests that the Scientific Council, in advance of the September 2002 Annual Meeting, provide information on the geographical distribution of this resource including the relative and seasonal distribution inside and outside the NAFO Regulatory Area by both Division and age group. With reference to the proposed closed area in the region of the South East Shoal in Div. 3N as referenced in FC Working Paper 02/10, Scientific Council is further requested to provide information on the abundance and distribution of shrimp in the area proposed for closure.

**Annex 6. Fisheries Commission/Scientific Council Precautionary
Approach Meeting**

(FC W.P. 02/15)

Three joint meetings between Fisheries Commission and Scientific Council have been held between 1998 and 2000. Scientific Council held its first Workshop in advance of the 1998 joint FC/SC meeting to develop methods to apply the Precautionary Approach Framework to a variety of stocks. In 1999 Scientific Council held a second meeting immediately before the joint FC/SC meeting to focus on three candidate stocks for which sufficient information was available to conduct stock projections and risk analyses. No Scientific Council workshops have been held since 1999, but Scientific Council has provided information within the PA framework to Fisheries Commission during each year since for Yellowtail flounder in Div. 3LNO, Cod in Div. 3NO and American plaice in Div. 3LNO. It has not been possible as yet to provide information within the PA framework for other stocks.

Scientific Council intends to hold another workshop during spring 2003 to develop information within the PA framework for a number of additional stocks. With a view to making further progress on the implementation of the Precautionary Approach, it was agreed at the 2000 Annual Meeting

‘ ... that a small group of technical experts will meet in the first half of 2001 to advance future work in the Fisheries Commission Working Group. The small meeting will be organized by the European Community. A report from this meeting will be circulated to all Contracting Parties, with a recommendation whether the Working Group should meet prior to the 23rd Annual meeting, and if so, provide an agenda for the meeting.’

This meeting of Technical Experts has not as yet taken place. In order to advance the Precautionary Approach within NAFO, it is proposed that this small group of technical experts meet to carry out the work agreed at the 2000 Annual Meeting. The group of technical experts representing the Fisheries Commission and the Scientific Council will:

- 1) establish a basis for implementation of the Precautionary Approach for stocks for which the Scientific Council has provided PA reference points, and
- 2) develop recommendations for future work of the Fisheries Commission/Scientific Council Working Group

The report of the meeting of Technical Experts will be presented to the Fisheries Commission at the 2002 Annual Meeting.

PART II

Report of the Standing Committee on International Control (STACTIC)

1. Opening of the Meeting

The Chairman, Mr. David Bevan (Canada), opened the meeting at 10:10 on 29 January 2002. Representatives from the following Contracting Parties were present: Canada, Denmark (in respect of Faroe Islands and Greenland), Estonia, the European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Latvia, Lithuania, Norway, Poland, Russian Federation, Ukraine and the United States.

2. Appointment of Rapporteur

Mr. Paul Steele (Canada) was appointed rapporteur.

3. Adoption of the Agenda

The proposed agenda was adopted without amendments (see Annex 1).

4. Discussion of the Conservation and Enforcement Measures as the follow-up of STACTIC June 2001 Meeting

4(a) Program for Observers and Satellite Tracking for shrimp in Division 3M

The representative from Iceland made a presentation regarding Iceland's proposal for an alternative observer program for shrimp fisheries in Division 3M (STACTIC WP 02/1). The position of Iceland is that 100% observer coverage is not required for the 3M shrimp fishery, as this is a relatively clean fishery where bycatches and discards are not major problems. The alternative program proposed by Iceland is based on weekly catch reports, 20% observer coverage, mandatory dockside inspection of all landings by vessels without observers and a prohibition from fishing other regulated species during fishing trips where fishing for shrimp is conducted in Division 3M. The dockside inspections of vessels without observers would be more detailed than the dockside inspections currently being done on vessels with observers onboard. Information on catch composition would be gathered for future comparison to similar data for vessels carrying observers.

The representative of Norway welcomed the proposal and stated that Norway concurs with Iceland's view that 100% observer coverage is not necessary in the 3M shrimp fishery. He questioned whether the proposal applies only to Division 3M or would shrimp fisheries in Division 3L also be included. The representative from Iceland indicated that the proposal relates only to Division 3M. The Norwegian representative pointed out that 3L shrimp is a regulated species and that the Iceland proposal as currently written would prohibit vessels from fishing for shrimp in Divisions 3M and 3L on the same trip. He suggested that this be amended as it would not be practical.

