

SECTION IX

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**Report of the STACTIC Working Group
(pilot project) Meeting
18-20 November 2002
London, United Kingdom**

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Report of the STACTIC Working Group (pilot project)

(FC Doc. 02/23)

**18-20 November 2002
London, United Kingdom**

1. Opening of the Meeting

The Chair of STACTIC, Mr. David Bevan (Canada), opened the meeting on Monday, November 18, 2002 at 10:00 am and welcomed delegates to London.

The list of delegates is attached in Annex 1.

2. Appointment of the Rapporteur

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

3. Adoption of the Agenda

It was agreed to discuss the review of the current NAFO Program for Observers and Satellite Tracking and the overhaul of the NAFO Conservation and Enforcement Measures under Agenda Item 7 - Other Business. The provisional agenda was thus adopted (Annex 2).

4. Presentation of a Pilot Project

It was agreed that both FC Working Papers 02/26 and 02/42 should be the basis for discussion of the Pilot Project.

5. Review and Evaluation of the Pilot Project

With the concurrence of the Working Group, the delegate of Canada made a presentation that outlined its position on a number of steps that should precede any change to the current observer program and the preparations necessary for the June 2003 STACTIC intersessional meeting. He presented STACTIC W.G. (Pilot Project) W.P. 02/1 (Annex 3) that raised a series of operational questions with respect to elements of the current proposal for a pilot project on observers, satellite tracking and electronic reporting.

The delegate of the U.S. advised that the pilot would be difficult to support without answering the questions raised by the Canadian presentation. The delegate of Iceland thanked Canada for its presentation that raised a number of valid concerns but believed that some may be a result of misunderstanding. The delegate of the EU thanked Canada for the presentation and noted that there were some misunderstandings that could be easily clarified. He felt optimistic in agreeing on a technical text and that the main thrust of the Canadian concerns could be accommodated. He also felt, in particular, that the contribution of the pilot project would lead to overall improvement of the control scheme.

It was agreed to develop a single text for the pilot based on F.C. Working Papers 02/26 and 42 and incorporating replies to the questions raised by Canada. The delegate of Iceland presented a paper that raised a number of points for discussion (Annex 4).

Following consultations among a number of delegates, Canada introduced STACTIC W.G. (pilot project) W.P. 02/2 that incorporated changes to the text that was reflected in bold. Extensive discussions followed on the various changes leading to a consensus on the technical aspects which are reflected in STACTIC W.G. (pilot project) W.P. 02/2 (REVISION 3) (Annex 5).

It was noted that the complexity of the analyses will depend in large part on the scope for the pilot project. The delegate of the EU suggested avoiding reference to specific fisheries as all fisheries were needed to be included to compare the pilot project against the current regime. The delegate of the U.S. stated that if agreement could be found on the more simple analysis, i.e. in the 3M shrimp fishery, ways could be found to apply the analysis to other fisheries. The delegate of Canada cautioned against any analysis based on the lowest common denominator and suggested the need to consider the most complex situations.

The delegate of Denmark (on behalf of the Faroe Islands and Greenland) outlined the domestic experience in Greenland with respect to comparisons of observed and unobserved vessels. Analysis has resulted in some cases to fishery closures or the embarkation of an observer on a vessel on a subsequent trip. He stated that it is very difficult to draw any conclusions or extrapolations to other vessels – and indeed such evidence could be questioned.

Some delegations noted that given the wide variability in catches and the different types of vessels, agreement is needed on the standard for a discrepancy that would warrant a flag for further consideration and possible action. There was a consensus that data is to be compiled by the Secretariat for use by Contracting Parties with an inspection presence in the Regulatory Area; the decision to inspect a fishing vessel should not be triggered by the analysis of the data but should remain the decision of the inspector. The EU and Iceland consulted to develop proposed text with respect to comparison of species caught and catch rates for inclusion in the Working Paper. There was a consensus that some flexibility should be afforded to the Executive Secretary in the format of the report presentation to be sent to Contracting Parties with an inspection presence.

6. Proposals and Recommendations

It was agreed to recommend the following for review as appropriate:

- Statement of Work for Contractor – modification of software for the pilot. The delegate of Iceland will pursue this further.
- Statement of Work for Contractor to be reviewed and approved by the Technical WG – by conference call
- Secretariat to advise on costs
- Work to be done, validated and tested

With respect to the Statement of Work for the Contractor, the delegate of Iceland prepared a request for quotation for the Contractor as outlined in STACTIC W.G. (pilot project) W.P. 02/3 (REVISED) Annex 6). He noted that the previous estimate was Cdn \$30,000 but was uncertain whether this was still the case. It was agreed that the request would provide sufficient flexibility to take account of any changes in data requirements in the future.

The delegate of the EU proposed that since the Working Group had agreed upon a package, the Working Group should recommend it to the Fisheries Commission for adoption by mail vote in early 2003 in order that the pilot project could be launched in 2003.

The delegates of Iceland, Denmark (on behalf of the Faroe Islands and Greenland) and Norway also expressed in favour of the suggested procedure. The delegate of Iceland stated its

concurrence with the EU on the procedure for this meeting. The Icelandic delegate stated that Iceland had interpreted the outcome of the annual meeting and the fact that this meeting was established so soon after the annual meeting to be an indicator of the will of Contracting Parties to speed up the procedure concerning this Pilot Project. The delegate of Iceland seconded the view of regret by Denmark and EU that if the process is not accelerated, the Pilot Project will not take place until after the next meeting of the Fisheries Commission. In the meantime, we would all have to listen to the non-compliance report by Canada at the annual meeting and consider why we in the meantime had not done anything to improve the system.

