

PART I

Report of the Fisheries Commission Meeting

(FC Doc. 03/19)

25th Annual Meeting, September 15-19, 2003

Dartmouth, Nova Scotia, Canada

I. OPENING PROCEDURES (Items 1-5 of the Agenda)

1. Opening Remarks by the Chairman, D. Swanson (USA)

The meeting was called to order by the Chairman, Dean Swanson (USA), at 0900 hrs on September 16, 2003. Representatives from the following Contracting Parties (CP) were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russian Federation, Ukraine, and United States of America (**Annex 1**).

2. Appointment of Rapporteur

It was noted at last year's annual meeting that the Northwest Atlantic Fisheries Organization (NAFO) Secretariat would provide the Rapporteur at future meetings of the Fisheries Commission (FC). To facilitate transition of this function, Kym Purchase (Canada) was appointed Rapporteur and Barbara Marshall (NAFO Secretariat) was appointed co-Rapporteur.

3. Adoption of Agenda

The provisional agenda was adopted without change (**Annex 2**).

4. Admission of Observers

According to Rule 10 of the Rules of Procedure, the Executive Secretary invited the following international organizations: FAO, ICCAT, ICES, NAMMCO, NASCO, NEAFC, NPAFC, as well as an NCP observer from Belize. As a result of these invitations, FAO was represented by Mr. David Doulman, IBSFC by Ms. Nina Kim from Russia, NAMMCO by Mr. Kolbeinn Arnason of Iceland and NEAFC by the delegate of Denmark (DFG).

5. Publicity

As in past meetings, it was agreed that there would be no public statements until the conclusion of the meeting, at which time a press statement would be released.

II. ADMINISTRATIVE (Items 6-8)

6. Review of Commission Membership

The Executive Secretary was directed by General Council to review the status of Bulgaria's membership in the Fisheries Commission and advise the Chair of General Council. Voting rights for GC and SC have been reinstated but restored membership to the FC requires a formal request to GC. No action was taken as Bulgaria did not send a representative to this Annual Meeting.

7. Election of Chair and Vice-Chair

It was decided, by consensus, that the incumbent Chair, Dean Swanson (USA) and Vice-Chair, Boris Prischepa (Russia) would serve a further two-year term (2004-2005).

8. Record of Agreed Fisheries Commission Decisions at the 25th Annual Meeting

At the request of Canada, it was agreed that a draft record of decision be prepared and available at the close of the Fisheries Commission meetings. It was decided that this record would include substantive but not procedural decisions. The draft record (FC WP 03/25) was compiled and the Chair asked that any comments be provided via the Secretariat by October 3, 2003. The list of actions and decisions by the FC incorporating comments received from CPs is at **Annex 3**.

III. CONSERVATION AND ENFORCEMENT MEASURES (Items 9-16)

9. Report of STACTIC, June 2003 (Copenhagen)

With respect to agenda item 9, the Chair of STACTIC Mr. David Bevan (Canada) provided an overview of the June 2003 STACTIC meeting (FC Doc. 03/5). He noted that Mr. Gene Martin (USA) had served as Chair of the Intersessional STACTIC Meeting, who then reported on that meeting.

a) Proposals for amendments to the Conservation and Enforcement Measures, in particular the observer scheme

There was significant crossover between discussion of agenda items 9 and 14. Resolution of items discussed under both is not duplicated in the text.

