

SECTION VII

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Report of the General Council and its Subsidiary Bodies (STACFAD and STACFAC), 24th Annual Meeting 16-20 September 2002 Santiago de Compostela, Galicia, Spain

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PART I

Report of the General Council Meeting (GC Doc. 02/4)

24th Annual Meeting, 16-20 September 2002 Santiago de Compostela, Galicia, Spain

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

- 1.1 The Meeting was opened by the Chair of the General Council, E. Oltuski (Cuba).
- 1.2 The Representatives of seventeen (17) Contracting Parties were present: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland-DFG), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and the United States of America (Annex 1).
- 1.3 The Chairman welcomed the delegates to the 24th Annual Meeting wishing them productive discussions and successful results of the upcoming discussions. He emphasized the NAFO commitments and goals of sustainable management of fish resources in the NAFO Convention Area.
- 1.4 The Honorable Minister of Fisheries of Galicia, Mr. Enrique Cesar Lopez Veiga, on behalf of the host country and Galician fishermen cordially invited the NAFO Meeting delegates to Galicia in the name of the Spanish Government and Galician Government. He said that "Galicia is one of the main fishing regions in Europe. We appreciate the NAFO's choice to convene this meeting in Galicia and we wish you all well and success at this meeting. Galicians believe that the sea helps to bring people together and such cooperation brings the maritime nations together for better understanding and close collaboration. We are friendly people and in this spirit, wishing you full consensus in all your agreements. And when you successfully adjourn your Annual Meeting, we would be glad to show you our friendly land and people so that you would wish sometime to come back to visit us again. Thank you very much! Again, welcome to the Land of Galicia!".
- 1.5 The Heads of Delegations from Canada, European Union, Republic of Korea, Ukraine and the United States forwarded their opening statements to the NAFO Secretariat (Annexes 2-6).
- 1.6 The Executive Secretary of NAFO, L. Chepel, was appointed as Rapporteur.
- 1.7 The adopted Agenda is attached in Annex 7.
- 1.8 Admission of Observers was addressed by the Executive Secretary reporting on his invitations to FAO, ICCAT, ICES, NAMMCO, NASCO, NEAFC and NPAFC in accordance with the Rules of Procedure. These organizations acknowledged NAFO's invitations and all, except FAO, NEAFC, NAMMCO, advised that they would not take part in the NAFO event due to their busy internal schedules.

FAO was represented by Mr. D. Doulman, NAMMCO was represented by the delegate of Iceland and NEAFC was represented by the delegate of Denmark (DFG).

With regards to non-Contracting Parties harvesting fishing resources in the NAFO area, invitations were dispatched to Belize, Honduras, Sao Tome e Principe and Sierra Leone. No responses from those countries have been received.

- 1.9 On the item of "Publicity", the meeting agreed to the existing procedure that no statements should be made to the media until after the conclusion of the meeting, when the NAFO Secretariat would issue a Press Release. The Press Release was finalized and issued at the closing session of the General Council, September 20, 2002 (Annex 8).

2. Supervision and Coordination of Organizational, Administrative and Other Internal Affairs (items 6-8)

- 2.1 The membership of NAFO was 18 Contracting Parties, the members of the General Council and Scientific Council. The membership of the Fisheries Commission (those member participating in fishery in the NAFO Area) was 16 as Bulgaria and Romania did not participate in NAFO fishery.
- 2.2 The Representative of Bulgaria was in attendance (first time since 1993), and he addressed the Meeting noting Bulgaria's intention to fully participate in NAFO activities and settle all required organizational and financial commitments according to the NAFO Convention and Financial Regulations. He further introduced Bulgaria's paper (Annex 9) explaining their schedule of repayment of the contributions "in arrears" to the end of 2004. This matter was referred to STACFAD.

At the closing session of the General Council, September 20, 2002, the Council discussed the presentation by STACFAD, and the Chairman ruled that Bulgaria's voting rights under the provisions and functions of the NAFO Convention shall be in effect from the date of Bulgaria's first instalment-debt repayment for 2001-2002 to the NAFO budget. Then Bulgaria will fulfil its outstanding financial obligations during 2003-2004. There was a consensus on this matter.

- 2.3 With respect to Romania's participation in NAFO affairs, the Meeting noted the Romanian note of withdrawal from the NAFO Convention effective 31 December 2002 (Annex 10).
- 2.4 Item 7 "Administrative Report" was referred to STACFAD. At the closing session, on the advice of the Chair of STACFAD, the Report was adopted by the General Council.
- 2.5 Under Item 8 "Selection of the Executive Secretary", the Heads of Delegations elected (by secret ballot) a new Executive Secretary – Johanne Fischer (European Union), who should take the office from 01 January 2003. She was introduced to the General Council by the Chairman and welcomed by the Delegates with cheerful acclamation and applause.

3. Coordination of External Relations (items 9-11)

- 3.1 Under item 9 "Communication with the United Nations", the Chairman noted the NAFO paper (GF/02-380, June 19, 2002) forwarded to the UN Secretariat regarding "large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments" in the NAFO Convention Area. This paper was finalized from the Executive Secretary's draft through review and approval by Contracting Parties.

- 3.2 Under item 10 "FAO International Plans of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing", the Secretary presented a compilation report including the FAO guidelines and Norwegian paper on this subject. There was no decision for further action by the General Council.

The Representative of Norway noted that the initial reference (by the Executive Secretary) to the management of shark fisheries and incidental catch of seabirds in long line fisheries was not relevant to the main subject of this item.

- 3.3 For the item 11, "NAFO cooperation with ICES", the Executive Secretary explained that the General Secretary of ICES, Dr. David de Griffith, was in favour, through mutual discussions, to develop closer relations between ICES and NAFO, and for this purpose the signing of a Memorandum of Understanding (MoU) between these two organizations would be a useful tool for improvement of such relations. The draft MoU was tabled by the Executive Secretary advising that this draft was reviewed and accepted provisionally in its letter and spirit by the General Secretary of ICES. This matter was referred to the Scientific Council for advice. At the closing session, the Chairman of the Scientific Council, Dr. Ralph Mayo, presented the Scientific Council's consideration along the lines that ICES-NAFO cooperation has at all times been on the scientific frontiers with several projects underway without complication and in a good cooperative spirit. He advised further that no specific MoU would be required to continue such cooperation at the present time.

Several Contracting Parties supported the idea of an MoU, and some Contracting Parties suggested that there was not need to formalize NAFO-ICES relations in such a form. Finally, the Chairman of the General Council concluded that General Council would accept the consideration by the Scientific Council (Annex 11).

- 3.4 Item 11a, "Participation in the Northwest Atlantic Regional Fisheries Organizations Meetings". The Executive Secretary explained this item of cooperation between regional (North Atlantic) fisheries organizations (NARFMO) that was initiated by the NEAFC Secretariat. There has been extensive exchange intersessionally between NAFO Contracting Parties and the Executive Secretary, who explained this idea in detail and asked for permission and mandate to take part in NARFMO meetings. Several Contracting Parties expressed their concern regarding the agenda of such meetings which should not be in the frame of policy/legal issues of NAFO, which have not been finalized or agreed by Contracting Parties, e.g. dispute settlement procedures (DSP) or precautionary approach (PA). The General Council agreed on the following interpretation/position regarding this matter (from GC W.P. 02/5 by Denmark):

"While the Executive Secretaries of the North Atlantic RFMO's obviously have no competence to decide upon the substance of the issues dealt with by the Organizations, it was generally agreed that benefits would be gained by an exchange of experience in the practicalities of running the Organizations. On this basis the General Council encouraged the Secretariat to participate in the next Meeting of North Atlantic RFMO Secretariats."

4. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention (items 12-14)

- 4.1 Under item 12, the Contracting Parties briefly exchanged their views on the current situation of NCP fishing in the Regulatory Area. The Canadian representative noted the increased activity of NCP presence fishing in Subarea 1, Div. 1F on Redfish fishery and proposed STACFAC to consider this matter in greater detail during its following sessions.

4.2 Under item 13, the STACFAC Chairman, Daniel Silvestre (France-SPM), presented his report to the Meeting with the following highlights and recommendations (for complete details, please see Part III of this Report):

- The Executive Secretary send a letter to the Russian Federation seeking information on the registration of the six Belizean flagged fishing vessels and encouraging the Russian Federation to take action vis à vis the transshipment to a Russian flagged cargo vessel by a Non-Contracting Party vessel;
- the President of NAFO write to Belize and Cyprus seeking more information on the registration of the Belizean fishing vessels and that these letters be delivered by the Governments of France and Canada respectively;
- The Secretariat be asked to produce annually a table compiling past communications (including responses) with Non-Contracting Parties regarding fishing in the NAFO Regulatory Area;
- The NAFO Secretariat write to the NEAFC Secretariat suggesting that information on sightings of Non-Contracting Party vessels fishing in their respective regulatory areas always be exchanged without delay;
- STACFAC be mandated to determine if measures relating to all relevant provisions of the IPOA on IUU have been established in NAFO or whether further action is desirable and report its assessment to General Council. In this respect STACFAC draws to the attention of the General Council that the IPOA on IUU is relevant to both Non-Contracting Parties and Contracting Parties but that STACFAC is limited to assessing the IPOA with regard to Non-Contracting Parties;
- Contracting Parties submitting information pursuant to paragraph 6 of the Scheme should mark it accordingly for easy identification by the Secretariat, and STACFAC should develop guidance on implementation of paragraph 11 of the Scheme;
- The specific discrepancies noted between the Scheme and the Conservation and Enforcement Measures per agenda item 10 above be drawn to the attention of the Fisheries Commission for STACTIC's consideration;
- Contingent upon adoption of relevant proposals by the Fisheries Commission, that oceanic redfish (pelagic *Sebastes mentella*) be added to annex A or B, as appropriate, of the Scheme;
- It recommend to the Fisheries Commission that the Drafting Group engaged in the overhaul of the Conservation and Enforcement Measures review the possible incorporation of the entirety of the Scheme in the Conservation and Enforcement Measures as part of its work.

The Representatives approved the STACFAC recommendations and expressed their support to STACFAC activity.

The Representative of Canada emphasized that one of the most important topics of NARFMO cooperation (see item 11a) should be the exchange and monitoring of information on NCP fishing activities in the North Atlantic, and this should be a prime task for the NAFO Executive Secretary.

The Representative of the Russian Federation explained that the reference to Russian Federation vessels (Belizean flag..) would not be appropriate as the six noted vessels do not have any Russian Federation registration at present time, do not belong to any Russian Company, and, therefore there is no legal connection to the Russian Federation on this matter. These vessels probably were under Russian jurisdiction at one time but not at the current time. With respect to the transshipment to a Russian flag vessel, this will be thoroughly investigated by Russian

authorities who will report the results to the NAFO Secretariat. Russia would not accept the principle of a double standard and continues to maintain stringent control of its vessels.

The Representative of the European Union acknowledged very elaborate work and recommendations by STACFAC. He underlined that NAFO approach in the matters of communication with NCP governments should be both strong administrative and diplomatic actions. It would not be adequate to just politely ask one NCP-Belize about vessel registrations. NAFO needs a comprehensive and effective system to exchange information among Contracting Parties on transshipments and other issues of illegal, unregulated and unreported (IUU) fishing. In this case, the proposed cooperation of NARFMO would be very useful, in particular the experience of the International Commission for the Conservation of Atlantic Tunas (ICCAT) could be helpful. The EU Representative advised that the European Union is currently developing its policy of targeting IUU fishing in the context of its Common Fishery Policy, and this document, when finalized, could be circulated to Contracting Parties.

The Representative of the United States emphasized on the importance of the NCP issue to the USA as well as a number of regional fisheries management organizations, and welcomed the Russian Federation's cooperation on this matter within NAFO. He further supported the idea of close cooperation with other regional organizations on NCP fisheries and to use the experience of organizations such as ICCAT. He further advised that the USA supports the FAO initiatives and action plans on IUU fishing, responsible fisheries, shark, and seabird conservation. He urged all Contracting Parties to cooperate closely on these issues.