The delegate of Canada stated that while good progress had been made in producing a technically sound document (W.P. 02/2 (REVISION 3)), the process agreed at the September NAFO annual meeting was for the Working Group to make recommendations to STACTIC for its approval in June 2003 and subsequent submission to the Fisheries Commission. He understood that the meeting was intended to review the technical aspects of a pilot project and that he could not agree on the scope of the pilot project as this was in the political realm. Delegates of Russia, USA and Japan concurred with Canada on the process and that the EU suggestion was a significant departure on the agreement reached at NAFO.

The delegate of the EU observed that the provisional agenda for the Working Group meeting could not be an exact indication of the process as it was established through a speedy procedure agreed at the 2002 annual meeting. He opined that the Fisheries Commission Rules of Procedure did not provide for the possibility for STACTIC to set up a formal Working Group and that the results agreed at the Working Group could be submitted to the Fisheries Commission for adoption. The delegate of Denmark (on behalf of the Faroe Islands and Greenland) agreed that Working Group meeting was set up in a rush which reflected that the Fisheries Commission wish for a speedy procedure for adoption. The delegate of Canada stated that there was no consensus on the scope and W.P. 02/2 (REVISION 3) could not be regarded as a consensus document. The Chairman reviewed the report from STACTIC at the NAFO annual meeting as approved by the Fisheries Commission that indicated the agreement on process.

The delegate of the EU stated if there is agreement on the importance of the pilot project and there is a real desire to launch it as soon as possible, then the debate on procedure reflects a sad situation. The delegate of Canada also regarded the pilot as important but reiterated that there was no consensus on the scope. Denmark expressed regret that if the process is not accelerated, then the pilot will not take place until 2004.

7. Other Business

With respect to the Review of the Observer Scheme, the delegate of the EU noted that the NAFO Secretariat had sent a recent reminder letter to Contracting Parties (GF/02-653) to respond to the tables and questionnaires for purposes of evaluation of the observer scheme. He stated that it was important that all Parties complete the questionnaire without delay with respect to observers and VMS in Annex 3 of FC Doc. 02/11. The Working Group agreed that the compilation of responses is important and an essential part of the process. Mr. Gordon Moulton of the NAFO Secretariat confirmed that the Secretariat would follow up with Contracting Parties.

With respect to the overhaul of the NAFO Conservation and Enforcement Measures, the delegate of the U.S. reminded delegates of the deadline of December 15, 2002 for Contracting Parties to submit comments to the EU with a view to finalizing this work at the June 2003 STACTIC meeting.

The delegate of Canada advised that it had engaged a consultant to undertake work on a port inspection protocol for vessels fishing in the NAFO Regulatory Area and an Annex which addresses standard operating procedures for inspections. Copies were distributed to delegates and an electronic version was made available to the Secretariat for distribution to all NAFO Contracting Parties.

8. Next Meetings

A technical Working Group to review the statement of work for the Contractor will be held via conference call in early 2003. The Chair of STACTIC will coordinate the conference call once names of participants have been identified through the Secretariat. The STACTIC intersessional meeting will be held June 16-20, 2003 in Copenhagen.

9. Adjournment

The meeting was adjourned on Wednesday, November 20, 2002 at 11:30 am.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening of the Meeting (D. Bevan-Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Presentation of a Pilot Project
5. Review and Evaluation of the Pilot Project
6. Proposals and Recommendations
7. Other Business
8. Next Meeting
9. Adjournment

Annex 3. Paper presented by Canada
(STACTIC W.G. (Pilot Project) W.P. 02/1)

Pilot Project

Objective

As outlined in Part VI (Program for Observers and Satellite Tracking) of the NCEM, in order to improve and maintain compliance with the NCEM CP agree to program of 100% observer coverage and.....satellite tracking.....

Improved compliance with NCEM

Canadian Position

- Canada supports this objective.
 - Canada has consistently stated (June 2001 STACTIC Meeting) that improved compliance is the objective with respect to NAFO MCS.
 - In this regard, Canada has also stated that any alternate regime be, at least, as effective as the current regime.
 - Canada is concerned with the current level of non-compliance and the increasing trend of this non-compliance (particularly as it relates to misreporting of catch).
 - These concerns have been documented and presented to the FC.
- Canadian Position
- There are a number of steps that should precede any change to the current regime:
 - Evaluation of the Observer and VMS Program - CP implementation, functionality, and effectiveness.
 - Review of compliance - provide baseline of compliance to measure effects on overall compliance from any changes to MCS regime.
 - Protocol for reduced % - ensure any reduction in coverage is statistically valid (not arbitrary) in relation to conservation risks.
 - Protocol for port inspection - given the potential role of port inspections in any reduction of observer coverage, a protocol should be developed to ensure port inspections are conducted in a consistent, thorough and verifiable manner.
- Some of this work will be completed by STACTIC in June.

Introduction

- A proposal - *Pilot Project on Observers, Vessel Monitoring, and Electronic Reporting* - has been developed for review by this group.
- The stated objective of the proposal is to enhance fisheries protection and enforcement system by making information recorded in logbooks and information from observers available on a daily basis to inspectors in the RA.
- As well, the proposal also aims to make the program more cost-effective and more efficient for control and enforcement purposes.

Introduction

- **The proposed pilot involves:**

- increased use of VMS system to collect real-time data from masters and observers on catch;
- analyses of the data in near real time;
- use of the analyses to help Contracting Parties (including those with an inspection presence) to detect and respond to possible incidents of non-compliance;
- reduced observer coverage.