- Mr. Bevan noted that during the November 2002 STACTIC meeting a pilot project for observers, VMS and electronic reporting (FC Doc. 02/23, November 2002) was elaborated but consensus was not achieved on the scope of the pilot project. While the scope was not re-discussed at the June 2003 STACTIC meeting, it was noted that FC Doc. 02/23 continues to reflect consensus on the other elements of this document.
- During the STACTIC Intersessional in June, Canada, in the framework of the review of the programme for observers and satellite tracking, presented an assessment of the programme, noting that inconsistent implementation and reporting of the observer programme have prevented a comprehensive analysis and identified 23 recommendations for its improvement (STACTIC WP 03/3). The EU presented an extensive proposal for amendments of the control scheme of NAFO, including a proposal for a new observer programme from 2004. This proposal was subject to extensive discussions but did not achieve consensus. A modified version of this proposal was re-tabled at the Annual Meeting which was subsequently deferred to STACTIC. There were also different views whether the observer programme was indefinite or not.
- The EU and Iceland expressed disappointment with the slow response of NAFO regarding changes to the observer scheme. The USA and Latvia supported the Canadian position that prior to making changes to the current observer program, alternatives must be tested and shown to maintain or improve compliance. As a result of further consultation during the Annual Meeting of NAFO, it was decided to adopt FC WP 03/20 (**Annex 4**) and proceed with the pilot project as elaborated during the November 2002 STACTIC meeting. Iceland supported the adoption of this document and the commencement of the pilot project but maintained its objection to 100% observer coverage. The scope of the pilot was defined as 20 vessels. Additional resources of \$45,000 - \$50,000 will be required to implement the pilot project and STACFAD indicated that it currently has \$40,000.

b) Proposals for amendments of the Rules of Procedure of the Fisheries Commission

- FC accepted the STACTIC recommendation to amend Rule 5.3 to allow election of a Vice-Chair of STACTIC and adopted FC WP 03/10 (**Annex 5**).
- Also adopted was FC Doc. 03/16. This creates a new rule 4.5 outlining a new procedure for amending the Conservation and Enforcement Measures (CEM), including the use of an explanatory memorandum which would explain the rationale for the proposal. These memoranda will not be included in the CEM but will be maintained separately for historical purposes.

c) CEM Overhaul

The overhaul of the CEM was an extensive, multi-year process led by Mr. Staffan Ekwall (EU.) The new format also incorporates the Scheme to promote compliance by Non-contracting Party vessels with recommendations established by NAFO (NCP) scheme. The representative of Denmark (in respect of the Faroe Islands and Greenland) queried a reference to a possible deletion of Article 36 in the overhaul (STACTIC WP 03/6 final).

There was consensus in STACTIC that the overhauled version of the CEM (STACTIC WP 03/6 Final) was an excellent document. FC accepted the recommendation of STACTIC and adopted the overhauled version of the CEM with updates as per the 25th Annual Meeting. Notwithstanding the Convention provisions for the notification of binding measures, the Chair requested that all Contracting Parties begin to use the new format immediately to ensure common understanding and consistency of application. Article 36 was not deleted however the matter will be reviewed again after a review of the possibility of enhanced inspection presence in the NRA.

d) Other Issues

- The Fisheries Commission noted the recommendation of STACTIC (June STACTIC report, Section 6), that the Scientific Council (SC) be requested to review SCS Doc. 00/23 to see whether the SC had any further views on the document. The EU supported this recommendation since this document *inter alia* had proven to be difficult to implement. Representatives of Canada and the USA stated that this document had been adopted in 2000 but had not been implemented and that sending it back to the SC would simply delay further its implementation. After discussion, representatives of Canada, Denmark (in respect of Greenland and the Faroe Islands), and the USA expressed willingness to consider terms of reference for adoption by the current meeting to guide any review of SCS Doc. 00/23 by the SC. Further consideration of this possibility was deferred. Later, as requested by the Chairman of FC, Mr. Bevan reported that he had consulted the Chair of the SC and that the SC was not interested in reviewing this document again in accordance with the recommendation of STACTIC. This agenda item was closed after further opportunity for discussion.
- FC adopted FC WP 03/24 (**Annex 7**). All vessels fishing in the NRA are, therefore, subject to VMS position reporting every two hours.

10. Presentations on Compliance

a) Review of 2002 Compliance

With respect to agenda item 10, Canada and the EU made presentations on compliance.

- The Canadian presentation was based on the review of observer and other inspection information from 2001-2002. Canada expressed its concern with the increasing trend of non-compliance in six areas and provided specific examples of each. Areas of concern were identified as: directed fishing and excessive by-catch of moratoria species; exceeding allocations and misreporting; increased frequency of mesh size violations; non-submission or late submission of observer reports.