The General Council adopted the STACFAC Report as a whole.

- 4.3 Item 14 "Consideration of the status of the Working Group on Dispute Settlement Procedures (DSP)". The DSP Working Group met in 2001 (June 12-14) and its report (GC Doc. 01/4) was presented to the General Council by the Chairman, Mr. F. Wieland, at the Helsingør meeting (Denmark, January 2002). There were different comments on the status of the report, and the final decision was that the report should be noted as received for further consideration by the General Council at the 24th Annual Meeting.

The Contracting Parties exchanged opinions on the status of the Working Group and possible continuation of DSP discussions in the framework of a Working Group. The European Union Representative supported the continuation of the DSP Working Group with the aim of developing a NAFO dispute settlement procedure relevant to NAFO and reflecting the Contracting Parties' needs and their experience in the Northwest Atlantic fisheries affairs.

The Representative of Canada stated that Canada would be prepared to work towards finalization of the work of the Working Group on Dispute Settlement Procedures on the understanding that Canada would not agree to its application until other provisions of the 1995 United Nations Agreement on Straddling and Highly Migratory Fish Stocks are implemented in NAFO. In this regard, he stated that Canada would be prepared to re-examine its position on all bracketed language in the Consolidated Text 2001 (DSP WG WP 01/7-Revision 2). However, he noted that Canada would insist on incorporating in the text a clear statement that where the dispute settlement provisions of the UN Fish Stocks Agreement or the United Nations Convention on the Law of the Sea (UNCLOS) apply, nothing in a NAFO dispute settlement provision would be interpreted as depriving a party to the UN Fish Stocks Agreement or UNCLOS of its right to seek resolution of the dispute under those treaties.

The European Union Representative proposed to organize consultations between Canada, the EU and the USA to identify the grounds for discussions and possible avenues to achieve

progress on this matter. The outcome of such consultations will be reported to the Chairman of the General Council, and then there should be a decision on whether to proceed with a Working Group meeting. The Representatives of Canada and United States supported the EU suggestion.

The Representative of Latvia emphasized that in this matter, all Contracting Parties should take active participation as DSP procedures would be very important not only for Canada, EU and USA.

The General Council agreed to undertake consultations between interested Contracting Parties, and, if necessary, then to convene the DSP Working Group.

5. Finance (items 15-16)

5.1 Items 15-16 were referred to the Standing Committee on Finance and Administration (STACFAD). The STACFAD proceedings are presented in Part II of this General Council Report.

5.2 The Chairman of STACFAD, G F. Kingston (EU), presented its report to the General Council on 20 September and highlighted the following recommendations:

- a) the 2001 Auditors' Report be adopted.
- b) the Secretariat engage a Human Resources Consultant, at an estimated cost of \$2,400, to prepare job descriptions for 3 other employees that had previously been in the CR category, which would then be forwarded to Canada for its analysis.
- c) the contribution from Romania be deemed uncollectable and that the amount be applied against the Accumulated Surplus Account. The Chairman noted Romania's announcement to withdraw from NAFO as of 31 December 2002.
- d) that contributions, which had been deemed uncollectable in prior years, shall be returned to the Accumulated Surplus Account. The distribution of these recovered contributions shall be returned to Contracting Parties as a reduction of the following year's assessed contributions. The distribution shall be calculated on the same basis as the year of the original billing distribution when the contributions were deemed uncollectable.
- e) that \$75,000 be maintained as a minimum balance in this account in order to fulfill NAFO's financial obligations in early 2003 until contributions are received. The remaining estimated accumulated surplus balance of \$106,286 at the end of 2002 would be used to reduce contributions due from Contracting Parties in 2003.
- f) the starting salary of the incoming Executive Secretary be set at the maximum level in the EX-2 Category of the Canadian system. Under this system there is the eligibility for a performance bonus at the end of her first year in office (as per the previous paragraph). (Appraisal at Annual Meeting, September 2003.)

It was agreed that the establishment of this salary for the incoming Executive Secretary should not presuppose future considerations of job classification and/or salary scale.

STACFAD further agreed that the broad issue of possible changes in the job classification system and salary scale of the Executive Secretary be deferred to the 2003 Annual Meeting, including the possibility of enhanced duties and responsibilities.

- g) the budget of \$1,385,400 for the year 2003 be adopted.
- h) the dates for the 2005 Annual Meeting be as follows, with the location in Halifax, unless an invitation to host is extended by a Contracting Party and accepted by the Organization:
- | | | |
|----------------------|---|-----------------|
| Scientific Council | - | 07-16 September |
| General Council | - | 12-16 September |
| Fisheries Commission | - | 12-16 September |

The dates of the 2003 and 2004 Annual Meetings, as previously agreed upon, are as follows:

2003	Scientific Council	-	10-19 September
	General Council	-	15-19 September
	Fisheries Commission	-	15-19 September
2004	Scientific Council	-	08-17 September
	General Council	-	13-17 September
	Fisheries Commission	-	13-17 September

5.3 Regarding NAFO Publications and Public Information STACFAD recommended that:

- the Secretariat continue to accelerate the transition from print to electronic (outgoing) communication to both the public and Contracting Parties with a view to dramatically reducing costs and improving efficiency and timeliness of such transmissions;
- in principle, the primary means of disseminating information to Contracting Parties should be via e-mail and website access, utilizing password protected links as necessary;
- a regular review of e-mail addresses be undertaken to ensure that they are valid and up-to-date; and
- the Secretariat continue to vigorously pursue avenues to improve the day-to-day operations of the Organization and to modernize its communication systems and procedures.

In principle, the primary means of providing information to the public be through the NAFO website with the availability of hardcopy material at a nominal fee in order to recover printing and mailing costs.

5.4 The General Council discussed the STACFAD recommendations and adopted the 2003 budget and report as a whole.

6. Closing Procedures (items 17-20)

- 6.1 Item 17, "Time and Place of Next Annual Meeting" was reported by STACFAD (above).
- 6.2 Under item 18 "Other Business", the Chairman introduced a "Schedule of NAFO Intersessional Meetings, 2002-2003" which was adopted by the General Council (Annex 12).
- 6.3 The draft Press Release was circulated to Heads of Delegations on Thursday, September 19, and was finalized by the Secretariat after the Meeting incorporating the relevant comments by Contracting Parties (Annex 8).

- 6.4 At the conclusion, the Chairman and Heads of Delegations wished all the best to the outgoing Executive Secretary, Leonard Chepel, who in response took the floor and expressed his gratitude to Contracting Parties and his colleagues at the Secretariat for their cooperation during his 12-year assignment with NAFO. Mr. Chepel presented all Contracting Parties' delegations with his memorable token of historical book – "Northwest Atlantic: Fisheries, Science, Regulations, XX Century", which summarizes all major developments and decisions by two international organizations in the Northwest Atlantic – ICNAF and NAFO during XX Century.
- 6.5 The meeting adjourned at 1300, September 20, 2002.

Annex 1. List of Participants

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Annex 2. Opening Statement by the Representative of Canada
(P. S. Chamut)

- Mr. Chairman, distinguished Representatives, Ladies and Gentlemen;
- It is indeed a pleasure to participate at this twenty-fourth annual meeting of NAFO in the magnificent surroundings of Santiago de Compostela. This is a city that has both a richness of history and hospitality, and on behalf of the entire Canadian delegation, I wish to express how delighted we are to be here.
- I would also thank the Spanish authorities for hosting this meeting, and for their warm and generous hospitality.
- As we begin today, I want to reflect on the importance of this meeting for the Canadian delegation, and for this Organization.
- The past decade has been a difficult one for Canadian fishermen, and fishing communities in Atlantic Canada. So too has it presented very substantial challenges to NAFO.
- Within Canadian fisheries, we have confronted the collapse of groundfish stocks, closures of fisheries and processing plants and the economic devastation of communities sustained by the fishery for hundreds of years.
- We have learned the hard way about the need for conservation and sustainable fishing practices.
- Although it has been difficult and painful, we have transformed our fishing industry.
- At the same time, it has also been difficult times within NAFO. We have had to confront the harsh reality of moratoria, and the effect the closures have had on fishermen from distant communities that had also enjoyed the benefits of the abundant stocks on the Grand Banks.
- We have recognized the need for NAFO to invest in improved conservation, and stock rebuilding. Progress has been made, and as an organization, we can take credit for what has been done.
- Although we have come a long way over the past 15 years, recent information shows that progress is being eroded. We cannot let past progress distract us from tackling the difficult challenges that remain.
- We have a long and difficult road to travel to ensure the rebuilding of once plentiful stocks. Many stocks continue to be at historically low levels, despite the fishing moratoria. Progress to stock recovery is very slow, and fragile. Achieving recovery depends upon the actions taken around this table, to adopt the right conservation measures, and to ensure they are adhered to.
- It is clear to us in Canada that the well-being of groundfish stocks – and the economic future of our fishing communities – depends upon the decisions made here.

- It is for this reason that NAFO is so important to the people who are represented by the Canadian delegation. In the absence of the commitment of all Contracting Parties to stock rebuilding and sustainable fishing practices, the future of our fishing industry is bleak. Our fishermen have nowhere else to go. Their future is directly and uniquely dependent on the success of NAFO in meeting its responsibility.
- It is for this reason that the outcome of this meeting is being watched so closely in Newfoundland, and elsewhere in Canada.
- The level of scrutiny reflects not only the importance of the outcome to domestic interests. It also reflects an increasing skepticism that NAFO can successfully address the challenges it must face.
- This skepticism stems from the increasing trends in non-compliance with NAFO conservation measures. It is also validated by the observations in many Scientific Council reports about bycatch of species under moratoria, and the harvest of juvenile fish.
- This growing dissatisfaction with NAFO's performance is being expressed politically in the form of demands for strong action by government to assert Canadian interests in the protection of groundfish stocks.
- For example, a report to our Parliament by the Standing Committee on Fisheries and Oceans advocates that Canada withdraw from NAFO, and institute custodial management of fish resources.
- At this meeting, this organization will be judged by actions we take to demonstrate that NAFO can protect and rebuild stocks, and manage sustainably.
- With this as backdrop, I want to be clear about the Government of Canada's objective for this session.
- Our intent, and commitment, is to work with all Parties to achieve an objective which I believe is shared – to find ways to make NAFO more effective.
- We believe this objective can be advanced by showing that we are rectifying problems of compliance; that all Contracting Parties are following up to deter non-compliance; that we are adopting more effective conservation measures; and by demonstrating that science is the basis for setting TACs.
- Making NAFO more effective is a collective challenge. We believe that this organization can find the will to continue to strengthen its performance, and to serve as a model for other regional fisheries management organizations to emulate.
- Canada is looking forward to a constructive meeting – one which will advance the interests of this organization and its members, and provide a brighter future for all who depend upon the fishing resources under our stewardship.
- Thank you.

Annex 3. Opening Statement by the Representative of the European Union (Mr. J. Spencer)

Mr. Chairman,
Distinguished Delegates,

Firstly, as a European-Celtic origin it is for me a particular pleasure to be in this part of Europe, which has historical strong ties with coastal communities in Europe and particular ties between Galicia and other parts of Europe, such as Ireland and Great Britain.

It is a great pleasure for me on a personal basis to find myself in Galicia and also in the part of Europe along with our cousins to the south in Portugal, which were art the very foundation and originators of fishing in the Northwest Atlantic so many centuries ago. And that tradition and that commitment to continue sustainable fishery is a driving force behind our involvement in NAFO. We would like to thank the Spanish Government and regional authorities for the facilities they put at our disposal, which would facilitate our constructive dialogue between all parties around the table.