Introduction

- The proposal fundamentally changes the current regime from monitoring (100% coverage) to sampling (reduced %).
- The proposal could reduce cost, although not necessarily for CP with an inspection presence or for the NAFO ES.
- The proposal may improve somewhat the ability to deal with non-compliance related to area fished.
- The proposal does not deal comprehensively with:
 - other types of non-compliance that can be detected by observers,
 - how information will be used by NAFO, or
 - how the new approach (sampling vs. monitoring) will be implemented in terms of the role of the secretariat, CPs or flag states.

May 2002 STACTIC

- Without prejudice to the decisions to be taken by the FC, STACTIC notes a number of points for consideration by the FC, including:

Definition of scope The scope should be clearly defined in volume (number of vessels), percentage of coverage and time.

Technical facilities Only CP which have the technical facilities put in place and tested with the NAFO ES and with the CP having means of inspection and surveillance in the RA, could participate in the pilot project.

Evaluation criteria Each CP should submit a detailed report on the execution of the pilot project containing all necessary information. STACTIC supported by the ES should evaluate the results of the pilot project on the basis of the following criteria:

- Cost / Savings for industry, authorities of the CP (including those with an inspection presence), and the NAFO Secretariat
- Interaction with traditional means of control
- Compliance notably comparison between vessels with/without observers
- Technical functioning of the Scheme and reliability

May 2002 STACTIC

Implementation and follow-up of the pilot project Participating CP should notify the names of the vessels participating in the pilot project to the NAFO ES. In the case where an unobserved vessel is found to be engaged in an infringement listed in part IV point 9 of the Scheme, the CP will apply the provisions of part IV point 10 of the Scheme and, when the vessel is not re-routed, it will embark without delay an observer onboard.

Before such pilot project can be implemented the FC should instruct STACTIC to examine in detail the catch report, observer report and all technical implications as well as to draw up the draft provisions to be included in the NAFO CEM

- The Report of STACTIC was adopted in September.

November 2002 STACTIC WG

Work this week - Why are we here ?

- To formally state Canadian position
- To prepare for our June STACTIC Meeting

• To review in detail WP(s) on pilot project November 2002 STACTIC WG

To formally state Canadian position

- Canada is concerned with the current level of non-compliance and the increasing trend of this non-compliance (particularly as it relates to misreporting of catch)
- Canada supports proposals that will improve compliance, however, we are uncertain if current proposal addresses this objective
- Canada is not opposed to alternative MCS strategies that are, at least, as effective as the current regime

November 2002 STACTIC WG

• To prepare for our June STACTIC Meeting

- Observer/VMS Evaluation
- Canada encourages all CP to respond to earlier STACTIC papers (May 2002 and September 2002 - STACTIC WP 02/31) requesting information on the observer/VMS program
- Canada encourages (and will provide support to) the NS to compile and collate information received from CP
- Canada will be presenting an evaluation of the observer program
- Canadian performance
- Other CP performance from an Inspection Party perspective
- This work is essential to establish if the current program has been properly implemented and to determine its level of effectiveness

November 2002 STACTIC WG

• To prepare for our June STACTIC Meeting

- Compliance Review
- Canada encourages all CP to respond to earlier STACTIC papers (STACTIC WP 02/14) requesting information on compliance
- Canada encourages (and will provide support to) the NS to compile and collate information

- Canada will be preparing an assessment of compliance for 2002 from an inspection party perspective
- This work is essential to provide understanding on current level of compliance and to provide baseline for future assessments

November 2002 STACTIC WG

• To prepare for our June STACTIC Meeting

- Process for any reduction in observer coverage
- Canada believes any reduction in observer coverage cannot be arbitrary and must be linked to conservation risks
- Canada will be engaging a consultant to provide guidance on this subject and we are requesting that the June agenda include time for a formal presentation on this matter

- This work is essential to ensure that any reduction in observer coverage is properly linked to conservation risks

November 2002 STACTIC WG

• To prepare for our June STACTIC Meeting

- Dockside Inspection Protocol
- Canada believes that any reduction in observer coverage requires a statistically valid and transparent dockside inspection process
- Discrepancies currently exist between observer and dockside results that are not readily explained
- Canada has engaged a consultant to develop a protocol on this matter and will circulate this protocol for review by OCP
- Canada is requesting that the June agenda include time for a formal presentation on this matter

- This work is essential to ensure that any reduction deal with the current discrepancy between observed and inspected catch

November 2002 STACTIC WG

To review in detail WP(s) on pilot project:

Scope

A very limited scope is all that is required for a proof of concept proposal.

Canada has identified several significant compliance issues, including high levels of misreporting in the 3LMNO Greenland halibut fishery and the 3L-3M shrimp fisheries.

Any proposal should focus on minimizing conservation risks that, in the NAFO Regulatory Area, clearly increases as the area and species mix increase.

November 2002 STACTIC WG

To review in detail WP(s) on pilot project:

Scope

Any pilot project that could affect compliance should be introduced incrementally. For example, initial scope:

Scope

- Single species, single area fisheries
- Maximum of 3 vessels/fishery without observers (cooperation between CP)
- Maximum period of two years, seasonal removal of observers

Participation

- Vessels with AIN in previous 2 years prohibited from participation
- Vessel with fish from other jurisdictions prohibited from participation
- Observer must be proven independent and impartial

November 2002 STACTIC WG

To review in detail WP(s) on pilot project:

Technical Facilities

- STACTIC, through the WG, should address the NAFO Secretariat's technical capacity to receive data, conduct appropriate analyses, and distribute information in near real time to the flag states and CPs with an inspection presence.
- The WG needs to determine how this is to be done as well as how the testing envisioned in the proposal is to be conducted and success or failure evaluated.
- Successful testing is required prior to removal of any observers.