The representative from the European Union noted that a review of the NAFO observer program is already planned for this year and that the European Union would prefer to wait and address the Icelandic proposal in the context of this review.

The representative from Canada questioned the rationale for the proposed 20% coverage level. He also pointed out that most shrimp vessels fishing in the Regulatory Area offload their catches in Canadian ports. Therefore the Icelandic proposal should be clear as to which Contracting Party will be responsible for conducting dockside inspections of these vessels.

The representative from Iceland stated that due to the geographic size of the fishing areas in Division 3M and the fact that the scientific data has proven that bycatch is only approximately 1% of total catch in the shrimp fishery, it is Iceland's position that 20% observer coverage is satisfactory. He also noted, in giving advice to NEAFC in 1998 on an appropriate monitoring scheme for the oceanic redfish fishery, ICES advised that 25% coverage is sufficient. Iceland feels that, given the discussions at NEAFC and the limited size of the fishing areas in Division 3M, 20% coverage would be sufficient for the 3M shrimp fishery.

The representative from the United States stated that they continue to support 100% observer coverage in all fisheries taking place in the Regulatory Area. She also questioned how Iceland would propose to deal with the potential problem of discarding/highgrading in the shrimp fishery.

The representative from Japan questioned how the issue of discarding/highgrading would be addressed for vessels without observers onboard.

The representative from Iceland stated that the discarding problem could be addressed by conducting comparisons of the catch composition of vessels carrying observers with those vessels not carrying observers.

The representative from Denmark (in respect of Greenland and the Faroe Islands) noted that Iceland's proposal for 20% coverage would apply only to Division 3M and not Division 3L where a quota management system is currently in effect. In view of this, he questioned whether Iceland's proposal would still apply to Division 3M if a quota management system were to be implemented for the 3M shrimp fishery. The Icelandic representative confirmed that this would be the case.

The representative from Canada asked who would be responsible for doing the comparative analysis of catch data from observed vs. unobserved vessels. The representative from Iceland responded that these details have not yet been worked out but that the NAFO Secretariat may be able to carry out this task and then transmit the results to the Contracting Party/flag state and to other Contracting parties with an inspection presence in the Regulatory Area. The NAFO Secretariat commented that there may be additional costs incurred by the Secretariat if their role is enhanced or if the volume and type of information received from fishing vessels is changed.

The representative from Canada asked if the scope of the Icelandic proposal had been expanded since it was initially submitted at the June 2001 STACTIC meeting. At that time the reduced level of observer coverage was proposed only for Icelandic vessels whereas the current proposal seems to call for reduced coverage of all vessels fishing for shrimp in Division 3M. The representative from Iceland confirmed that this is the case.

The representative from Ukraine indicated that Ukraine is not certain at this time as to the appropriateness of the Icelandic proposal. He suggested a decision regarding the proposal should be delayed until the September, 2002 annual meeting.

It was agreed that Iceland would revise their proposal to address comments made by the other Contracting Parties. The revised working paper (FC Working Paper 02/6) was then submitted to the Fisheries Commission for their consideration.

4(b) Canadian Proposals to Protect Juveniles and Reduce Bycatch

The representative from Canada briefly summarized two proposals that had been introduced at the June, 2001 STACTIC meeting to address the recommendations made by the Scientific Council in 1999 and 2000 about the need to examine measures for the protection of juvenile fish and the reduction of by-catch.

The first Canadian proposal (STACTIC WP 01/1) is to implement a depth restriction of 700m for the Greenland halibut fishery. The Canadian representative indicated that such a restriction would be effective in minimizing the capture of juvenile fish and reducing bycatch but would not place undue hardship on the viability of the Greenland halibut fishery.

The second Canadian proposal (STACTIC WP 01/4) relates to the possible adoption of new measures to protect flounder species in the skate fishery, where these species are taken as incidental catch. The Canadian representative indicated that vessels using larger mesh size 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.

The Canadian representative noted that Scientific Council reports over the last three years have made numerous recommendations that the Fisheries Commission take all possible steps to ensure by-catches of American plaice are reduced significantly and restricted to true and unavoidable by-catches in fisheries directed for other species. The Scientific Council has also continually recommended measures be considered to reduce, as much as possible, the exploitation of juvenile Greenland halibut in all fisheries. More recently, in September, 2001 the Scientific Council stated that exploitation of American plaice should be reduced through elimination of mixed fisheries in shallower than 800 m depths and mesh size regulation for the skate fishery. The Council also expressed concern regarding the high proportion of juveniles caught in the Greenland halibut fishery.