Mr. Chairman, I shall be rather brief with my presentation. I think it rather hinges around five-six words. Those key words are beginning with the letter "C". First of all, our objective, and I hope this objective is shared around the table that we are seeking to arrive at the *consensus* on the range of issues confronting us at this Annual Meeting. We do not see any distinctions between this meeting and any other previous meetings of NAFO. We are firmly committed to the NAFO process that has been at the beginning and we remain so. We think that this is only the way forward to achieve the sustainability of fisheries that has truly strengthened the international cooperation. So this is the first key word – consensus.

The second key word for the European Community is the word *compliance*. It is essential that we have more involvement of parties around the table in the compliance effort, and, I say that in regard of the current observer scheme, which is under review, but also to inspection presence. In our view, the rights to fish go hand in hand with the responsibility to ensure the ability to control vessels. We have been consistently present in the NAFO Regulatory Area many years now with a permanent control presence, and the investments in terms of manpower, in terms of material and in terms of costs have been considerable. But it is towards the basic obligations we have vis-à-vis of our involvement in the Area. And we would hope that in the course of this week, we would hear echoed from the other parties their willingness not simply looking for quotas and for different technical conditions, but their wish to cooperate in involving themselves in the compliance effort. We will have an opportunity to put on the table of the Fisheries Commission a report that we have drawn-up in very non-technical language on our findings in relation to compliance in the last years. It would give a picture, which results from the inspection on all vessels, and I say that ... "on all vessels" ... with very much emphasis since our vessels, without question, are the most inspected and controlled vessels in the NAFO Area and have been for years.

The third "C" is the term *consistency*. We have to be careful that when we approach different agreed measures and management proposals that we have to be consistent in the outlook. There have been several problems in NAFO with the closure of many of the key historical fisheries. And we have the responsibility to ensure that those fisheries recover. We have taken certain measures of technical measure to address issues and have to be extremely vigilant on the by-catch issue. But we equally have to avoid what I would term a unilateral action whereby one NAFO party departs from the NAFO approach in relation to the management of the stocks. And I am talking about 2J3KL cod stock, where it is clear from the international scientific advice available to us that there should be a closure, but, unfortunately, that closure has been ignored on a number of occasions in

recent time. And this is an issue that we would come back to in detail at the Fisheries Commission discussions.

Cooperation, Mr. Chairman, is the key word. Without the cooperation of the parties around the table, NAFO cannot achieve its objectives. We think that NAFO has made a substantial contribution to promote international cooperation, but we cannot be complacent and we are not complacent. And, therefore, we would trust that different issues that we address this week, be those of a management or technical nature, be addressed in a straight-forward and constructive manner so that we improve what we have already and we build upon it.

And finally, Mr. Chairman, the letter "C" and there I would talk about XXI Century. We have now moved into a new century and we have new responsibility, and I trust we will be wise in the selection of our Executive Secretary so that he or she would be able to bring us forward in a constructive and dynamic way in order to improve what is the very foundation of this organization, the NAFO Secretariat.

Mr. Chairman, I will close my comments. There are many issues that in five "Cs" I have mentioned that will underpin our involvement in this NAFO Annual Meeting.

Thank-you Mr. Chairman.

Annex 4. Opening Statement by the Representative of the Republic of Korea
(Mr. Oh Choong-Shin)

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen.

It is a great honor for me to take part in the 24th Annual Meeting of NAFO as the representative of the Republic of Korea in the historic city, Santiago de Compostela.

I would like to give my thanks to the Secretariat of NAFO for the preparation of the Meeting. And my thanks also go to the Spanish Government for hosting this Conference.

The Republic of Korea, as a responsible fishing Country, has been actively making all efforts in establishing international fishery regimes.

In this connection, my country will also continue to cooperate with the member countries of NAFO for the conservation and management of fishery resources. Even though the Republic of Korea became a member country of NAFO in December, 1993 in order to join the activities to conserve and manage fishery resources, the fishing allocated to Korea has not reached the level which even one vessel can harvest since Korea's entrance to NAFO and moreover, the allocated quota has been on the decrease.

Korea has contributed to the development of NAFO by sharing its contribution with sincerity. All member countries of NAFO should keep in mind that according to Article 11 of the UN Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the fishing quota must be allocated properly to the member country which has cooperated in conserving and managing fishery resources.

Korea has suspended catching in the NAFO Regulatory Area at the same time with its entrance to the Organization, because the profitable fishing quota was not secured.

If the above situation continues to Korea, the Korean government will lose the justifiable reason for the continuous participation to NAFO.

Therefore, the Korean government is making a demand for the favorable allotment of the fishing quota. Korea has also continued to improve the present quota system of NAFO, because the current quota allocation devised by NAFO is somewhat outdated and it is no longer applicable to the present reality.

And the fishing quota should be allocated fairly on the basis of historical fishing activities and efforts for the conservation and management among member countries.

The member countries which have operated in the NAFO Regulatory Area should put themselves in other's place.

I would like to touch roughly the observer program. The observer program is necessary and helpful to conserve and manage fishery resources. However, because the main role of observers is to collect scientific data about fisheries, the number of observers should be at a minimum to achieve their purpose without disturbing the fishing activities.

Even though a little amount of the fishing quota is given to Korea, Korean vessels cannot operate fishing activities owing to lack of the profitable quota.

Therefore, in order to utilize effectively the allocated quota the transfer of the fishing quota should be permitted between the member countries of NAFO.

I think this Organization has met two big problems. One is the recovery of fishery resources in the NAFO Convention Area, and the other is the proper allocation of the fishing quota among the Contracting Parties.

I hope these two subjects will be discussed fully and this Meeting will get a successful result.

Thank-you!

Annex 5. Opening Statement by the Representative of Ukraine
(Mr. V. Chernik)

Dear Mr. President,

Dear Colleagues,

We all come to this meeting on the sacred Land of Galicia with our best hopes to discuss and successfully resolve the issues of the Agenda of the 24th Annual Meeting. And even if we could not resolve all of them, we would be able to develop and agree on the follow-up and new measures of the conservation and utilization of fish resources of the NAFO area in most effective way. We have to find such methods of resources allocation that those should be fair, transparent and understandable. Today, we would recognize the insufficiency of the approach of the resources distribution, which would be based only on the achieved basis.

Such an approach would allow sometimes to artificially expedite fishery and catches even exaggerate the results for the sake of obtaining a larger quota(s). In such situations, there would be an undesirable intent to "swap/trade" quotas not only for necessity, but as a commercial trade.

The Ukrainian Delegation is thankful to the host Contracting Party and the Galician Government for the excellent organization of this Annual Meeting in Santiago de Compostela. We hope that the selection of a new Executive Secretary of NAFO and other decisions of this meeting would reflect in our memories with satisfaction for those achievements.

The Ukrainian Delegation wishes to all participants of this meeting very fruitful and productive work!

Thank-you!

**Annex 6. Opening Statement by the Representative of the
United States of America (Mr. J. H. Dunnigan)**

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen:

It is a great pleasure for the United States to participate in the 24th annual meeting of this fine organization. It is a personal honor for me to be here for the first time as the head of my country's delegation. We very much look forward to this week as an opportunity to strengthen an international organization that is already recognized as a leader in the conservation and management of ocean fisheries.

In the United States we are committed to an aggressive program of conservation and management of our fisheries, one that focuses on securing the benefits of these resources over the long term to our fishermen, their families, and all who depend on our fisheries. We all know how difficult this can be. We all recognize the hardships that are being faced by our coastal communities. Our New England and Mid-Atlantic fishermen, for example, are facing increasingly difficult limitations as we seek to rebuild groundfish stocks to a point where they can produce the maximum sustainable yield. Many of these fishermen had fathers and grandfathers who relied on fisheries that are now regulated by NAFO. Our government, in collaboration with our industry, struggles to find the best solution to the challenges of conservation. And yet we do it because we have proven to ourselves that conservation works. We have seen it happen in our fisheries. The great lesson of our experience over the past decade has been that fishery resources can recover if government and industry and other organizations with an interest in our fisheries work together in a program of prudent and precautionary management. And we are convinced that along with our colleagues in NAFO, we can all find the same, common success in the fisheries managed under the NAFO umbrella.

All of this begins with sound science, and a commitment to applying it wisely. The NAFO Scientific Council has an outstanding record of providing the advice to the fishery managers in NAFO. They have been creative and supportive of our needs as managers, understanding the difficulties that we all face. The United States is proud to be a strong contributor and supporter of NAFO science, and are committed to its application to our common management problems.

Sound conservation and management continues with the development and application of an effective system of governance. In this area we look forward to working with our colleagues in NAFO to continue to strengthen the conservation and management program to which we are all committed. We believe that NAFO has the opportunity to strengthen its approach toward monitoring and control in a manner that ensures compliance with its allowable catch and control measures. And we believe that NAFO has the opportunity to continue to make progress in the development of an approach that will ensure in the future that the conservation and management measures that we apply are wise, cautionary, and aim to secure the greatest long-term benefits from our resources.

We must also continue to strive for a management program that is fair and equitable to all. The United States remains committed to developing an approach to allocations that will allow all members to share in the benefits of conservation as our NAFO stocks recover. We continue to believe that the NAFO conservation program will result in greater opportunities over the long term for all fishermen, including our own. We very much look forward this week to working with our colleagues to reinvigorate our efforts to develop an long-term approach to making allocations decisions.

Mr. Chairman, NAFO also has the opportunity this week to commit itself to effective and vigorous staff leadership. The United States takes note of the excellent efforts of the NAFO Executive Secretary over the past ten years, and we wish graciously to acknowledge and thank Dr. Chepel for his outstanding service. Our belief that this fine organization continues to deserve strong staff leadership is a symbol of our commitment to NAFO. We face exciting times ahead. We face difficult times ahead. It will be essential that we be guided by a staff and an Executive Secretary who are experienced, who understand the ways in which countries work together toward common purpose, and who are committed to the mutual success of all. Given our recognition of the long-term nature of the commitments we make and the benefits that we expect to receive, we believe that this is one of the most significant decisions we have to make this week. And we look forward to working with our colleagues around this table to ensure the ongoing success of NAFO.

And finally, Mr. Chairman, let us take note of the historic and cultural significance of the location of this meeting. One cannot help but be impressed by the beauty of our surroundings and by the warmth of friendship of the people of this region. Coming from a country and a culture that is only a few hundred years old, I am reminded of how much we have to learn. In our country we were struck by horrible tragedy only a year ago last week. The pain of that time is still fresh in our minds, and we are grateful for the expressions of concern and support provided by our colleagues at NAFO. The resiliency and the dedication of a people over many millennia, as we witness in Spain and in Galicia, are a witness from which we can learn much. We thank the government of Spain and of Galicia for graciously hosting this most important meeting.

Thank you Mr. Chairman.