Evaluation - Comparison of Compliance

- How will data analysis be conducted, what are the thresholds for compliance, and what occurs when these thresholds are exceeded ?
- For example, how can 4 vessels fishing in vast and varying areas on the Flemish Cap be monitored collectively as a group based on a sample if each of four vessels (3 without observers, one with) fished in Division 3M without fishing in close proximity.
- How would comparative analysis occur and what is its value ?

Evaluation - Comparison of Compliance

➤ To further illustrate, if the 3 unobserved vessels fishing in the NAFO Regulatory Area (3M) report catches of 8t/day, 2% by-catch, and 1% discards and the observed vessel reports 12t/day, 15% by-catch, and 4% discards, what follow-up is required ?

➤ Given variability in all data elements and influences of seasonal and area factors, what follow-up action would be possible ?

➤ A process/protocol should be developed to deal with these issues prior to implementation.

November 2002 STACTIC WG

To review in detail WP(s) on pilot project:

Modifications to NCEM

➤ Effective implementation of the pilot will require amendments to measures contained in the NCEM other than those those in Part VI (Program for Observers and Satellite Tracking).

➤ What is the objective of the other amendments ?

➤ What constitutes a citable offence for non compliance with the elements of the pilot ?

November 2002 STACTIC WG

To review in detail WP(s) on pilot project: 02/26

OBJECTIVE

“The aim of the proposal is to enhance the fisheries protection and enforcement system.... Iceland proposes to run a pilot project, aiming to make the program for observer and satellite tracking more cost effective and at the same time make it more efficient for control and enforcement purposes.” (FC 02/26)

“In order to improve and maintain compliance...” (Part VI- NCEM)

➤ The objective of 02/26 deals only with effectiveness and cost efficiencies - it does not address compliance.

November 2002 STACTIC WG

To review in detail WP(s) on pilot project 02/26:

“Only vessels of Contracting Parties with functional VMS systems that have the necessary technical facilities in place to send electronic "observer reports" and "catch reports" and have been tested with the NAFO Secretariat and Contracting Parties with inspection presence in the Regulatory Area, are applicable for this pilot project.” 02/26

- Who is responsible for deciding that a CP has the “necessary technical facilities”?
- What is a “functional VMS system”?
- What happens when a system becomes inoperable ? Is the vessel no longer eligible for the pilot and thereby required to immediately embark an observer ?
- Patrol vessels (including potential PV deployments) operating in the NRA also must have the capability to send and receive data.

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/26:

“...that communication cost for Contracting Parties with inspection presence in the Regulatory Area will increase due to increase flow of information. This can though be minimised by selecting information to be forwarded according to the daily need of each inspection vessel. ”

• Additional costs will have to be incurred by the CP with an inspection presence to analyze data and respond to reported situations

• How do we ensure no duplication of effort (i.e. 2 PVs responding to same incident) ?

November 2002 STACTIC WG

• To review in detail WP(s) on pilot project 02/26:

“A NAFO electronic form to be completed by the onboard observer

Daily electronic transmission of Observer forms

A NAFO electronic Catch Report to be produced by the master

Daily electronic transmission of Catch Reports”

- What is the process for analyzing the data ? The proposal does not refer to a process to compare the observed and reported catches ? Is the intent that this is to be done “manually” ?
- How can the information be compared when the data fields are not the same ? (Observer not recording catch)

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/26:

•“*In order to improve the efficiency and maintain the agreed level of compliance with the Conservation and Enforcement Measures for their vessels fishing in the Regulatory Area, as well as to make the Observer Program more cost efficient, Contracting Parties agree to a 2 year Pilot Project which combines the use of daily electronic catch reports, observer reports and satellite tracking of the vessels.*”

•“*In order to improve and maintain compliance...*” NCEM

- What is the “agreed level of compliance” ?
- How is the level agreed to ?

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/26:

“*Observers shall:*

•*record the fishing activities of the vessel and verify the position of the vessel when engaged in fishing;*” 02/26

“*Observers shall:*

•*record and report the fishing activities of the vessel*” NCEM

- Why is the onboard observer not required to report on the fishing activity?

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/26:

“*Observers shall:*

•*within 30 days following completion of an assignment on a vessel, provide a report to the Contracting Party of the vessel and to the Executive Secretary, who shall make the report available to any Contracting Party that requests it*” Part VI NCEM

•02/26 does not make any reference to preparation or submission of reports by the observer. Why?

•How is the historical record of the observer’s trip established if all VMS data is purged?

•How does this fit with Scientific Council requirements?

•What about record of experiments such as conversion factor, product weight, etc.?

•A standardised format should be established for trip end reports.

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/26:

“*When an apparent infringement of the Conservation and Enforcement Measures is identified by an observer, the observer shall report that in the daily observer report.*”02/26

“*When an apparent infringement of the Conservation and Enforcement Measures is identified by an observer, the observer shall, within 24 hours, report it to NAFO inspection vessel using an established code, which shall report it to the Executive Secretary.*” Part VI NCEM

- What AIN are covered by this process ?
- A process is required to prioritize the AINs reported
- What confidentiality processes are used ?
- What happens when an observer does not report an AIN ?

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/26:

The daily catch report shall as relevant include:

- The daily catch*
- By-catch*
- Discarding*
- Undersize*

- Catch must be reported by area to prevent misreporting of catch by area.
- Vessel activity should be reported (i.e. transiting, jogging) to prevent opportunities for misreporting activity (i.e. 3L shrimp).