The Canadian representative noted that for most of the NAFO Regulatory Area, there are only three legitimate fisheries for groundfish stocks which are not under moratoria: Greenland halibut, yellowtail flounder, and skate. He expressed the view that a depth restriction for the Greenland halibut fishery, coupled with an increased minimum mesh size for the skate fishery (305mm for the cod-end and 254mm for all other parts of the trawl) would effectively eliminate the opportunity for directed fisheries of moratoria species and that such measures would also provide some protection for juvenile Greenland halibut.

The representative from the European Union stated that STACTIC is not the appropriate forum for taking decisions with regard to proposed new management measures for fisheries in the Regulatory Area. He indicated that these proposals must be discussed by the Fisheries Commission and that the European Union is not prepared at this point to endorse any recommendation from STACTIC to the Fisheries Commission in relation to the Canadian proposals.

The Chairman indicated that he would report to the Fisheries Commission, on behalf of STACTIC, on the current status of the scientific advice and on the outcome of the discussions regarding the Canadian proposals at the two most recent STACTIC meetings.

A third Canadian proposal (STACTIC WP 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 period (June 1 to September 30) to a year round closure. Recognizing that this

would require a major alteration to current fishing activity, however, Canada agreed at the June 2001 STACTIC meeting to amend the proposal so as to retain the coordinates of the current closed area while extending the time period of the closure to the entire year.

The representative from Denmark (in respect of the Faroe Islands and Greenland) introduced a proposal (STACTIC WP 02/2) whereby fishing for shrimp would be prohibited within the area in question during the period of June 1, 2002 to December 31, 2002. The representative from Iceland supported this proposal.

The representative from Japan stated that, in accordance with the Scientific Council's special comment (SCS Doc. 01/26), the effectiveness of selective fishing gear (sorting grates) should be further evaluated as an alternative to an area closure. Japan feels that the use of dual sorting grates can provide sufficient protection for juvenile shrimp. The representative from the European Union agreed that more scientific advice should be sought regarding gear selectivity in the shrimp fishery. The representative from Denmark (in respect of the Faroe Islands and Greenland) stated that he has not yet seen results from gear selectivity trials that would indicate convincingly that the use of sorting grates would be as effective as an area closure in protecting juvenile shrimp.

The representative from Japan questioned why the period of June 1 to December 31 had been chosen by Denmark as the appropriate period for a closure. The representative from Denmark (in respect of the Faroe Islands and Greenland) stated that the intent was to avoid disturbing the fishery in the early part of the year, when larger shrimp tend to be more prevalent as compared to the latter part of the year when the capture of smaller shrimp is more likely. He noted that, based on the experience of fishermen he has consulted, the shrimp taken in the proposed closed area in the latter part of the year are very small, and it is possible to conduct a viable fishery for larger shrimp outside the boundaries of this area.

The representative from Norway agreed that it would not be appropriate to close the area in the early part of the year, when larger shrimp are more available. The representative from the United States pointed out that the Scientific Council advice was that the most effective time for a closure would be in the March-April timeframe.

The Chairman of the Scientific Council (Mr. Ralph Mayo) commented that the March-April period is the time when fishing effort is at its highest level, therefore a closure would have a greater impact during this period. He noted that the Scientific Council had recommended a year-round closure and more extensive use of sorting grates. He also pointed out that the Scientific Council will not be meeting this week and therefore there will be a delay in responding to any request that STACTIC or the Fisheries Commission puts to them for additional information on this issue. The Chairman indicated that he would provide a verbal report to the Fisheries Commission regarding the discussion at STACTIC on this matter.

The representatives from Norway, the European Union, Iceland, Estonia and Latvia expressed support for the proposal made by Denmark (in respect of the Faroe Islands and Greenland). The representative from the United States also supported the proposal, although stating a preference for a year round closure as recommended by the Scientific Council.

The representative of the Russian Federation supported the proposal in principle but would prefer to review it in more detail and re-visit it at the September, 2002 annual meeting.

The representative from Japan stated that Japan does not support the proposal because it is uncertain that the period of June 1 to December 31 is the appropriate period for a closure.

A fourth Canadian proposal (STACTIC WP 01/2) deals 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 proposal has been referred to the Fisheries Commission for review; therefore it was not discussed at this STACTIC meeting.