Annex 7. Agenda

I. Opening Procedure

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

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

6. Review of Membership
 - a) General Council
 - b) Fisheries Commission
 - c) Reports from Contracting Parties on their communication with Bulgaria
7. Administrative Report
8. Selection of the Executive Secretary

III. Coordination of External Relations

9. Communication with the United Nations General Assembly (Resolution 55/8, October 30, 2000)
10. FAO International Plans of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing
11. NAFO cooperation with ICES
 - a) Participation in North Atlantic Regional Fisheries Management Organizations (NARFMO) Meetings

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

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

V. Finance

15. Report of STACFAD at the Annual Meeting
16. Adoption of the Budget and STACFAD recommendations for 2003

VI. Closing Procedure

17. Time and Place of Next Annual Meeting
18. Other Business
19. Press Release
20. Adjournment

Annex 8. Press Release

1. The 24th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Santiago de Compostela, Galicia, Spain, during 16-20 September 2002, under the chairmanship of Enrique Oltuski (Cuba), President of NAFO. The NAFO constituent bodies - General Council, Fisheries Commission and Scientific Council convened their sessions at the Galicia Congress and Exhibition Centre.
2. The meeting was attended by 200 delegates from seventeen Contracting Parties - Canada, Bulgaria, Cuba, Denmark (in respect of Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and United States of America.
3. Prior to the Annual Meeting, the following NAFO meetings occurred during 2001: (1) Special Meetings (General Council and Fisheries Commission) in a framework of the 23rd Annual Meeting (Helsingør, Denmark, Jan. 29 – Feb. 01); (2) Standing Committee on International Control (Copenhagen, Denmark, May 6-9); (3) Working Group of Technical Experts on Precautionary Approach (Dartmouth, N.S., Canada, June 20-21); (4) Working Group on Management of Oceanic Redfish (Dartmouth, N.S., Canada, June 24-25); (5) Scientific Council Regular Meeting (Dartmouth, N.S., Canada, June 6-20); (6) STACTIC Drafting Group to Overhaul Conservation and Enforcement Measures (Ottawa, Canada, July 9-11).
4. The Scientific Council, under the chairmanship of Ralph Mayo (USA), reviewed and assessed the status of fish stocks in the NAFO Area. The scientific advice and recommendations from the Scientific Council were presented to the Fisheries Commission. The Scientific Council agreed that major groundfish stocks still remain at low abundance and, therefore, should not be recommended for directed fisheries during 2003. The biomass and fishery potentials of Yellowtail flounder in Div. 3LNO were assessed as stable with the possibility of a sustainable fishery. The Scientific Council Symposium on Elasmobranch Fisheries (held in advance of Annual Meeting) brought new ideas on shark management, harvest strategies and stock assessment.
5. The Fisheries Commission, under the chairmanship of Dean Swanson (USA), considered the advice of the Scientific Council in relation to the conservation of fish stocks in the Regulatory Area and agreed to conservation and enforcement measures.

The Fisheries Commission agreed to continue moratoria ("no directed fishery") in 2003 on the following stocks: Cod in Divisions 3M, 3L (that portion within the Regulatory Area) and 3NO, Redfish in Div. 3LN, American plaice in Divisions 3M and 3LNO, Witch flounder in Div. 3NO and 3L (that portion within the Regulatory Area); and Capelin in Div. 3NO. The Quota Table for 2003 was adopted (Attachment 1).

With respect to management measures for cod in Div. 2J3KL, Contracting Parties other than Canada expressed their serious concern that management measures for this stock may not be consistent throughout its range in the Convention Area in the year 2002.

The Fisheries Commission adopted new rules for assessing the compliance of the NAFO Contracting Parties with the Conservation and Enforcement Measures in the NAFO Area.

The Fisheries Commission agreed on continuing restrictive conservation measures in shrimp fishery on Flemish Cap and Division 3L by employing selective sorting grates for by-catch avoidance and 40mm mesh size. The fishing days in Div. 3M should be 90% of an earlier

benchmark historical record. The Fisheries Commission also agreed on specific rules for controlling and monitoring by-catches and minimizing incidental catches in directed fisheries and modifications to the Automated Hail/Vessel Monitoring System for continuous effective monitoring of fishing activities in the Regulatory Area.

6. The General Council, under the chairmanship of Enrique Oltuski (Cuba), deliberated several substantive issues regarding internal and external NAFO policy and finance on the following terms:
 - Standing Committee on non-Contracting Party Fishing Activity in the Regulatory Area (STACFAC) shall continue the study for application of the FAO International Plans of Action on Illegal, Unregulated and Unreported Fishing (IUU) to NAFO needs;
 - Concern was expressed with regards to non-Contracting Party fishing activity in the NAFO Regulatory Area in the second half of 2002, and STACFAC was instructed to review and monitor this situation.
 - The President of NAFO will contact the non-Contracting Parties (Belize and Cyprus) whose flag vessels were involved.
 - The General Council considered the re-establishment of the voting rights of Bulgaria based on Bulgaria's commitment to re-pay its outstanding contributions.
7. The General Council of NAFO elected a new Executive Secretary – Johanne Fischer (European Union), who will replace the outgoing Executive Secretary – Leonard Chepel effective January 01, 2003.
8. The following elections of NAFO officers took place:

Chairman of Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC)	- D. Silvestre (France in respect of St. Pierre et Miquelon) (re-elected)
Vice-Chairman of Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC)	- N. Bouffard (Canada) (re-elected)

NAFO General Council
20 September 2002

NAFO Secretariat
Dartmouth, N.S.
Canada

(REVISED January 24, 2003)

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2003 of particular stocks in Subareas 1-4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

	Cod		Redfish		American plaice		Yellowtail	Witch	Capelin	G. halibut	Squid (<i>Illex</i>) ^{2,3}	Shrimp
Contracting Party	Div. 3M	Div. 3NO	Div. 3M	Div. 3LN	Div. 3M	Div. 3LNO	Div. 3LNO	Div. 3NO	Div. 3NO	Div. 3LMNO	Subareas 3+4	Div. 3L
1. Canada	0	0	500	0	0	0	14137 ⁷	0	0	4 668	N.S. ⁴	10 833
2. Cuba	0	-	1750	0	-	-	-	-	0	-	510	144
3. Denmark (Faroe Islands and Greenland)	0	-	69	-	-	-	-	-	-	-	-	144
4. European Union	0	0	3100	0	0	0	290 ⁷	-	0	17 226	N.S. ⁴	144
5. France (St. Pierre et Miquelon)	-	-	69	-	-	-	-	-	-	-	453	144
6. Iceland	-	-	-	-	-	-	-	-	-	-	-	144
7. Japan	-	-	400	-	-	-	-	-	0	3 189	510	144
8. Korea	-	-	69	-	-	-	-	-	-	-	453	144
9. Norway	0	-	-	-	-	-	-	-	0	-	-	144
10. Poland	0	-	-	-	-	-	-	-	0	-	227	144
11. Estonia												144
12. Latvia	0	0	13 850 ¹	0	0	-	-	0	0	-	1 133 ¹	144
13. Lithuania												144
14. Russia												144
15. Ukraine												144
16. United States of America	-	-	69	-	-	-	-	-	-	-	453	144
17. Others	0	0	124	0	0	0	73 ⁷	0	-	2 070 ⁵	794	0
Total Allowable Catch	* ⁹	*	5 000 ⁶	*	* ⁹	*	14 500 ⁸	*	*	31 122	34 000	13 000

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

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

³ Any quota listed for squid may be increased by a transfer from any "coastal state" as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.

⁴ Not specified because the allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC.

⁵ Of which no more than 60% (1242 t) may be fished before 1 May 2003.

⁶ Each Contracting Party shall notify the Executive Secretary bi-weekly of catches taken by its vessels from this stock. Not more than 2500 tons may be fished before July 1, 2003. The Executive Secretary shall notify without delay all Contracting Parties of the date on which, for this stock, accumulated reported catch taken by vessels of the Contracting Parties is estimated to equal 50 and then 100 percent of the TAC for that stock.

⁷ Contracting Parties shall inform the NAFO Executive Secretary before (1 December 2002) of the measures to be taken to meet the advice of the NAFO Scientific Council, i.e. to ensure that total catches do not exceed the levels indicated.

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

⁹ Applicable to 2003 and 2004.

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

Oceanic Redfish
(pelagic *Sebastes mentella*)

NAFO SA 2 and
Divisions 1F and 3K

Denmark (Faroe Islands and Greenland)	}	
European Union		
Iceland		
Norway		
Poland		
Russia		25,000 ^{1);2);3)}
Canada	}	
Cuba		
Estonia		
France (St. Pierre et Miquelon)		
Japan		
Korea		
Latvia		
Lithuania		
Ukraine		
USA		7,500 ^{1);3)}

- ¹⁾ The Contracting Parties shall notify the Executive Secretary bi-weekly of catches taken by its vessels from this allocation. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.
- ²⁾ As acceptance of this decision the quantities taken from that allocation in the NAFO Convention Area by respective Contracting Parties shall be deducted from the quotas allocated to these Contracting Parties in the NEAFC Convention Area.
- ³⁾ This arrangement applies to 2003 and is without prejudice to sharing arrangements for this stock in future years.

**Annex 9. Bulgarian Declaration on Repayment of the Bulgarian
outstanding contributions (for the years 1993-2002)**
(GC Working Paper 02/6)

The Bulgarian Delegation at the 24th Annual Meeting of NAFO states the following:

- a) Bulgaria acknowledges its outstanding contributions to NAFO Budget for the years 1993-2002 in the amount of \$171,061.42 Cdn
- b) Bulgaria declares the following schedule of the noted outstanding contribution repayment:
 - For the years 2001-2002 in the amount of \$41,264.67 to the end of 2002.
 - For the years 1993-2000 in the amount of \$129,796.75 during 2003-2004.

Pursuant to the above-noted commitment, the Bulgarian Government requests the General Council of NAFO to restore Bulgaria's voting rights under the provisions of Article XVI.9 of the NAFO Convention.

Annex 10. Letter regarding Romania's withdrawal from NAFO

**EMBASSY OF ROMANIA
OTTAWA
AMBASSADE DE ROUMANIE**



**655 RIDEAU STREET, OTTAWA, ON
CANADA, K1N 6A3
TEL. : (613) 789-3769, 789-5345
789-4037, 789-4038
FAX : (613) 789-4365**

No. 380

The Embassy of Romania presents its compliments to the Department of Foreign Affairs and International Trade - the Legal Affairs Bureau - and has the honour to notify hereby that through Law no.793 of December 29, 2001, the Parliament of Romania has adopted the decision that Romania renounces its membership in the Convention on Future Multilateral Co-operation in the Northwest Atlantic Fisheries - NAFO, signed in Ottawa on October 21, 1978.

This notification is made in conformity with the provisions of Article XXIV of the said Convention. The Embassy of Romania is kindly requesting the Legal Affairs Bureau to acknowledge receipt of the present Note and confirm the annulment of Romania's membership in NAFO.

The Embassy of Romania avails itself of this opportunity to renew to the Department of Foreign Affairs and International Trade - the Legal Affairs Bureau - the assurance of its highest consideration. *gg*

Ottawa, February 15, 2002



**DEPARTMENT OF FOREIGN AFFAIRS
AND INTERNATIONAL TRADE**

The Legal Affairs Bureau

**Annex 11. Scientific Council Consideration of Memorandum of
Understanding with ICES**
(GC Working Paper 02/7)

The Scientific Council considered a proposal presented by the Executive Secretary to develop a Memorandum of Understanding (MoU) with ICES and referred to it by General Council.

Scientific Council noted that it has had a long-standing working relationship with ICES in many scientific activities of mutual interest. The Council at present continues to work effectively with ICES, e.g. Scientific Council nominees attending ACFM Meetings of ICES, a Joint NAFO/ICES Working Group on Harp and Hooded Seals, conducting co-sponsored Symposia, etc. Under the circumstances Scientific Council is unclear as to the incremental benefits that would accrue through a formal document such as a MoU. It was accordingly decided there is not any need for a formal MoU at this stage. Scientific Council, however, agreed this matter could be considered at a later date based on any additional documentation that may be prepared outlining, in more detail, the benefits and advantages of any MoU.

Annex 12. Schedule of NAFO Intersessional Meetings, 2002-2003
(GC Working Paper 02/8)

Meetings

STACTIC W.G. on Pilot Project	D. Bevan (Canada)	18-20 Nov 2002 (after NEAFC AM)	London (NEAFC)
W.G. of Fisheries Commission on Allocation (FC WP 02/30 Rev.) (EU)	26-28 March ¹⁾ or 18-20 February	Florida, USA
W.G. of the General Council on Dispute Settlement (if decided)	?	29-30 April	Brussels
W.G. (small) of STACTIC to overhaul Conservation and Enforcement Measures	?	before STACTIC June Meeting	"preferably
STACTIC:	D. Bevan	16-20 June	Copenhagen Denmark
<ul style="list-style-type: none"> - Evaluation of Part VI (incl. STACTIC W.P. 02/31) - Pilot Project (proposal from STACTIC W.G.) - Green Bible – CEM (proposal from small group) - Compliance (structure of work for September STACTIC Meeting) - Others 			

¹⁾Heads of Delegations will be notified by September 27, 2002 of the chosen dates upon notification from the US delegation.