Canada also noted a new practice of using tarps to cover nets on the decks of vessels. Compliance in the 3L shrimp fishery has significantly improved from 2002. The lack of follow-up to violations by certain parties remains problematic. Canada highlighted that measures need to be taken to deal with misreporting and to enhance the observer program. Relevant proposals made to STACTIC in this regard are dealt with under Agenda item 14.

The EU disagreed with Canada's assessment of compliance in the Regulatory Area. The EU also indicated that the current disposition of infringements had not been provided and that allegations were based heavily on observer reports, which the EU considered as a weakness in the Canadian assessment.

Russia indicated its appreciation for the Canadian presentation and compliance evaluation. They view the information as useful for improving observer data and are prepared to cooperate on strengthening the CEM.

- The EU presented an analysis of inspection activities for 2002 and 2003 (FC WPs 03/26 and 03/27). Also included were cost breakdowns of EU patrol vessels and 100% observer coverage. The EU insisted that any compliance review must be based on the results of inspections at sea and in port as well as VMS data and that observer data does not have a sufficient level of reliability in this regard. Based on this information, the EU concluded that the level of compliance was satisfactory in the Regulatory Area. The EU believes that 100% compliance is unattainable but that compliance has improved significantly since 1995.

Canada also agreed that CPs should rely on all available tools to ensure compliance including VMS, port inspection as well as observers. Canada is not satisfied that the current level of compliance in the NRA is acceptable.

b) Compliance Review Committee

- In 2002 FC tasked the Executive Secretary with compiling data necessary for STACTIC to undertake an annual review of compliance. This was not possible for the 2003 Annual Meeting but is expected to occur in 2004. The Executive Secretary indicated that additional resources would be required and was directed by the Chair of FC to examine the resources required, in consultation with STACFAD and STACTIC and report back. The representative of Canada asked that a clear summary of how resources would be used accompany a request for additional funds. STACFAD WP 03/9 (GC Doc. 03/3, Part II, Annex 5, p.55) provides the response to FC. It was noted that STACTIC had been assigned these duties so an additional committee was not required.

Canada shared the EU's disappointment with the lack of a Secretariat assessment of compliance and looks forward to the Executive Secretary's data compilation in 2004.

11. Review of the provisions on chartering operations in the NAFO Regulatory Area

With respect to item 11, the Secretariat provided two working papers (FC WP 03/4 and FC WP 03/5 Revised). The EU also submitted FC WP 03/12 regarding chartering arrangements in order to: make the provisions for chartering permanent; simplify the process and; reinforce the technical requirements for chartering arrangements. After a discussion, the proposal was sent to STACTIC for consideration. The US concurred. Latvia, Korea, Estonia, Lithuania and Ukraine also supported the EU pointing out that chartering is vital for those CPs that have small quotas.

There were opposing views expressed towards continued use of charters in NAFO. Norway, Iceland and Denmark (in respect of Faroe Islands and Greenland) did not support the use of charters, particularly in the Div. 3M shrimp fishery. Canada indicated that chartering has become accepted practice however STACTIC should examine it with a view to ensuring that the obligations of flag States will be required of the charter State. France noted that the chartering pilot had been their initiative and it was time for it to be made permanent.

Extensive discussion occurred in STACTIC throughout the week. FC adopted WP 03/12 (Revision 5) (**Annex 8**).

12. Increase of inspection presence in the NAFO Regulatory Area

With respect to item 12, Canada and the EU reiterated their position of past years. While it was noted that Denmark (in respect of Faroe Islands and Greenland) had sent a vessel to Div. 3L in 2003, the costs of inspection in the NRA continue to be borne mainly by Canada and the EU. The EU reminded CPs that, under international law, flag States are expected to control the conduct of their fleet. The EU also suggested that CPs not sending a patrol vessel to the NRA should be prepared to help defray the costs of the inspection presence. It was decided that STACTIC be tasked to review the current coverage, who provides it and the associated costs and options for more broadly sharing these costs. The item will be explored in an intersessional meeting and

STACTIC will report back to FC at the 2004 Annual Meeting and recommend options towards more equitable sharing of coverage and/or costs.