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/26:

“Masters of vessels taking part in the Pilot Project are obliged to transmit daily catch reports, regardless of if there is an observer onboard or not.”

– It should be mandatory that the master report catch (“obliged”?).

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:

“A Pilot Project, which combines the use of daily electronic catch reports, observer reports and satellite tracking of fishing vessels shall be established.”

- What is the objective for the pilot ?

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:

“Only vessels of Contracting Parties with functional VMS systems that have the necessary technical facilities in place to send electronic “observer reports” and “catch reports” are eligible for this pilot project.”

- What criteria are used to determine if vessels are eligible ?
- How is a “functional VMS system” measured ?
- What are “necessary technical facilities to send electronic ...”?
- What requirements must be met on the part of the NAFO Secretariat and CPs with an inspection presence?
- Are vessels with recent (last 1-2 years) serious infringements eligible?
- If the system becomes non-functional does this then exclude the vessel until it has been fixed ?

November 2002 STACTIC WG

- **To review in detail WP(s) on pilot project 02/42:**

“The number of vessels in the Regulatory Area participating in the Pilot Project shall be limited to 20 for all Contracting Parties. Any Contracting Party shall have no more than 8 vessels participating in the Pilot Project at any one time in the Regulatory Area.”

- What is the basis for the limit of 20 ?
- How exactly is the 20 calculated - total vessels or non-observed vessels ? Does 20 mean 10 observed/10 unobserved?
- How are the observed vessels selected ?
- What is the basis for the 8 vessels per CP ? Do the vessels change from year to year ?
- Does participation mean for the entire pilot period or is it applied on a seasonal or trip basis ?

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:**

“Contracting Parties shall notify the Executive Secretary of their intention to participate in the Pilot Project by 30 November 2002. They shall also notify the Executive Secretary of the maximum number of vessels concerned that would be in the Regulatory Area at any one time. If the number of vessels notified by Contracting Parties exceeds 20 vessels the Executive Secretary shall reduce the number, with the agreement of the Parties.”

- What criteria does the ES use to determine which ‘applicants’ are declined ?
- What if the CP does not agree with the reduced number ?
- There is a requirement for an agreed process approved by FC to govern this process.

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:**

“However, by way of derogation from these measures a Contracting Party may withdraw observers from vessels participating in the Pilot Project on the condition that the technical facilities on board the vessel necessary to send electronic "observer reports" and "catch reports" have been tested with the NAFO Secretariat and Contracting Parties with an inspection presence in the Regulatory Area.”

- What process will be used to conduct the tests ?
- What are the testing criteria?
- Will the tests assess the ability of the Secretariat and CP with an inspection presence to receive and analyse the data?

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:**

“A Contracting Party with one vessel participating in the Pilot Project shall withdraw the observer for no more than 50% of the time that the vessel spends in the Regulatory Area during the year. Other Contracting Parties shall withdraw the observers from no more than 50% of the vessels participating in the Pilot Project that are present in the Regulatory Area.”

- How are comparisons possible with unobserved vessels if a CP has only one vessel in the NRA?
- This was not foreseen in the Icelandic proposal (02/26)

November 2002 STACTIC WG**•To review in detail WP(s) on pilot project 02/42:**

“When withdrawing observers Contracting Parties shall ensure that as far as possible there is a balance between vessels participating in the Pilot Project with observers and without observers, in terms of the type of fishery in which the vessels are engaged.”

- This requirement is too vague.
- How are CPs required to ensure that the balance is established and maintained ?

November 2002 STACTIC WG**•To review in detail WP(s) on pilot project 02/42:**

“The Contracting Party should provide at all times the NAFO Secretariat the names of the vessels as well as the period during which they have no observer onboard.”

- There should be a requirement for the NAFO Secretariat to forward the information provided to it by CPs to CPs with an inspection presence.

November 2002 STACTIC WG**•To review in detail WP(s) on pilot project 02/42:**

“In the case where an unobserved vessel is found to be engaged in an infringement listed in part IV point 9 of the Scheme, the Contracting Party shall apply the provisions of part IV point 10 of the Scheme and, when the vessel is not re-routed, it will embark without delay an observer onboard.”

- There is no protocol when unobserved vessels are issued citations for violations other than those listed above. Part IV 6. iv) also refers to serious infringements.
- There should be a criteria for the type of infringement
- Vessels with citation for ANY incidents of non-compliance with the NCEM should be removed from the pilot.

November 2002 STACTIC WG**•To review in detail WP(s) on pilot project 02/42:**

*“In addition to their duties under the Conservation and Enforcement Measures observers on board vessels participating in the Pilot Project shall
–monitor the masters daily catch reports sent by electronic channels via the FMC to the NAFO Secretariat (and ensure that they are submitted)”*

- What are the observer’s instructions in the event that the master does not send a report ?
- How does the observer “ensure” reports are submitted?
- The ES role should ensure that all vessels participating in the pilot are submitting reports as required and advise Contracting Parties with an inspection presence as required

November 2002 STACTIC WG**•To review in detail WP(s) on pilot project 02/42:**

‘Masters of vessels taking part in the Pilot Project are obliged to transmit daily catch reports, regardless of whether there is an observer onboard or not.’

–Masters... shall transmit daily catch.?

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/42:

The daily catch report shall include as appropriate the amounts of the following categories:

- i) *The daily catch*
- ii) *By-catch*
- iii) *Discarding*
- iv) *Undersize fish*

–By Division ?