PART II

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

1. Opening by the Chairman

The first session of STACFAD was opened by Fred Kingston (EU) on 16 September 2002.

Present were delegates from Bulgaria, Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), European Union (EU), France (in respect of St. Pierre et Miquelon), Japan, Latvia, Norway, Russian Federation, Ukraine and United States of America (USA) (Annex 1).

The Chairman welcomed delegates to Santiago de Compostela.

2. Appointment of Rapporteur

Sofeia Horsey (Canada) and Stan Goodick (NAFO Secretariat) were appointed Rapporteurs.

3. Adoption of Agenda

Delegates were presented with and accepted a revised agenda (Annex 2), which incorporated additional items for review and discussion:

- Item 15c) Amendments to Rule 7.1 of NAFO Staff Rules.
- Item 15d) Request from Bulgaria to re-establish voting rights in NAFO.

4. Auditors' Report

The Executive Secretary presented the Auditors' Report and Financial Statements of the Northwest Atlantic Fisheries Organization for the year ended 31 December 2001. The Auditors' Report, signed by Deloitte & Touche, was circulated to the Heads of Delegation prior to the 24th Annual Meeting. No comments had been received on the report.

As stated in Note 4 of the Auditors' Report entitled "Provision for Employee Termination Benefits", the Committee noted the Organization's practice of funding this liability at the rate of \$10,000 per annum as approved by the General Council at the Special Meeting in January 2002.

The Executive Secretary gave a brief overview of Notes 2 and 9 of the Auditors' report regarding a claim that the staff assessment under Rule 6.2 of the Financial Regulations should not have been deducted from the salary of the Executive Secretary. Document GF/02-366 was also circulated, which contained a legal opinion obtained by the Executive Secretary to support this claim.

STACFAD recommended that NAFO engage the services of its own legal counsel at a cost of approximately \$3,000 to investigate this claim in order to provide a legal opinion and to advise on an appropriate course of action.

STACFAD recommended that the 2001 Auditors' Report be adopted.

5. Status of the spending for the implementation of the Automated Hail/VMS System

STACFAD W.P.02/22 (Annex 3) was reviewed.

Following STACFAD's request at its last meeting, the Chairman of STACTIC provided an overview on the implementation of the system. His summary analysis of operations drew attention to both restrictions in its current application as well as to its potential to enhance tracking and reporting of vessel location and activity. It was once more pointed out that the Hail/VMS System was greatly underutilized by some Contracting Parties and the STACTIC Chairman provided STACFAD with an excerpt of a report (FC Doc 02/11) indicating how Contracting Parties are currently using the system.

STACTIC Working Paper 02/24 was tabled outlining a proposal submitted by Norway, which was subsequently agreed to by the Fisheries Commission indicating that an extra \$45,000 from the 2003 Budget would be required to implement changes to enhance the automated reporting system. This amount would be in addition to forecasted expenditures of \$34,000 for ongoing operating costs and \$10,000 in other programming changes.

An additional amount of \$30,000 from the 2003 Budget was also envisaged to implement further changes to the system arising from a proposal for a Pilot Project on Observers.

6. Review and evaluation of work descriptions for NAFO employees in the CR category with respect to consideration and application of Canadian Pay Equity Settlement

Following STACFAD's recommendation to General Council at Helsingor in January 2002, a Human Resources Consultant was engaged to prepare the job descriptions consistent with the Universal Classification System (UCS) requirement for 4 employees in the CR category at the NAFO Secretariat. The Consultant's Report is contained in STACFAD W.P.02/30. Canada agreed to have its Human Resources Classification specialists review and assess the classification category and level and report back their findings in advance of the next Annual Meeting.

STACFAD also recommended that the Secretariat engage a Human Resources Consultant, at an estimated cost of \$2,400, to prepare job descriptions for 3 other employees that had previously been in the CR category, which would then be forwarded to Canada for its analysis.

STACFAD again agreed that this issue should be treated as a priority and addressed at the 2003 Annual Meeting. The Secretariat noted that the potential cost to the NAFO Budget by the retroactive application of pay equity from 1985 to 2002, following the Canadian Pay Equity Settlement, could be as high as \$237,000.

Canada stated that the practice of promoting Secretariat staff to the next classification level once the employee had reached the maximum pay scale of their original classification level was not consistent with the NAFO Staff Rules 6.1 and 6.4.

7. Meeting of the Pension Society

The Executive Secretary presented STACFAD Working Paper 02/24, which summarized the key points regarding the Annual Meeting of the International Fisheries Commissions Pension Society, which took place in Chicago, USA 30 April - 2 May 2002.

8. Administrative and Financial Statements for 2002

The Chairman introduced NAFO/GC Doc 02/3 (Revised).

Concerning the Financial Statements, the Executive Secretary stated that salaries were over budget due to economic increases as indicated in footnote a. In response to a request made at the last meeting, STACFAD W.P.02/26 was tabled to provide salary details. An additional \$3,000 was added under "Other Contractual Service" for legal advice on the appropriateness of applying a staff assessment to the Executive Secretary (see Agenda item 4).

STACFAD noted outstanding contributions from Bulgaria (\$21,271.62), Cuba (\$21,348.20), France (\$26,426.55), Poland (\$22,037.40), Romania (\$21,271.62) and the Ukraine (\$21,271.62). France indicated that its 2002 contribution would be paid shortly. As in prior years, STACFAD recommended that the contribution from Romania be deemed uncollectable and that the amount be applied against the Accumulated Surplus Account. The Chairman noted Romania's announcement to withdrawn from NAFO as of 31 December 2002.

Bulgaria addressed STACFAD and stated its intention to pay its outstanding contributions to NAFO (see GC Working Paper 02/6, Annex 4). STACFAD welcomed this statement of intent. STACFAD recommended that such contributions, which had been deemed uncollectable in prior years, shall be returned to the Accumulated Surplus Account. The distribution of these recovered contributions shall be returned to Contracting Parties as a reduction of the following year's assessed contribution. The distribution shall be calculated on the same basis as the year of the original billing distribution when the contributions were deemed uncollectable.

A schedule of outstanding contributions detailing the total amounts due from Bulgaria and Romania is attached (Annex 5).

9. Review of Accumulated Surplus Account

The Accumulated Surplus Account was reviewed and it was noted that the year-end balance is estimated to be \$181,286, provided that all outstanding member contributions (excluding Romania) were received.

As in previous years, STACFAD recommended that \$75,000 be maintained as a minimum balance in this account in order to fulfil NAFO's financial obligations in early 2003 until contributions are received. The remaining estimated accumulated surplus balance of \$106,286 at the end of 2002 would be used to reduce contributions due from Contracting Parties in 2003.

10. Salary Scale for the NAFO Executive Secretary

Some delegates expressed interest in increasing the salary level of the Executive Secretary in order to attract candidates internationally. It was noted that similar positions in other regional fisheries management organizations are classified at the D-1 level of the UN salary scale. (STACFAD Working Paper 02/20).

In order to provide some flexibility and address the concerns of certain Contracting Parties, Canada introduced STACFAD WP 02/34, proposing that the base salary of the Executive Secretary be augmented through a performance bonus, following the Canadian Public Service Executive Category. The Executive Secretary's position is currently classified in this Executive Category (EX-2).

Canada explained that in the Canadian Public Service a performance bonus is applicable in the Executive Category in the context of an annual appraisal based on agreed performance objectives. Bonuses are possible under a two-tier system:

- Part 1 would provide the Executive Secretary with a 5% increase on the base salary if established ongoing commitments of the position are "met" (or better) with a cap when the incumbent reaches the maximum of the salary scale. A 7% increase applies on the base salary if the incumbent "surpasses" ongoing commitments.
- Part 2 would provide for up to a 10% increase on the base salary if key commitments are achieved or surpassed.

STACFAD recommended that the starting salary of the incoming Executive Secretary be set at the maximum level in the EX-2 Category of the Canadian system. Under this system there is the eligibility for a performance bonus at the end of her first year in office (as per the previous paragraph). (Appraisal at Annual Meeting, September 2003.)

It was agreed that the establishment of this salary for the incoming Executive Secretary should not presuppose future considerations of job classification and/or salary scale.

STACFAD further agreed that the broad issue of possible changes in the job classification system and salary scale of the Executive Secretary be deferred to the 2003 Annual Meeting, including the possibility of enhanced duties and responsibilities.

11. Budget Estimate for 2003

GC Working Paper 02/3 (Revision 4) was tabled. It was noted that all items were standard with the exception of those items highlighted below:

6. Other Contractual Services

Consulting Fees – total estimate \$10,400 consisting of:

- Human Resources Consultant to write 3 job classifications - estimate \$2,400 (see Agenda item 6)
- Computer Technology Advisor to assess the state of current computer holdings and provide recommendations on necessary course of action to modernize/upgrade to acceptable working level - estimate \$8,000

10. Meetings - Symposia

Participation at the Co-ordinating Working Party on Fisheries Statistics (CWP) sessions in the function of the Chair of STACREC who is also the Scientific Council Vice-Chair - estimate \$5,000 – on the basis of a recommendation of the Scientific Council contained in Annex 6.

It was noted that STACFAD could expect a request for funding on an ongoing biannual basis to cover travel costs for the Chair of STACREC's attendance at the CWP. It was agreed in principle that financial provisions could be made, on a case by case basis, for officers of the Scientific Council who are required to attend meetings or symposia wherein they represent the interests of NAFO rather than those of a Contracting Party.

11. Computer Services

- Purchase of desktop and laptop to replace outdated and deficient computer equipment - estimate \$10,000.
- Program changes to the Automated Hail/VMS System - estimate \$45,000 (see Agenda item 5), to be added to \$10,000 already in forecasted programming changes.

STACFAD recommended that the budget of \$1,385,400 for the year 2003 be adopted (Annex 7).

The preliminary calculation of the 2003 billing is \$1,279,114 (Annex 8).

12. Budget forecast for 2004

STACFAD reviewed the preliminary budget forecast for 2004 of \$1,311,000 (Annex 9) and approved the forecast in principle. It was noted that the budget for 2004 will be reviewed in detail at the next Annual Meeting.

13. Recruitment of the new Executive Secretary

STACFAD reviewed the process for the recruitment of the new Executive Secretary, set-up at the 2002 Special Meeting in Helsingor, Denmark, to evaluate its effectiveness. Delegates expressed overall satisfaction with the process. Using the website with password protection was efficient and worked well to expedite the entire process.

It was noted, however that:

- Four Contracting Parties did not provide preferred candidates;
- Not all Contracting Parties complied with the deadline for submitting their selection of 10 preferred candidates;
- Some Contracting Parties experienced technical difficulties and could not download files due to the inability of their systems to handle the size of the files transmitted;
- Four Contracting Parties did not submit a full list of 10 candidates (out of the total number received), although it did not affect the selection of the four final candidates. It was suggested that perhaps Contracting Parties could be asked to select less than 10 preferred candidates when a future selection process is undertaken;
- Discretion was required by the Secretariat in screening applications received to ensure they were relevant to the position advertised; and
- It could have been confirmed in advance that candidates would be scheduled for interviews earlier in the week thereby eliminating the need to cover travel expenses for an entire week.

Canada tabled STACFAD W.P.02/33, a draft proposed contract between NAFO and the incoming Executive Secretary for review and consideration.

STACFAD recommended that NAFO seek independent legal counsel to review the proposed contract. This expense will be covered under the 2002 budget.

14. Time and Place of 2004 and 2005 Annual Meetings

The 2004 Annual Meeting will be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization.