5. Discussion of Possible Amendments to the Conservation and Enforcement Measures

The Chairman summarized the work that has been done to date on this issue. A working group meeting was held in Ottawa May 1-3, 2001 to begin a review of the Conservation and Enforcement Measures. This group produced a working paper (STACTIC WG WP 01/2 – Inconsistencies/Redundancies in the NAFO Conservation and Enforcement Measures) which proposed a framework for revisions to the format of the measures. The Chairman asked for comments from Contracting Parties regarding this working paper and the approach proposed for carrying out the review of the measures.

The representative from the European Union expressed agreement with the proposed approach and suggested that a small working group be established to begin work on drafting amendments to the measures. The drafting exercise would focus on removing redundancies and inconsistencies found in the current Measures and on reformatting the document in accordance with the framework proposed in STACTIC WG WP 01/2. No substantive changes would be made to the Measures.

It was agreed to proceed in this manner. Canada, the United States and the European Union will provide representatives for the working group. The proposed amendments will be presented to STACTIC at the annual meeting in September, 2002.

6. Review of Operation of the Automated Hail/VMS System

The NAFO Secretariat provided an update regarding the operation of the automated hail/VMS system. Most Contracting Parties have successfully tested their capability to provide automated reports. Reference was made to a table compiled by the Secretariat (see Annex 2) which summarizes the current situation with regard to each Contracting Party. Some are providing all reports in automated form while others are providing positional information in automated form and the other reports manually.

The Secretariat encouraged all Contracting Parties to continue working with them to fully implement automated reporting of all required information. They also indicated that some Contracting Parties have not yet provided names of contacts for this initiative to the Secretariat. Those Contracting Parties that have not yet done so were asked to advise the Secretariat of their representatives/contacts as soon as possible.

The European Union representative pointed out that the coordinates for delineating the NAFO Regulatory Area are not available to Contracting Parties and that this is making it difficult for some vessels and Contracting Parties to comply with the automatic reporting requirements. The Secretariat indicated that they had been provided with coordinates but have not received approval to circulate them. STACTIC Working Paper 02/3, introduced by Denmark (in respect of Greenland and the Faroe Islands) and Norway, proposes an amendment to the Conservation and Enforcement Measures to add a requirement for Contracting Parties to cooperate with the Executive Secretary in order to establish a database delineating the Regulatory Area by latitude and longitude coordinates. The representatives from Canada and the United States undertook to provide accurate coordinates, in WGS 84 format, to the NAFO Secretariat as soon as possible. The Executive Secretary will promptly circulate these coordinates to all Contracting Parties.

The representative from Norway introduced STACTIC Working Paper 01/9 regarding the possible adoption by NAFO of certain codes and data elements set out in the North Atlantic Format. There was general agreement that some elements of the working paper (see Annex 3) should be adopted immediately by STACTIC while other elements will require further review.

The representative from Denmark (in respect of Greenland and the Faroe Islands) referred to STACTIC Working Paper 01/15 on the issue of security and confidentiality of electronic reports and messages. This paper had been submitted at the June 2001 STACTIC meeting and has since been revised based on comments received at that meeting. While there was general agreement in principle with this paper, it was decided that a more detailed review of the proposal should be conducted by the ad hoc committee on communications that had met in 2001 to address the issue of VMS/Hail reports. The representative from Canada agreed with this approach but noted that he had some concerns regarding the procedures proposed for the transmission of vessel positional information to Contracting Party inspection vessels. It was also agreed that the ad hoc committee on communications will be asked to review those elements of the Norwegian proposal (STACTIC WP 01/9) that were not decided upon at this meeting.

7. Election of Chairman

By unanimous agreement, Mr. David Bevan was re-elected for another two-year term.

8. Time and Place of the Next Meeting

It is recommended that inter-sessional meetings be held according to Annex 4.

9. Other Matters

No other matters were discussed.

10 . Adoption of the Report

The report was adopted by STACTIC on 30 January 2002.

11. Adjournment

The meeting adjourned at 1530 on 30 January 2002.

Annex 1. Agenda

1. Opening by the Chairman, D. Bevan (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Discussion of the Conservation and Enforcement Measures as the follow-up of STACTIC June 2001 Meeting:
 - a) Program for observers and satellite tracking for shrimp in division 3M
5. Discussion of possible amendments to the Conservation and Enforcement Measures (request from the Fisheries Commission)
6. Review of Operation of the Automated Hail/VMS system
7. Election of Chairman
8. Time and Place of the Next Meeting
9. Other Matters
10. Adoption of Report
11. Adjournment