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/42:

1.6 Catch Report

Activity detail; cumulative catch by species retained on board, either since commencement of fishing in R.A.² or last “Catch” report, in pairs as needed.

- Daily catch should be reported by Division
- Additionally, bycatch and discards should be reported daily by division
- Clarification is required on how catches (and bycatches and discards) are reported - daily and cumulatively?

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/42:

1.6 Observer Report

- Observer report contains no observed estimates of total catch
- Is the observer report available to the captain ?
- All catches should be reported by Division
- Clarification is required on how catches (and bycatches and discards) are reported - daily and cumulatively?

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/42:

1.6 Observer Report

observers on board vessels participating in the Pilot Project shall:

–report daily by electronic channels via the FMC to the NAFO Secretariat (“OBR report”) of his duties described in Part VI.A.3. a) i) to iv) of the Conservation and Enforcement Measures”

–The observer report format is inconsistent with this measure; Part VI A. 3. a) ii) “observe and estimate catches” is not reflected in the report, which reports only figures for by catch, discards and undersize fish.

November 2002 STACTIC WG

•To review in detail WP(s) on pilot project 02/42:

1.6 Observer Report

- M¹ Activity detail; position at time of transmission*
- I Optional if a vessel is subject to satellite tracking*

- When would vessels be required to report positions if all vessels are subject to Satellite Tracking at all times ?

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:

1.6 Observer Report

Apparent Infringements Activity detail; "Yes" or "No" ⁵

5. Yes" if an infringement is observed

- The nature of the infringement is not reported.
- Is this a secure and confidential process ?
- Additionally, the observer reports "Yes" or "No" with respect to the log record; however, there is no report of the observed estimate of catch to compare with the log.

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:

"The Executive Secretary shall make available as soon as possible the information received under paragraphs 2 and 3 to other Contracting Parties with an active inspection presence in the Regulatory Area. All reports and messages shall be treated in a confidential manner."

- As soon as possible could be replaced with a timeline ?
- Does the confidentiality measure deal with the treatment of these reports ? If so, is it necessary to re-state it?
- How do the new confidentiality rules affect this process ?

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:

"Each Contracting Party should submit an interim report at the annual meeting of the Fisheries Commission in 2003 and a detailed report on the execution of the pilot project containing all necessary information at the annual meeting of the Fisheries Commission in 2004. with any recommendations or proposals:"

- There should be a standardized format for CPs to report on their pilot participation.
- CP with an inspection presence should be required to report on the pilot project as it relates to follow-up, response to AIN and so on.

November 2002 STACTIC WG

- To review in detail WP(s) on pilot project 02/42:

"STACTIC supported by the Executive Secretary should evaluate the results of the pilot project on the basis of the criteria set out below, together with any recommendations or proposals:"

- There is no timeline associated with the STACTIC review and no provision for ongoing analysis.

November 2002 STACTIC WG

- Other observations
- To fully understand the proposals:
 - Chart of activity based on full participation
 - Dataflow diagram
 - Criteria and protocols re AINs as identified earlier

Annex 4. Discussion Points

(paper presented by Iceland)

Who is responsible for deciding that a CP has the “necessary technical facilities”?

The NAFO secretariat will have to decide upon that, based on the technical requirements of the scheme and the Pilot Project.

What is a functional VMS system?

A VMS that fulfills all technical requirements and has been proven to be operational.

What happens when a system becomes inoperable?

If the VMS of an individual vessel is not functioning it must act according to the already established rules in the CEM.

Patrol vessels (incl. potential PV deployments) operating in the NRA also must have the capability to send and receive data.

Not necessarily, but preferable.

What process will be used to conduct the tests?

The Secretariat has to confirm that it receives and is able to interpretate the relevant messages.

What are the testing criteria?

Verified communication from the vessel via it's FMC to the Secretariat as already described in the preceding questions.

Will the tests assess the ability of the Secretariat and CP's with inspection presence to receive and analyse the data?

It's fundamental that the Secretariat can receive **and** analyse the data. However, for the CP with inspection presence there are two possibilities, either to receive the processed data from the Secretariat or receive raw data and do the analysing by itself.

**Annex 5. Working Paper Concerning a Pilot Project on Observers,
Satellite Tracking and Electronic Reporting**
(STACTIC W.G. (pilot project) W.P. 02/2, Revision 3)

For the purpose of future evaluation, the objectives of the pilot project include:

- Maintenance of or improvement to compliance with the Conservation and Enforcement Measures
- Enhancement of fisheries protection and enforcement systems
- Improved cost-efficiency and cost-effectiveness

In order to implement the Pilot Project on Observers, Satellite Tracking and Electronic Reporting, it will be necessary to add Part VI(c) to the Conservation and Enforcement Measures as follows:

PART VI (c) – PILOT PROJECT ON OBSERVERS, SATELLITE TRACKING AND ELECTRONIC REPORTING

A Pilot Project, which combines the use of daily electronic catch reports, observer reports and satellite tracking of fishing vessels, shall be established.

1. Scope

Only vessels of Contracting Parties with functional VMS systems that have the necessary technical facilities in place to send electronic "observer reports" and "catch reports" are eligible for this pilot project.

The total number of vessels in the Regulatory Area at any one time, which are participating in the Pilot Project shall be limited to 20, with the total number of vessels without observers not to exceed 10 at any time. Any Contracting Party shall have no more than 8 vessels participating in the Pilot Project at any one time in the Regulatory Area.