The dates of the 2004 Annual Meeting are as follows:

Scientific Council	-	08-17 September
General Council	-	13-17 September
Fisheries Commission	-	13-17 September

STACFAD recommended that the dates for the 2005 Annual Meeting be as follows, with the location in Halifax, unless an invitation to host is extended by a Contracting Party and accepted by the Organization:

Scientific Council	-	07-16 September
General Council	-	12-16 September
Fisheries Commission	-	12-16 September

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

15a) Review and evaluation of survey results regarding disposition of NAFO publications and electronic communications

Mindful of the need to accommodate those Contracting Parties with limited technological systems, and other Parties concerned, STACFAD recommended that:

- the Secretariat continue to accelerate the transition from print to electronic (outgoing) communication to both the public and Contracting Parties with a view to dramatically reducing costs and improving efficiency and timeliness of such transmissions;
- in principle, the primary means of disseminating information to Contracting Parties should be via e-mail and website access, utilizing password protected links as necessary;
- a regular review of e-mail addresses be undertaken to ensure that they are valid and up-to-date; and
- the Secretariat continue to vigorously pursue avenues to improve the day-to-day operations of the Organization and to modernize its communication systems and procedures.

15b) Public information on NAFO activities

Extensive discussion took place regarding public access to information on NAFO activities. STACFAD recognized the need to modernize access to NAFO information and to improve the flow of such information.

STACFAD recommended that, in principle, the primary means of providing information to the public be through the NAFO website with the availability of hardcopy material at a nominal fee in order to recover printing and mailing costs.

15c) Amendments to Staff Rule 7.1

STACFAD W.P.02/27 was tabled (Annex 10), which amends Rule 7.1 of the NAFO Staff Rules. These proposed changes are consistent with recent benefits negotiated between the Treasury Board of Canada and the Public Service Alliance of Canada. STACFAD recommended that this amendment be adopted.

15d) Request from Bulgaria to re-establish voting rights in NAFO

Bulgaria formally requested General Council to reinstate its voting rights in NAFO on the basis of a commitment to pay its 2001 and 2002 contributions (i.e. \$41,264.67) by the end of 2002 and to pay the balance of its outstanding contributions (\$129,796.75) during 2003-2004 (see GC Working Paper 02/6 - Annex 4). The delegates recognized that under Article XVI(9) of the NAFO Convention ..."A Contracting Party which has not paid its contributions for two consecutive years shall not enjoy any right of casting votes and presenting objections under this Convention until it has fulfilled its obligations, unless the General Council decides otherwise."

On this basis, STACFAD recommended that, once Bulgaria has paid its 2001-2002 contributions, General Council consider the issue of according voting rights to Bulgaria pursuant to Article XVI(9).

16. Adjournment

The final session of the STACFAD meeting adjourned on 19 September 2002 at 2035 hrs.

Annex 1. List of Participants

Name	Contracting Party
Kostadin Kodzhabashev	Bulgaria
David Bevan	Canada
Sofeia Horsey	Canada
Greg Peacock	Canada
Bob Steinbock	Canada
Victor Sarda Espinosa	Cuba
Lars Madsen	Denmark (F&G)
Fred Kingston	European Union
Christophe Le Villain	European Union
Manfred Stein	European Union
Sarah Ausseil	France (SPM)
Keiko Suzuki	Japan
Ricards Derkacs	Latvia
Heidi Johansen	Norway
Victor Solodovnik	Russian Federation
Vasyl Chernik	Ukraine
Ralph Mayo	USA
Patrick Moran	USA
Leonard Chepel	NAFO Secretariat
Stan Goodick	NAFO Secretariat
Forbes Keating	NAFO Secretariat
Johanne Fischer	Incoming NAFO Executive Secretary (from 1 January 2003)

Annex 2. Agenda

1. Opening by the Chairman, G. F. Kingston (EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditor's Report
5. Status of the spending for the implementation of the Automated Hail/VMS System
6. Review and evaluation of work descriptions for NAFO employees in the CR category with respect to consideration of application of Canadian Pay Equity Settlement
7. Meeting of the Pension Society
8. Administrative and Financial Statements for 2002 (end July)
9. Review of Accumulated Surplus Account
10. Salary scale for the NAFO Executive Secretary
11. Budget Estimate for 2003
12. Budget Forecast for 2004
13. Recruitment of the new Executive Secretary
14. Time and Place of 2004-2005 Annual Meetings
15. Other issues including any questions referred from the General Council during the current Annual Meeting
 - b) Review and evaluation of survey results regarding disposition of NAFO publications and electronic communications
 - c) Public information on NAFO activities
 - d) Amendments to Rule 7.1 of NAFO Staff Rules
 - e) Request from Bulgaria to re-establish voting rights in NAFO
16. Adjournment

**Annex 3. Status of spending for the implementation of the Automated Hail/
VMS System
(STACFAD W.P. 02/22)**

	Budget <u>2002</u>	Forecast <u>2002</u>
<u>Automated Hail/VMS Expenditures (Computer Services):</u>		
Trackwell Software - Annual support and maintenance	\$18,300	\$18,300
Aliant Telecom - X.25 line	12,980	12,980
Trackwell Software - X.400 line	720	720
Trackwell Software – Additional billings (network connection problems, setting up Contracting Parties, proposals for changes to system)		4,000
	<u>\$32,000</u>	<u>\$36,000</u>

**Annex 4. Bulgarian declaration on repayment of the Bulgarian
Outstanding contributions (for the years 1993-2002)**
(GC W.P. 02/06)

The Bulgarian Delegation at the 24th Annual Meeting of NAFO states the following:

- a) Bulgaria acknowledges its outstanding contributions to NAFO Budget for the years 1993-2002 in the amount of \$171,061.42 Cdn
- b) Bulgaria declares the following schedule of the noted outstanding contribution repayment:
 - For the years 2001-2002 in the amount of \$41,264.67 to the end of 2002.
 - For the years 1993-2000 in the amount of \$129,796.75 during 2003-2004.

Pursuant to the above-noted commitment, the Bulgarian Government requests the General Council of NAFO to restore Bulgaria's voting rights under the provisions of Article XVI.9 of the NAFO Convention.

Annex 5. Schedule of Outstanding Contributions from Bulgaria and Romania
(STACFAD W.P. 02/23)

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

	<u>Bulgaria</u>	<u>Romania</u>
1 January – 31 December 1982		\$2,700.75
1 January – 31 December 1983		11,000.00
1 January – 31 December 1984		11,483.06
1 January – 31 December 1985		12,688.81
1 January – 31 December 1986		11,784.09
1 January – 31 December 1987		15,273.97
1 January – 31 December 1988		14,189.50
1 January – 31 December 1989		16,618.05
1 January – 31 December 1990		17,875.65
1 January – 31 December 1991		20,060.56
1 January – 31 December 1992		18,702.14
1 January – 31 December 1993	18,109.12	17,473.10
1 January – 31 December 1994	14,893.10	14,893.10
1 January – 31 December 1995	16,614.28	16,614.28
1 January – 31 December 1996	15,944.93	15,944.93
1 January – 31 December 1997	15,002.75	15,002.76
1 January – 31 December 1998	16,121.90	16,121.89
1 January – 31 December 1999	16,267.88	16,267.87
1 January – 31 December 2000	16,842.79	16,842.79
1 January – 31 December 2001	19,993.05	19,993.05
1 January – 31 December 2002	21,271.62	21,271.62
	\$171,061.42	\$322,802.09

Annex 6. Scientific Council recommendation regarding CWP participation
(Scientific Council Report, SCS Doc. 02/19, page 73)

ii) CWP 20th Session, January 2003

The NAFO Secretariat announced that the CWP 20th Session is scheduled to be held at the Headquarters of the Indian Ocean Tuna Commission (IOTC) in the Seychelles during 21-24 January 2003. STACREC drew attention to the draft agenda included in SCS Doc. 02/11 and requested members to provide any suggested changes or additional agenda items to the Assistant Executive Secretary to communicate to the CWP Secretary.

Continuing the usual practice, STACREC **recommended** that *the Assistant Executive Secretary attend the CWP 20th Session to be held in the Seychelles during 21-24 January 2003.*

STACREC further noted that both the STACREC Chair and the Assistant Executive Secretary make valuable contributions to the CWP sessions. The Assistant Executive Secretary brings continuity and an international focus while the STACREC Chair brings a focus on the needs of the Scientific Council. STACREC recognises that significant costs can be associated with attending the CWP sessions. These costs for the STACREC Chair should be covered by the standard NAFO budget. STACREC therefore **recommended** that *the Rules of Procedure of the Scientific Council be modified to include participation at CWP sessions in the functions of the Vice-Chair who is also the Chair of STACREC and that the Scientific Council Chair address the budgetary aspect of this to the Executive Secretary with respect to the attendance at the 20th CWP Session and subsequent sessions.*

STACREC noted that the Scientific Council invites the participation of representatives of any Contracting Party (at national expense) at the CWP 20th Session, and requested interested parties to contact the NAFO Secretariat.

Annex 7. Budget Estimate for 2003

Northwest Atlantic Fisheries Organization

(Canadian Dollars)

	Approved Budget for 2002	Projected Expenditures for 2002	Preliminary Budget Forecast for 2003	Budget Estimate for 2003
1. Personal Services				
a) Salaries	\$ 735,000	\$ 748,000	\$748,000	\$759,000 ^a
b) Superannuation and Annuities	81,000	73,000	80,000	73,000
c) Group Medical and Insurance Plans	69,000	69,000	71,000	76,000
d) Termination Benefits	22,000	61,000	20,000	22,000 ^b
e) Accrued Vacation Pay	1,000	14,000	1,000	1,000
f) Termination Benefits Liability	10,000	10,000	10,000	10,000
2. Travel	26,000	21,000	4,000	19,000 ^c
3. Transportation	1,000	1,000	1,000	1,000
4. Communications	60,000	56,000	41,000	59,000
5. Publications	30,000	30,000	30,000	30,000
6. Other Contractual Services	48,000	51,000	45,000	58,400
7. Additional Help	1,000	1,000	1,000	1,000
8. Materials and Supplies	30,000	30,000	30,000	30,000
9. Equipment	5,000	5,000	5,000	5,000
10. Meetings				
Annual General Meeting and Scientific Council Meetings	66,000	85,000	66,000	76,000 ^d
Inter-sessional Meetings	55,000	56,000	30,000	40,000 ^e
Symposium	8,000	8,000	-	5,000
11. Computer Services	48,000	52,000	48,000	120,000
12. Recruitment and Relocation	73,000	73,000	-	
	<u>\$1,369,000</u>	<u>\$1,444,000</u>	<u>\$1,231,000</u>	<u>\$1,385,400</u>

^a NAFO's salaries budget estimate for 2003 includes a 2.5% economic increase.

^b This figure is for 2003 credits and conforms with NAFO Staff Rule 10.4(a).

^c Travel costs for 2003 include: (i) the Assistant Executive Secretary and the Chair of STACREC to the Co-ordinating Working Party on Fishery Statistics (CWP) of the Food and Agriculture Organization (FAO) of the United Nations, January 2003, Seychelles; (ii) the Assistant Executive Secretary to the 25th Session of the Committee on Fisheries (COFI) at FAO in February 2003, Rome and the Regional Fishery Bodies to be held immediately after the COFI Meeting; (iii) two invited experts to a Scientific Council Workshop on Precautionary Approach in 2003.

^d This figure includes the cost for the 25th Annual Meeting, September 2003, Dartmouth, Canada, the Scientific Council Meeting, June 2003, Dartmouth, Canada and the Scientific Council Shrimp Meeting, November 2003, venue to be determined.

^e General provision for 4 or 5 inter-sessional meetings (Quota Allocation, Precautionary Approach, Drafting Group/STACTIC) during 2003.