13. Reports of the Working Group on Allocation of Fishing Rights, 26-27 March 2003, Miami, USA and the meeting on allocation of “block quota” between Estonia, Latvia, Lithuania and Russia on 10 June 2003, Moscow, Russian Federation.

a) Report of the Working Group on Allocation of Fishing Rights, 26-27 March 2003, Miami, USA (FC Doc. 03/2)

Mr. Staffan Ekwall (EU), on behalf of Mr. Harry Koster (EU) provided a summary of the meeting. He indicated that the discussion was based mainly on agenda item 4: Development of Options Whose Terms are Explicit and Predictable for Allocation to Contracting Parties. There had been papers submitted by the USA and Norway. A decision was made to deal only with criteria for allocating stocks not previously allocated (FC Doc 03/2, annex 11). The main issue of contention was whether these guidelines should also apply to currently allocated stocks. No recommendations were made to FC under item 5 of the WG report.

The USA acknowledged that the report stands as a document but that they were disappointed that progress had not been made to achieve guidelines more broadly applicable to stocks in the NRA. Estonia pointed out that while there had not been specific recommendations made, the discussions did direct resolution of the block quota issue. FC adopted FC Doc 03/2.

b) Report of the Meeting on allocation of “block quota” between Estonia, Latvia, Lithuania and Russia on 10 June 2003, Moscow, Russian Federation

FC WP 03/7 detailed the division of the block quota which previously had been allocated to four parties. Ukraine stated that they could not agree with the decision taken in Moscow and cited FC WPs 03/8 and 03/11. Russia, supported by Latvia, Lithuania and Estonia, indicated that the four parties who have shared the block quota since its inception had resolved the matter. They each agreed that after undertaking significant work to achieve consensus, they had fulfilled the requirements of the FC and considered the matter closed.

FC WP 03/7 (**Annex 9**) was adopted by consensus with the reservation of Ukraine noted (**Annex 10**).

14. Report of STACTIC at the Annual Meeting

STACTIC Chair, Mr. David Bevan (Canada) provided an overview of the STACTIC Report 2003 (for complete report see Part II). Note that significant discussions of key STACTIC items are cross-referenced to item 9 of this report.

- Mr. Martin Newman (EU) and Mr. Mads Trolle Nedergaard (Denmark in respect of Faroe Islands and Greenland) were elected as Chair and Vice-Chair, respectively, for 2004 and 2005.
- STACTIC WP 03/15 (Revised) (**Annex 11**) was also adopted to add the words “Flag State” at the beginning sentence of Article 11.2 of the revised CEM
- Proposals for amending the monitoring provisions of the CEM were introduced by Canada (STACTIC WP 03/12 Revised; STACTIC WP 03/18) and the EU (STACTIC WP 03/17) under STACTIC agenda items 8 and 9. Significant discussion occurred both within STACTIC and within FC as to the status of the current observer program as well as next steps for its improvement and change. The intent of these proposals was to reinforce the Control scheme of NAFO. With much commonality between the proposals, Canada suggested that they should be combined and developed as a holistic package. It was agreed that Canada would coordinate informal discussions that are to result in options for discussion at the June 2004 STACTIC Intersessional meeting. Consensus was not achieved for adoption of these proposals at this meeting.

15. Canadian Management Measures for 2J3KL Cod in 2003

Canada reported that all directed fisheries, including recreational fisheries, for Div. 2J3KL and other domestically important cod stocks have been closed indefinitely. It was decided that this agenda item would not need to be included in the draft provisional agenda for future Annual Meetings.

16. Next Steps in Implementation of the Precautionary Approach

With respect to agenda item 16, FC WP 03/9 and FC WP 03/18 were distributed at the Annual Meeting. In the revised PA framework, fisheries managers would establish reference points with suggestions from SC. To ensure a clear understanding of the PA framework, the USA recommended that a joint fisheries managers/scientists meeting be called intersessionally. Canada agreed that a joint meeting would be useful in helping to operationalize the framework and asked that SC present an overview of the framework.