Contracting Parties shall notify the Executive Secretary of their intention to participate in the Pilot Project within 30 days following the adoption of the pilot project by the Fisheries Commission. The Pilot Project shall enter into force 60 days following adoption and, should provisionally continue for a period of two years. They shall also notify the Executive Secretary of the maximum number of vessels concerned that would be in the Regulatory Area at any one time. If the number of vessels notified by Contracting Parties exceeds 20 vessels the Executive Secretary, with the agreement of the Chairman of the Fisheries Commission, shall reduce the number without excluding any Contracting Party and advise the relevant Contracting Parties prior to the commencement of the pilot project.

Each Contracting Party is entitled to at least one vessel to participate in the Pilot Project at any time.

If a Contracting Party does not utilize its right for a vessel to participate or withdraws from the Pilot Project, the right becomes available for another Contracting Party. In such a case, the Contracting Parties with the fewest vessels participating in the Pilot Project at that time shall have priority to choose to utilize the right for a new vessel to participate.

2. Implementation

Participating Contracting Parties should notify the names of the vessels participating in the pilot project to the NAFO Secretariat. Such vessels shall have observers on board in accordance with Part VI.A of the NAFO Conservation and Enforcement Measures.

However, by way of derogation from these measures a Contracting Party may withdraw observers from vessels participating in the Pilot Project on the condition that the technical facilities on board the vessel necessary to send electronic "observer reports" and "catch reports" have been tested with the NAFO Secretariat and Contracting Parties with an inspection presence in the Regulatory Area.

The testing of this exchange shall be deemed successful once data exchanges have been completed with all recipients at a 100% reliability rate.

A Contracting Party with one vessel participating in the Pilot Project shall withdraw the observer for no more than 50% of the time that the vessel spends in the Regulatory Area during the year. Other Contracting Parties shall withdraw the observers from no more than 50% of the vessels participating in the Pilot Project that are present in the Regulatory Area.

When withdrawing observers Contracting Parties shall ensure that there is a balance between vessels participating in the Pilot Project with observers and without observers, in terms of the type of fishery in which the vessels are engaged.

Contracting Parties shall not withdraw observers from vessels with catch onboard when entering the Regulatory Area unless such vessels are subject to an inspection.

Participating Contracting Parties shall provide at all times to the NAFO Secretariat the names of vessels participating in the pilot project as well as the period during which they have no observer onboard. The Executive Secretary shall forward this information to all Contracting Parties.

In the case where a vessel without an observer is found by an inspector to be engaged in any infringement, the Contracting Party shall apply the provisions of part IV point 10 of the Scheme, as appropriate, and, when the vessel is not re-routed, it shall embark an observer without delay.

In addition to their duties under the Conservation and Enforcement Measures observers on board vessels participating in the Pilot Project shall report daily by electronic channels via the FMC to the NAFO Secretariat ("OBR report") of his duties described in Part VI.A.3. a) i) to iv) of the Conservation and Enforcement Measures.

3. Daily Reports

- a) Masters of vessels and observers taking part in the Pilot Project shall transmit daily reports by division.
- b) The daily reports are to be received by the NAFO Secretariat by 1200 UTC daily. The report period will run from 0001 hours to 2400 hours of the previous day.
- c) The catch reported in the daily report of the master will correspond with those recorded in the log.
- d) The daily reports shall include as appropriate the amounts, by Division, of the following categories:

- i) The daily catch by species retained on board
 - ii) Discarding
 - iii) Undersize fish
- e) If the electronic means of transmitting daily reports (to and from FMC) is not functioning, the master and the observer will continue to report daily by other means keeping a written log of these transmissions on board and available to inspectors.

The templates for Catch and Observer Reports are further described in addition to PART III – ANNEX 1 – HAIL SYSTEM MESSAGE FORMAT.

4. Data Collection/Compilation/Analysis

The Executive Secretary shall collect and compile, on a weekly basis, the data provided by the daily catch reports to compare, among other items, catch rates of species caught by Division, by-catch percentage rate, discard rates for similar fisheries. The details of this data compilation are outlined in Annex 2.

The Executive Secretary shall forward this information to Contracting Parties with an inspection presence.

The NAFO Secretariat shall monitor the receipt of daily reports from each vessel participating in the pilot. When a report has not been received for 2 consecutive days, the NAFO Secretariat will notify the relevant Contracting Party as well as Contracting Parties with an Inspection Presence.

The Executive Secretary shall make available as soon as possible the information received under paragraphs 2 and 3 to other Contracting Parties with an active inspection presence in the Regulatory Area. All reports and messages shall be treated in a confidential manner.

5. Confidentiality

All data submitted under the Pilot Project shall be maintained by the Executive Secretary for the duration of the Pilot Project as well as the assessment period. When assessing this data at the end of the project, the Executive Secretary and STACTIC will ensure confidentiality by replacing vessel names with a neutral identifier. All other confidentiality rules, as outlined in the Conservation and Enforcement Measures, will apply.

6. Costs

Subject to any other arrangements between Contracting Parties, each Contracting Party shall pay all its costs associated with this system.

7. Follow-up

Each Contracting Party (including those with an inspection presence) shall submit an interim report at the first annual meeting of the Fisheries Commission following adoption of the pilot project and a detailed report on the execution of the pilot project containing all necessary information at the annual meeting of the Fisheries Commission following completion of the pilot project. STACTIC supported by the Executive Secretary should evaluate the results of the pilot project at its next meeting on the basis of the criteria set out below as well as the objectives identified, together with any recommendations or proposals:

- a) Compliance overall and notably comparison between vessels with and without observers.
- b) Assessment by the Executive Secretary on issues related to data compatibility, data collection/compilation, and data transmission.
- c) Cost/savings; for the industry; for the authorities of the Contracting Party (including those with an inspection presence); for the NAFO Secretariat.
- d) Interaction with traditional means of control.
- e) Technical functioning of the Scheme and reliability.