Annex 8. Preliminary Calculation for 2003

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Preliminary calculation of billing for Contracting Parties
against the proposed estimate of \$1,385,400 for the 2003
financial year (based on 17 Contracting Parties to NAFO)
(Canadian Dollars)

Budget Estimate.....	\$1,385,400.00
Deduct: Amount from Accumulated Surplus Account.....	<u>106,286.00</u>
Funds required to meet 2003 Administrative Budget.....	<u>\$1,279,114.00</u>

60% of funds required = \$767,468.40
30% of funds required = 383,734.20
10% of funds required = 127,911.40

Contracting Parties	Nominal Catches for 2000	% of Total Catch in the Convention Area	10%	30%	60%	Amount Billed
Bulgaria	-	-	-	\$22,572.60	-	\$ 22,572.60
Canada	508,877	57.00	\$81,888.36	22,572.60	\$437,456.98	541,917.94
Cuba	46	0.01	-	22,572.60	76.74	22,649.34
Denmark (Faroes & Greenland) ^{1,2}	118,435	13.26	19,058.53	22,572.60	101,766.31	143,397.44
Estonia	13,415	1.50	-	22,572.60	11,512.03	34,084.63
European Union	37,047	4.15	-	22,572.60	31,849.94	54,422.54
France (St. Pierre et Miquelon)	5,200	0.58	836.78	22,572.60	4,451.32	27,860.70
Iceland	9,363	1.05	-	22,572.60	8,058.42	30,631.02
Japan	2,816	0.32	-	22,572.60	2,455.90	25,028.50
Republic of Korea	-	-	-	22,572.60	-	22,572.60
Latvia	3,397	0.38	-	22,572.60	2,916.38	25,488.98
Lithuania	4,047	0.45	-	22,572.60	3,453.61	26,026.21
Norway ¹	3,974	0.45	-	22,572.60	3,453.61	26,026.21
Poland	1,732	0.19	-	22,572.60	1,458.19	24,030.79
Russian Federation	22,067	2.47	-	22,572.60	18,956.47	41,529.07
Ukraine	-	-	-	22,572.60	-	22,572.60
United States of America ¹	162,365	18.19	26,127.73	22,572.60	139,602.50	188,302.83
	892,781	100.00	\$127,911.40	\$383,734.20	\$767,468.40	<u>\$1,279,114.00</u>
Funds required to meet 1 January - 31 December 2003 Administrative Budget						<u>\$1,279,114.00</u>

¹ Provisional Statistics used when calculating 2000 nominal catches which have not been reported from some Contracting Parties.

² Faroe Islands = 8,531 metric tons
Greenland = 109,904 metric tons

Annex 9. Preliminary Budget Forecast for 2004
(Canadian Dollars)

1.	Personal Services	
	a) Salaries	\$ 785,000
	b) Superannuation and Annuities	75,000
	c) Group Medical and Insurance Plans	78,000
	d) Termination Benefits	21,000 ^a
	e) Accrued Vacation Pay	1,000
	f) Termination Benefits Liability	10,000
2.	Travel	15,000 ^b
3.	Transportation	1,000
4.	Communications	45,000
5.	Publications	30,000
6.	Other Contractual Services	48,000
7.	Additional Help	1,000
8.	Materials and Supplies	30,000
9.	Equipment	5,000
10.	Meetings	
	Annual General Meeting and	
	Scientific Council Meetings	76,000 ^c
	Inter-sessional Meetings	40,000
11.	Computer Services	50,000
		\$1,311,000

^a This figure is for 2004 credits and conforms with NAFO Staff Rule 10.4(a).

^b Travel costs for 2004 is for the Assistant Executive Secretary's attendance at a Co-ordinating Working Party on Fishery Statistics (CWP) inter-sessional meeting of the Food and Agriculture Organization of the United Nations (FAO) and two staff members to the annual meeting of Directors and Executive Secretaries of the International Fisheries Commissions Pension Society (IFCPS), April 2004, Washington, DC, USA.

^c This figure includes the cost for the 26th Annual Meeting, September 2004 and Scientific Council Meetings June and November 2004.

Annex 10. Amendments to Rule 7.1 of NAFO Staff Rules

Amendments to *Rule 7.1* of NAFO Staff Rules
by
NAFO Secretariat

As a result of negotiations and signed contracts between the Treasury Board of Canada and the Public Service Alliance of Canada that included some improvements to its annual leave provisions, Rule 7.1 of the NAFO Staff Rules should be amended accordingly. Please note that for comparison purposes the amendments to Rule 7.1 are underlined and the text from the current Rule 7.1 is in square brackets [].

Rule 7.1

Members of the Secretariat shall be entitled to annual leave with pay at the following rates:

- a) one and one-quarter (1-1/4) days for each calendar month until the month in which the anniversary of the employee's eighth (8th) year of continuous employment occurs;
- b) one and two-thirds (1-2/3) days for each calendar month commencing with the month in which the employee's eighth (8th) anniversary of continuous employment occurs;
- c) one and five-sixths (1-5/6) days for each calendar month commencing with the month in which the employee's sixteenth (16th) anniversary of continuous employment occurs;

[item c) is a new entitlement to annual leave]

- d) one and eleven-twelfths (1-11/12) days for each calendar month commencing with the month in which the employee's seventeen (17th) anniversary of continuous employment occurs;
- e) two and one-twelfth (2-1/12) days for each calendar month commencing with the month in which the employee's eighteenth (18th) anniversary of continuous employment occurs;
- f) two and one-quarter (2-1/4) [two and one-third (2-1/3)] days for each calendar month commencing with the month in which the employee's twenty-seventh (27th) [twenty-eighth (28th)] anniversary on continuous employment occurs;
- g) two and one-half (2-1/2) days for each calendar month, commencing with the month in which the employee's twenty-eighth (28th) [twenty-ninth (29th)] anniversary of continuous employment occurs;
- h) For the purposes of leave entitlements in accordance with these staff rules, an employee of the Professional Category (Rule 3.1 (a)) may receive credit for continuous years of service prior to joining NAFO in federal or provincial governments (and international equivalencies), and years of service in other international organizations as agreed by a signed contract between the employee and NAFO;

PART III

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

1. Opening by Chairman

The meeting was called to order by the Chairman, Mr. Daniel Silvestre (France – SPM) at 2PM on 16 September 2002. The following Contracting Parties were present: Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Community, France (in respect of St. Pierre and Miquelon), Japan, Norway, the Russian Federation and the United States of America. A representative from the Food & Agriculture Organization was also present as an observer. (Annex 1)

2. Appointment of Rapporteur

Ms. Allison Saunders (Canada) was appointed rapporteur.

3. Adoption of Agenda

The agenda was adopted with recognition that, as STACFAC did not meet in 2001, information from that year should also be considered so that there would be no gaps in STACFAC's work (Annex 2). The Chairman indicated that items 4 and 5 would be dealt with together.

4. Review of 2002 information on activities of Non-Contracting Party vessels in the Regulatory Area

5. Review of 2002 information on landings and transshipments of fish caught by Non- Contracting Party vessels in the Regulatory Area

Canada presented a report on Non-Contracting Party activity in the Regulatory Area (STACFAC WP 02/1) and circulated photographs of the activity. The report highlighted that to date in 2002 six vessels flagged to Belize have harvested an estimated 6000 tonnes of oceanic redfish in divisions 1F and 2J. Canada also indicated that through communications with the vessels and with Belize and Cyprus, it had determined that one of the vessels (Kadri) was of Belizean registry but that several of the vessels (Olchan, Oyra and Okhotino) were of dual registration, having been registered in Cyprus but "chartered-in" to the Belizean registry with effect from 29 March 2002 – 28 March 2003. Canada indicated that it continued to seek information from Belize and Cyprus regarding the registration of the vessels Ostroe and Ostrovets. Canada further advised that the Ostroe had been photographed transshipping fish to the Russian flagged cargo vessel Metelitsa. Canada stressed that further information was required from Russia regarding these vessels.

The Russian Federation indicated it had only recently received information on these vessels. Inquiries had revealed that the vessels were all formerly Russian and that the ship owner had decided to reflag to pursue 1F redfish. The representative of the Russian Federation confirmed that the Metelitsa was registered in Murmansk but that it had not landed or transhipped into a Russian port. The Russian Federation stated its willingness to investigate these issues and report to NAFO but stressed the need for an official paper, such as a letter from NAFO, to commence this process.

While Canada's report will be circulated to all Contracting Parties by the Secretariat pursuant to paragraph 6 of the Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO ("Scheme"), it was agreed to also recommend to the General Council that the Executive Secretary send a letter to the Russian Federation seeking information on the registration of the six fishing vessels and encouraging Russia to take action vis à vis the transshipment to the Metelitsa (Annex 3). Canada also undertook to provide copies of the circulated photos as well as more detailed information regarding the vessels (eg: call signs) to the Russian Federation.

There was some discussion as to whether the transshipment activity to a Contracting Party fell more properly within the purview of STACTIC or STACFAC. It was noted that this question of forum would arise with any activity that involved both Contracting and Non-Contracting Parties.

In addition to the notification of the flag state by the Secretariat required by paragraph 6 of the Scheme, it was also agreed to recommend to the General Council that letters from the President of NAFO seeking more information on the registration of the fishing vessels be sent to Belize and Cyprus (Annexes 4 and 5). France (SPM) agreed to deliver the letter to Belize through diplomatic channels and Canada undertook to similarly deliver the letter to Cyprus.

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

There was no information under this agenda item.

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

The representative of the European Community reported that they had sent a letter to Sao Tome and Principe on 17 October 2000 to which no reply had been received. The Chair noted that in response to an unrelated matter, the Government of France had received a response from Sao Tome and Principe advising that Sao Tome and Principe now only registered fishing vessels for fisheries in its coastal waters.

The representative of Canada advised that in spring 2001, letters had been sent to Panama and Honduras but the only response had been an acknowledgement of receipt. The USA noted that it had sent letters to Belize and Sierra Leone.

It was noted that follow up on responses or lack thereof from Non-Contracting Parties was important. To facilitate effective follow up, it was agreed to recommend to the General Council that the Secretariat be asked to produce annually a table compiling past communications (including responses) with Non-Contracting Parties. It was further noted that, once compiled, STACFAC could consider sharing this table with other regional fisheries management organizations.

8. Reports by Contracting Parties on legal, administrative and practical actions that have been taken to implement the NAFO Scheme

The EC noted that the Non-Contracting Party vessels observed fishing in the NAFO Regulatory Area in 2002 had also been sighted fishing in the NEAFC Regulatory Area. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that sightings of Non-Contracting Party vessels in the NEAFC Regulatory Area are reported by the NEAFC Secretariat to the NAFO

Secretariat at the time of the sighting for distribution to all parties. He noted that such sharing of information appeared to be happening on an informal basis but that it would be useful to ensure that such information would be exchanged. It was agreed to ask the NAFO Secretariat to write to the NEAFC Secretariat suggesting this information always be exchanged without delay.

9. Discussion of the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing

The representative for the European Community noted that the IPOA on IUU encouraged countries to complete a national plan of action no later than 2004. In this respect, he noted the EC planned to reinforce control measures, including its contribution to the international surveillance network. As well, anticipating the entry into force of the FAO Compliance Agreement, the European Community, in 2003, would continue to provide fleet information to FAO as required by article 6 of that Agreement. The European Commission has provided a proposal to member states underlining the need for consistency between actions taken by regional fisheries management organizations on IUU fishing and emphasizing the necessary definition of the “genuine link” between a flag state and its vessels as well as the necessary definition of the rights and obligations of port states. This document will be presented to the European Council of Ministers as part of the reform of the Common Fisheries Policy. Thus, the EC anticipates that it will be able to present the community plan of action on IUU fishing to the 2003 meeting of the FAO Committee on Fisheries.

The observer from FAO drew attention to its publication of technical guidelines under the IPOA on IUU as well as a plain language version of the IPOA. Copies of these publications may be obtained from FAO in multiple languages. The observer also noted that FAO will be hosting, from 4-6 November 2002 in Rome, an expert consultation to review port state measures to combat IUU fishing.