The EU and Japan did not agree that intersessional work on the proposed PA framework would be appropriate, particularly if FC WP 03/18 was not adopted by FC at the 2003 meeting. Comments accumulated by FC, particularly in Heads of Delegation meetings, were adopted in FC WP 03/21 (**Annex 12**).

IV. CONSERVATION OF FISH STOCKS IN THE REGULATORY AREA

(Items 17-21)

17. Summary of Scientific Advice by the Scientific Council

a) Stock assessments and recommendations (Scientific Council Chairman)

Mr. Ralph Mayo (USA), Chair of Scientific Council, presented a summary of the advice for 2004 and 2005, where applicable. He indicated that SC meetings had been held in November 2002, June 2003 and were ongoing. Five stocks that receive advice every two years received advice last year.

Annual advice was provided for 3 stocks:

Species	Recommendation for 2004
Shrimp 3M	45,000t total catches
Shrimp 3LNO	13,000t, SSB stabilized; recommend gradual development of this fishery
Greenland halibut 2 + 3KLMNO	16,000t total catches, halts further decline of this stock

Substantive discussion occurred regarding the advice for Greenland halibut. In response to queries on the change in advice from 36,000 tons (2002) to 16,000 tons, Mr. Mayo presented several slides to explain the basis of the advice. He explained the employment of a new formulation of the virtual population model ("XSA"), and stated that all indicators for the Greenland halibut stock were negative. Mr. Mayo also indicated that catches at 16,000 tons would maintain the stock biomass at its current level and that catches at 20,000 tons -25, 000 tons would only occur if fishing effort also increased.

The representative of Japan asked whether a gradual approach to reduction of catches by TAC would harm the stock further and whether there are other measures that would protect the spawning stock biomass (SSB.) Mr. Mayo indicated that a gradual approach to reduction would require a longer period for recovery and stated that fishing in deeper water would likely reduce the catch of immature fish.

The EU noted that there is currently insufficient information on large, mature Greenland halibut due to the fact that they are not available to the bottom trawl, which is the gear used both in the research surveys and in most part of the commercial fleets.

Seven stocks that were evaluated on a multi-year schedule received advice for 2004-2005:

Species	Recommendation for 2004-2005
Cod Div. 3NO	No directed fishery; lowest possible bycatch; current level of bycatch should be decreased.
American plaice Div. 3LNO	No directed fishery; lowest possible bycatch; current level of bycatch should be decreased.
Cod Div. 2J + 3KL	No directed fishery; lowest possible bycatch.
Witch Flounder Div. 2J + 3KL	No directed fishery; lowest possible bycatch.
Redfish Div. 3M	Unable to advise on specific TAC; recommend that catch be in range of 3000-5000 tons annually.
Redfish Div. 3LN	No directed fishery; lowest possible bycatch.
Capelin Div. 3NO	No directed fishery.

SC also provided advice, on special request, for the following stocks:

Species	Recommendation
Redfish Div. 3O – request for advice on scientific basis for its management including the most appropriate TAC for 2004-2005.	Unable to provide advice on a specific TAC; average catches of 13,000 tons since 1960 appear not to be harmful to this stock.
Pelagic redfish SA 1-3	The fishing pattern for this stock in 2002 was similar to the past 5 years; a separate group of experts to study this in coming years
Northern shrimp Div. 3LNO	FC WP 03/13; TAC 2003-2004 should not exceed 13,000 tons and the fishery should be restricted to Div. 3L .
Thorny skates Div. 3LNO	No advice; exploitation occurring mainly in Div. 3N in recent years with main by-catch of American plaice. Concern expressed over hyper-aggregation of this stock and resultant vulnerability to fishing mortality.

Advice was provided last year for 2003-2004 for Cod Div. 3M, American Plaice Div. 3M, Witch flounder Div. 3NO, Yellowtail flounder Div. 3LNO and Squid *Illex* SA 3 + 4.

b) Other issues (as determined by SC)

No other issues were raised.

18. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2004

A draft quota table, indicating decisions taken in agenda items 18 and 19, was prepared by the Secretariat and circulated at the annual meeting. The finalized Quota Table for 2004 is at **Annex 13**.