(Annex 1 – STACTIC W.G. W.P. 02/2, Rev. 3)

1.6 Daily Catch Report

Data Element:	Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, “XNW” for NAFO
Sequence Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type, “CAT” as Catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag state code followed by number
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel
Relevant Area	RA	M	Activity detail: NAFO Division
Latitude	LA	M ¹	Activity detail; position at time of transmission
Longitude	LO	M ¹	Activity detail; position at time of transmission
Daily Catches	CA	M	Activity detail; cumulative catch by species retained on board (exclusive of discards), either since commencement of fishing in R.A. ² or last “Catch” report, in pairs as needed.
species live weight		M	FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding	RJ	M	Activity detail; discarded catch by species, either since commencement of fishing in R.A. ² or last “Catch” report, in pairs as needed.
species live weight		M	FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize	US	M	Activity detail; undersize catch by species, either since commencement of fishing in R.A. ² or last “Catch” report, in pairs as needed.
species live weight		M	FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

1 Optional if a vessel is subject to satellite tracking

2 Meaning the first “Catch Report” in current fishing trip in the R.A.

1.7 Observer Report

Data Element:	Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XNW" for NAFO
Sequence Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type, "OBR" as Observer report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Fishing Gear	GE	M	Activity detail; FAO code for fishing gear
Directed Species ⁷	DS	M	Activity detail; FAO species code
Mesh Size	ME	M	Activity detail; average mesh size in millimeters
Relevant Area	RA	M	Activity detail; NAFO Division
Daily Catches	CA	M	Activity detail; cumulative catch by species retained on board, (exclusive of discards), either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed.
species		M	FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding	RJ	M ¹	Activity detail; discarded catch by species, either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed.
species			FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize	US	M ¹	Activity detail; undersize catch by species, either since commencement of fishing in R.A. ² or last "Catch" report, in pairs as needed.
species			FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Log Book	LB	M	Activity detail; "Yes" or "No" ³
Production	PR	M	Activity detail; code for the production
Hails	HA	M	Activity detail; observers verification if the reports made by the captain are correct, "Yes" or "No" ⁴
Apparent Infringements	AF	M	Activity detail; "Yes" or "No" ⁵
Observer Name	ON	M	Message detail; name of the observer signing the report
Date	DA	M	Message detail; date of transmission
Free Text	MS	O ⁶	Activity detail; for further comments by the observer
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

- 1 Only to be transmitted if relevant
- 2 Meaning the first "Catch Report" in current fishing trip in the R.A.
- 3 "Yes" if the observer approves the Log Book entries by the captain
- 4 "Yes" if the observer approves the Hails transmitted by the captain
- 5 "Yes" if an infringement is observed
- 6 Mandatory if "LB" = "No", or "HA" = "No", or "AF" = "Yes".
- 7 Directed species is the species which represents the greatest catch for that day

(Annex 2 – STACTIC W.G. W.P. 02/2, Rev. 3)

Data to be compiled by Executive Secretary and Forwarded to Inspection Parties**Catch and Catch Rate Report (Weekly)**

Vessel Type	Division	Species	Total catch	Total Effort	Catch Rate
With observer - Masters					
With observer - Observer					
Without observer					

By-catch Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Overall Catch	By-catch%
With observer - Masters					
With observer - Observer					
Without observer					

Discards Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Discards	Discard %
With observer - Masters					
With observer - Observer					
Without observer					

Annex 6. Request for Quotation
(STACTIC W.G. (pilot project) W.P. 02/3, Revised)

Reference is made to earlier correspondence concerning a Pilot Project on observers, satellite tracking and electronic reporting within the Northwest Atlantic Fisheries Organisation (NAFO).

The following additions to the current Vessel Monitoring System of the NAFO Secretariat in Halifax, Nova Scotia are required:

1. Installation of “*catch reports*”.
2. Installation of “*observer reports*”.
3. Compilation of received data in reports stated in paragraphs 1 and 2.

The templates for the two new reports and the weekly compilations are described in annexes 1 and 2 in the attached working paper (STACTIC W.G. (pilot project) W.P. 02/2-Revision 3).

General description of the required amendments:

It is foreseen in the Pilot Project (PP) that vessels fishing in the NAFO Regulatory Area (RA) and are taking part in the PP will be required to transmit daily catch- and observer reports to the Secretariat via their Contracting Parties (CP) Fisheries Monitoring Centres (FMC). These reports are to be received by the Secretariat in electronic form following the syntax of the North Atlantic Format (NAF).

The data in the received messages is to be used for automatic comparison and compilation by the Secretariat and the compilation to be made available to the CP's with inspection presence in the RA on a weekly basis in a spreadsheet format. There shall be a flexibility in the system so that the Secretariat can decide how the data is compiled, inter alia which data elements are used for compilation. These modifications to the system must be constructed in such a way that possible future modifications/additions can be easily installed.

The Secretariat shall make available all received messages and notifications to CP's with an active inspection status in the RA on a real time basis.

As the software provider for the NAFO Secretariat, Trackwell is hereby requested to estimate following:

- Cost associated with implementation of facilities to receive and make available the catch- and observer reports in the system.
- Cost associated with compilation and transmission of data as described in annex 2.
- Implementation and the necessary familiarization for the staff of the NAFO Secretariat.
- Time needed to complete the task, as described above.

The quotation/estimate is requested in Canadian dollars (CAD) and is to include all associated costs.