The Chairman then drew attention to a paper prepared by the Norwegian delegation and circulated at the General Council meeting in January 2002 as GC WP 02/1. The paper is a review by Norway of the portions of the IPOA on IUU relating to regional fisheries management organizations and presents Norway’s assessment as to whether NAFO has already established measures indicated in the IPOA. Given the limited time available, delegates briefly reviewed the Norwegian paper and decided to recommend to General Council that STACFAC be mandated to determine if measures relating to the provisions of the IPOA on IUU had been established in NAFO or whether further action by NAFO was desirable. STACFAC would then report its assessment to General Council to seek guidance on the development of proposals. Canada observed that the Norwegian paper assessed the portion of the IPOA on IUU of most relevance to NAFO. Canada noted that the IPOA on IUU was also relevant to Contracting Parties and indicated that in seeking its mandate from General Council, STACFAC should voice its limitations in this respect.

10. Report and Recommendations to the General Council

The representative of Denmark (in respect of the Faroe Islands and Greenland) indicated that the most recent incident of fishing by Non-Contracting Parties in the Regulatory Area highlighted the need for procedural improvements. Notably, he indicated that Contracting Parties submitting information pursuant to paragraph 6 of the Scheme should mark it accordingly for easy identification by the Secretariat. There was general agreement on this suggestion.

The representative of Denmark (in respect of the Faroe Islands and Greenland) also recommended clarification of the processes to be followed by Contracting Parties in implementing paragraph 11 of the Scheme. He sought the views of the Committee on the application of paragraph 11 to

transshipment at sea. In response, the representative of Canada indicated her understanding that as the term “transshipment” was not modified in the Scheme, it applied to all types of transshipment. She further noted that the Drafting Group engaged in overhauling the NAFO Conservation and Enforcement Measures had recommended incorporation of a definition of “fishing vessel” which included transshipment vessels. The USA agreed with the points made by Canada and stated that the Scheme defined “fishing activity” to include transshipment and that under the Scheme a “fishing vessel” was simply one engaged in a “fishing activity”. The USA indicated that the ambiguity in paragraph 11 lay with whether a Contracting Party vessel which had received a transshipment of fish from a Non-Contracting Party vessel was covered by the landing and transshipment restriction applicable to Non-Contracting Party vessels. The EC concurred and noted that article 4 of its Council Regulation 1262/2000 of 8 June 2000, implementing the Scheme, prohibited transshipment from Non-Contracting Party vessels, including transshipment at sea.

The representative of Canada indicated that while guidance from STACFAC on the implementation of paragraph 11 might be helpful, the Scheme should not prescribe how Contracting Parties were to fulfill their obligations. By way of example, she further noted that Canada fulfilled its obligation in this regard by requiring a licence for all transshipments occurring in Canadian ports or waters. There was general agreement that developing guidance on paragraph 11, perhaps to be included as an annex to the Scheme, would be useful.

The representative of Canada also indicated that given the fishery on which the recent Non-Contracting Party activity was occurring, it would be useful to add oceanic redfish (pelagic *Sebastes mentella*) to annex A or B of the Scheme as appropriate.

The representative of Canada also drew attention to several discrepancies between the Scheme and paragraphs of the NAFO Conservation and Enforcement Measures and suggested that it might be appropriate to rectify them. In particular, she highlighted that section I.J of the Conservation and Enforcement Measures referred only to Contracting Parties ensuring that “their fishing vessels” do not receive transshipments from Non-Contracting Parties as opposed to “their vessels” and that, for clarity, VII.1(i) should refer to port calls by Non-Contracting Party and Contracting Party vessels that have engaged in fishing for stocks in the Regulatory Area. In addition, she suggested that it would be useful for the Drafting Group engaged in the overhaul of the Conservation and Enforcement Measures to review the possible incorporation of the entirety of the Scheme in the Conservation and Enforcement Measures. There was general approval for this suggestion, although it was acknowledged that there had been some discussions in STACTIC with respect to the Scheme in the past.

STACFAC thus recommends to the General Council that:

1. the Executive Secretary send a letter to the Russian Federation seeking information on the registration of the six Belizean flagged fishing vessels and encouraging the Russian Federation to take action vis à vis the transshipment to a Russian flagged cargo vessel by a Non-Contracting Party vessel;
2. the President of NAFO write to Belize and Cyprus seeking more information on the registration of the Belizean fishing vessels and that these letters be delivered by the Governments of France and Canada respectively;
3. the Secretariat be asked to produce annually a table compiling past communications (including responses) with Non-Contracting Parties regarding fishing in the NAFO Regulatory Area;
4. the NAFO Secretariat write to the NEAFC Secretariat suggesting that information on sightings of Non-Contracting Party vessels fishing in their respective regulatory areas always be exchanged without delay;

5. STACFAC be mandated to determine if measures relating to all relevant provisions of the IPOA on IUU have been established in NAFO or whether further action is desirable and report its assessment to General Council. In this respect STACFAC draws to the attention of the General Council that the IPOA on IUU is relevant to both Non-Contracting Parties and Contracting Parties but that STACFAC is limited to assessing the IPOA with regard to Non-Contracting Parties;
6. Contracting Parties submitting information pursuant to paragraph 6 of the Scheme should mark it accordingly for easy identification by the Secretariat.
7. STACFAC develop guidance on implementation of paragraph 11 of the Scheme;
8. the specific discrepancies noted between the Scheme and the Conservation and Enforcement Measures per agenda item 10 above be drawn to the attention of the Fisheries Commission for STACTIC's consideration;
9. contingent upon adoption of relevant proposals by the Fisheries Commission, that oceanic redfish (pelagic *Sebastes mentella*) be added to annex A or B, as appropriate, of the Scheme;
10. it recommend to the Fisheries Commission that the Drafting Group engaged in the overhaul of the Conservation and Enforcement Measures review the possible incorporation of the entirety of the Scheme in the Conservation and Enforcement Measures as part of its work.

11. Election of Chairman and Vice-Chairman

The Chairman brought to the attention of the Committee that the terms of service of both the Chairman and the Vice-Chairman would soon expire. Mr. Daniel Silvestre (France – SPM) was re-elected as Chairman for the next two years. Ms. Nadia Bouffard (Canada) was re-elected as Vice-Chairman for the next two years.

12. Other Matters

No other matters were discussed.

13. Adjournment

The Committee adjourned at 7:30PM on Wednesday 18 September 2002.

Annex 1. List of Participants

Canada	Ms. Nadia Bouffard Ms. Judy Dwyer Ms. Allison Saunders
Denmark (in respect of the Faroe Islands and Greenland)	Mr. Einar Lemche Mr. Árni Olafsson
European Community	Mr. Yan Becouarn Mr. Per Heller Mr. Christophe Le Villain
France (in respect of Saint Pierre and Miquelon)	Ms. Sarah Ausseil Mr. Daniel Silvestre
Japan	Mr. Sato Tsuneaki
Norway	Ms. Turid Rodrigues Eusébio
Russian Federation	Mr. Alexander Okhanov Mr. Vadim Agalakov
USA	Mr. Gene Martin
Observers	
FAO	Mr. David Doulman

Annex 2. Agenda

1. Opening by Chairman, Daniel Silvestre (France – SPM)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of 2002 information on activities of Non-Contracting Party vessels in the Regulatory Area
5. Review of 2002 information on landings and transshipments of fish caught by Non-Contracting Party vessels in the Regulatory Area
6. Review of information on imports of species regulated by NAFO from Non-Contracting Parties whose vessels have fished in the Regulatory Area
7. Reports by Contracting Parties on diplomatic contacts with Non-Contracting Party Governments concerning fishing in the Regulatory Area
8. Reports by Contracting Parties on legal, administrative and practical actions that have been taken to implement the NAFO Scheme (the NAFO Scheme to promote compliance....)
9. Discussion of the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing
10. Report and Recommendations to the General Council
11. Election of Chairman and Vice-Chairman
12. Other Matters
13. Adjournment

Annex 3. Letter to Russian Federation

Address (Russian Head of Delegation to NAFO)

Dear _____:

I am writing officially to draw your attention to a report on fishing activities by Non-Contracting Parties in the NAFO Regulatory Area (STACFAC WP 02/1). This report indicates that during 2002 six Belizean flagged fishing vessels were sighted engaged in fishing activities in the NAFO Regulatory Area by Canadian surveillance. As there is some indication that these vessels were formerly registered in Russia, I would be grateful for your confirmation that the following vessels are no longer on the register of the Russian Federation or entitled to fly its flag: Olchan, Oyra, Kadri, Okhotino, Ostroe and Ostrovets. Any information you can provide on the current registry of these vessels would also be greatly appreciated. As you are aware, there is some indication that a number of the vessels may be registered in Belize and Cyprus and NAFO is also seeking information from these countries in this regard.

I would also like to officially draw your attention to an incident of transshipment, also noted in the attached report, from one of these Non-Contracting Party vessels (Ostroe) to a Russian flagged cargo vessel (Metelitsa). As a Contracting Party of NAFO, I would draw to your attention paragraph 11 of the Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO. This paragraph requires Contracting Parties to ensure that their vessels do not receive transshipments of fish from Non-Contracting Party vessels that have been sighted and reported as having engaged in fishing activities in the NAFO Regulatory Area.

I would be grateful for your prompt attention to these matters and look forward to your response.

Sincerely,

Executive Secretary

Annex 4. Letter to Belize

Address (appropriate interlocutor, Foreign Ministry of Belize)

Dear _____:

I am writing at the request of the Contracting Parties of the Northwest Atlantic Fisheries Organization (NAFO) to raise the highest level of concern about six vessels flying the flag of Belize which have been sighted engaged in fishing activities in the NAFO Regulatory Area. The vessels in question are the Olchan, Oyra, Kadri, Okhotino, Ostroe and Ostrovets.

This letter is being sent to you pursuant to the Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO, which was adopted by Contracting Parties to NAFO in 1997. The Scheme calls for measures to be taken against Non-Contracting Party vessels sighted fishing in the NAFO Regulatory Area. A copy of the Scheme, which has been sent to you on previous occasions, is attached.

After several years without sightings of Belizean flagged vessels fishing in the NAFO Regulatory Area, the NAFO Contracting Parties are very concerned to see Belizean fishing vessels harvesting fish stocks in the NAFO Regulatory Area. The NAFO Contracting Parties are deeply concerned that Non-Contracting Parties which allow vessels flying their flag to fish in the NAFO Regulatory Area are undermining the effectiveness of NAFO's conservation and management measures as well as violating their duty to cooperate in the conservation and management of these fish stocks.

I would appreciate receiving any information you may have about the above-mentioned vessels as soon as possible. In addition, on behalf of the NAFO Contracting Parties, I would urge you to ensure that these vessels comply with conservation and management measures in force in areas in which they engage in fishing activities.

I look forward to your prompt response.

Sincerely,

President of NAFO

Annex 5. Letter to Cyprus

Address (appropriate interlocutor, Ministry of Foreign Affairs)

Dear _____:

I am writing at the request of the Contracting Parties of the Northwest Atlantic Fisheries Organization (NAFO) to express concern about six vessels apparently registered in Cyprus which have been sighted engaged in fishing activities in the NAFO Regulatory Area. The vessels in question are the Olchan, Oyra, Kadri, Okhotino, Ostroe and Ostrovets.

This letter is being sent to you pursuant to the Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO, which was adopted by Contracting Parties to NAFO in 1997. The Scheme calls for measures to be taken against Non-Contracting Party vessels sighted fishing in the NAFO Regulatory Area. A copy of the Scheme is attached.

The NAFO Contracting Parties are deeply concerned that Non-Contracting Parties which allow vessels flying their flag to fish in the NAFO Regulatory Area are undermining the effectiveness of NAFO's conservation and management measures as well as violating their duty to cooperate in the conservation and management of these fish stocks.

I would appreciate receiving any information you may have about the above-mentioned vessels, specifically their registration and entitlement to fly the Cypriot flag, as soon as possible. In addition, on behalf of the NAFO Contracting Parties, I would urge you to ensure that these vessels comply with conservation and management measures in force in areas in which they engage in fishing activities.

I look forward to your early response.

Sincerely,

President of NAFO