18.1 Cod in Division 3M

By consensus it was decided that, as per last year's advice (for 2003-2004), no directed fishery would continue in 2004 and that the bycatch provisions of the CEM would apply.

18.2 Redfish in Division 3M

The next assessment for 3M redfish will not be until 2005. It was decided that a TAC of 5000t would be rolled over for 2004 and 2005. This stock will be subject to catch reporting requirements as per FC WP 03/15 (Revision 5) which are also to be reflected in the quota table in Annex 13.

18.3 American plaice in Division 3M

By consensus it was decided that, as per last year's advice (for 2003-2004), no directed fishery would continue in 2004 and that the by-catch requirements in the CEM would apply.

18.4 Shrimp in Division 3M

CPs including Latvia, Estonia, Lithuania, Denmark, Ukraine, Russia and Norway indicated their support for a rollover of last year's provisions, i.e. the effort management scheme (fishing days). Iceland indicated that the effort system is not effective and that if it continues in 2004, they would be forced to object. Iceland indicated that their information showed that catches of Div. 3M shrimp in 2002 were over 50,000 tons.

It was decided that the 2003 provisions would be rolled over for 2004 noting the reservation of Iceland.

19. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2004

Canada stated that Cod Div. 3NO, Redfish Div. 3LN and American plaice Div. 3LNO are not doing well. It was agreed that increasing effort be undertaken to examine the increasing mortality of these stocks.

19.1 Cod in Divisions 3NO

It was agreed that no directed fishery will occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.2 Redfish in Divisions 3LN

It was agreed that no directed fishery will occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.3 American plaice in Divisions 3LNO

It was agreed that no directed fishery will occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.4 Yellowtail flounder in Divisions 3LNO

A TAC of 14,500 tons was established last year for 2003-2004. The USA, pursuant to FC WP 02/31 and FC WP 03/14 consulted bilaterally with Canada regarding this stock. It was decided that a TAC of 14,500 tons would be maintained for 2004.

19.5 Witch flounder in Divisions 3NO

Canada noted that, in the absence of new advice, no directed fishing for witch flounder in Div. 3NO should remain in force in 2004 as per last year's advice (2003-2004). It was agreed that the closure would remain in force for 2004 and that the by-catch requirements in the CEM would apply.

19.6 Capelin in Divisions 3NO

It was decided that no directed fishery would occur in 2004-2005 and that the by-catch requirements in the CEM would apply.

19.7 Squid (*Illex*) in Subareas 3 and 4

It was decided that measures established for 2003 would apply in 2004.

19.8 Shrimp in Divisions 3LNO

The ban on fishing 3NO shrimp remains in force. Denmark (with respect to Faroe Islands and Greenland) indicated that Div. 3L shrimp is a stock of significant interest to them and they continue to be dissatisfied with the FC decision on allocation (FC WP 03/17). Russia, supported by Ukraine and Lithuania, requested

that catches from 1993 not be included as catch history for Div. 3L shrimp given that the stock was not regulated at that time. Canada pointed out that the SC, in response to a Canadian request (FC WP 03/13), had provided TAC advice.

It was decided that the Div. 3L shrimp TAC would be set at 13,000 tons for 2004 with no change in other management measures. Denmark (in respect of Faroe Islands and Greenland) expressed concern over the lack of consistency in FC decision making and noted that an objection to their Div. 3L shrimp allocation could result. Denmark's (in respect of Faroe Islands and Greenland) statement in response to this decision has been annexed at their request. (**Annex 14**)

19.9 Greenland halibut in Divisions 3LMNO

This item stimulated significant discussion both in plenary and in the Heads of Delegation meetings. Given the implications of the advised marked decrease in maximum catches to the EU, Japan, Canada and Russia, numerous bilateral and quadrilateral discussions took place to reach resolution on this item. Japan underlined that counter measures would also be required to combat illegal, unreported and unregulated (IUU) fishing as well as for stock rebuilding. Canada agreed with Japan that stock rebuilding must be ensured. The EU noted that they had tabled a proposal regarding IUU fishing in STACFAC. The EU further stated that they needed to find ways to alleviate the impacts of the reduction and fix management targets for this stock.