**Annex 2. Status report of NAFO automated HAIL/VMS activities up to
December 31, 2001**

Contracting Party	Tested OK	Entry	Move	Transzonal	Transshipment	Exit	Position
Bulgaria	NA	-	-	-	-	-	-
Canada	22/08/01						
Cuba	Unable						
Den. Faroe Islands	10/09/01	automatic	automatic			automatic	automatic
Greenland	12/07/01						
Estonia	29/11/01	manual	manual			manual	automatic
E.U. Denmark	21/08/01						
France	No reply						
Germany	Ongoing						
Great Britain	No reply						
Portugal	10/08/01	manual	manual			manual	
Spain	25/10/01	manual	manual	manual			automatic
France SPM	No contact						
Iceland	07/07/01	manual				manual	automatic
Japan	29/08/01	automatic	automatic			automatic	automatic
Korea	No reply						
Latvia	No contact	manual	manual			manual	automatic
Lithuania	No contact	manual				manual	
Norway	07/07/01	automatic				automatic	automatic
Poland	27/09/01	automatic	automatic				automatic
Romania	NA	-	-	-	-	-	-
Russia	18/07/01	automatic	manual			automatic	automatic
Ukraine	No Contact	manual	manual			manual	
U.S.A.	Ongoing						

Annex 3. Elements of STACTIC W.P. 01/9 that have been agreed upon by STACTIC

Some data elements defined in the CEM are not in compliance with the current use of the North Atlantic Format. In order to harmonise the use of codes and reporting procedures on both sides of the Atlantic the following amendments should be made:

- The code DI (NAFO division) should be changed to RA (relevant area)
- The code HO (in Hold) should be changed to OB (catch on board)
- The code DS (directed species) should be retained instead of changed to TS (Target species)

We propose that NAFO in the reporting scheme uses decimal degrees (\pm ddd.ddd) with the data identifiers LG and LT instead of degrees and minutes (BDDMM).

In order to facilitate system operation, the data elements Record Number (RN), Record Date (RD) and Record Time (RT) should be included also in the Entry, Exit and Transshipment reports.

The fields XR and NA should be made optional in the automatic reports.

Annex 4. Intersessional Meetings, STACTIC and STACTIC Working Groups, 2002

1. STACTIC Working Group reviewing the NAFO Conservation and Enforcement Measures.
 - This group will reorganize the NAFO Conservation and Enforcement Measures in accordance with the revised format and table of contents approved by STACTIC (STACTIC W.G. W.P. 01/2 - Inconsistencies/Redundancies in the NAFO Conservation and Enforcement Measures).
 - Proposed time – July 2002
 - Proposed place – Halifax, N.S., NAFO Headquarters
 - Participation as per STACTIC recommendation (accepted by FC) – EU, U.S., Canada

2. Intersessional Meeting of STACTIC – Proposed Agenda
 - a) Review of the NAFO Observer/VMS Scheme
 - Use of observer information for scientific purposes
 - Review of performance of Automated Hail/VMS System
 - Evaluation of options to modify the observer/VMS Scheme
 - Effectiveness
 - Benefits/Costs

Ad hoc STACTIC Committee on Communication

 - This STACTIC Ad hoc group will meet to discuss
 - Confidentiality issues respecting data received as a result of the Automated Hail/VMS System (STACTIC W.P. 01/15)
 - Discuss improvements to the Automated Hail/VMS System.
 - b) Review of Compliance
 - As guided by section 6 of FC W.P. 02/14 (Revised), STACTIC will establish a framework for evaluation of compliance, identify data sources, establish timeframes and formats for submission of data and schedule future meetings (to be approved by Fisheries Commission) to conduct the analyses of the data and prepare a report on compliance for the Fisheries Commission.
 - c) Review of options for the control/avoidance of incidental catches
 - STACTIC will review the measures for the control of incidental catches including those proposed in FC W.P. 02/5 and FC W.P. 02/11 among others with a view to streamlining and simplifying them. In the event that consensus cannot be reached on the content of streamlined and simplified measures, STACTIC will develop options with identified impacts for consideration by the Fisheries Commission at the next meeting.

Proposed time - 5 days in May. If work not completed, an additional 3 days prior to Annual Meeting (Spain).

Proposed location for May – Open to options from Contracting Parties

Proposed Participants – STACTIC + any additional experts needed for Ad hoc Committee on Communication.

In order to facilitate discussions, the STACTIC Chairman, invited interested Contracting Parties to submit discussion papers on the above subjects to the Secretariat by no later than 60 days prior to the Meeting. Teleconferences to discuss papers may be held among Contracting Parties submitting papers to aid in the preparation for the meetings.