A fifteen year Greenland halibut recovery plan (FC WP 03/23) (**Annex 15**) was adopted by the FC. Canada supported the adoption of this plan but noted that its support is predicated on the understanding that if the SC assessments indicate a decline in the 5+ biomass significantly below that predicted by the model, then further reductions in the TAC would be required.

The quota table will reflect TACs for Greenland halibut for 2004-2007. Also, given that the EU will be expanded with current CPs in the near future, issues regarding historical catches will arise in the coming years. It was also decided that FC WP 03/23 should be incorporated into the CEM as a new Article.

The EU commented that NAFO's adoption of the Greenland halibut recovery plan demonstrates that the organization is capable of reacting quickly, notwithstanding the sacrifices made by fishers. Canada, EU, Japan and Russia had worked cooperatively and constructively in the best interest of the stocks. Japan concurred and noted that NAFO will need to control fishing capacity.

19.10 If available in the Regulatory Area:

i) Cod in Divisions 2J3KL

ii) Witch Flounder in Divisions 2J3KL

Both of these stocks are currently subject to no directed fishery. Canada indicated that the moratorium on each should continue, consistent with the measures taken by the Coastal State. It was decided that the closures would continue in 2004 and that the by-catch requirements in the CEM would apply.

19.11 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area

A rollover of the measures established for 2003 received wide support from CPs including Denmark (in respect of Faroe Islands and Greenland), EU, Ukraine, Japan, Norway and Russia. Canada and Latvia also supported a rollover but noted that this was without prejudice to any future sharing arrangements, given the westward migration of this stock.

Canada also pointed out that NEAFC and NAFO should develop compatible measures and cooperate on NCP issues. Latvia also stipulated a further condition for support, namely that if the NEAFC increases its TAC that there would be a proportional increase in the NAFO quota.

Also of concern was that catch rates in this fishery can be quite high and fishing effort seems to be concentrated. Debate on suitable reporting requirements ensued and text was drafted and adopted by the group. FC WP 03/15 (Revised) (**Annex 16**) was adopted and the relevant text should be reflected in footnote 2 of the quota table referring to this measure. .

19.12 Management of Currently Unregulated Stocks

i) Div. 3O Redfish (FC WP 03/16)

Russia supported the Canadian objective of establishing a precautionary TAC for this stock but noted that it was unlikely that a TAC or an allocation key could be established during the meeting. Latvia also added that time would be required for CPs to consider the criteria for allocation asserted by Canada. The EU pointed to the lack of clear advice from science on setting a TAC for this stock.

It was decided that an intersessional meeting to discuss the possible regulation of 3O redfish would be organized by Canada, in consultation with other CPs, and held in the spring of 2004. A report from the intersessional will be provided for consideration at the September 2004 Annual Meeting.

ii) Thorny skates in Divisions 3LNO (FC WP 03/19)

The representative of the USA reiterated the concern his delegation expressed last year for skates and other Elasmobranchs worldwide. Advice provided in the SC Report (2002/2003, p.174 – 179) underscored a significant decline in the thorny skate biomass. Thorny skates are believed to comprise 90% of all skates caught in the NRA. Though no TAC could be set at the annual meeting, the USA urged CPs to limit their catches while working towards a longer-term conservation and rebuilding program. Canada concurred and noted that this would be an opportunity not to repeat past mistakes. The EU noted that this stock was important for their fleet and noted the absence of any recommendations for catch limitations by the SC.

20. Formulation of Request to the Scientific Council for:

a) Scientific advice on the management of fish stocks in 2005

FC WP 03/22 (Revised) (**Annex 17**) was adopted following an amendment to paragraph 4, relating to Greenland halibut advice, by the EU and Canada.

21. Transfer of Quotas Between Contracting Parties

FC WP 03/3 summarizes quota transfers from 1982- 2001. No CP indicated any transfer since 2001.

V. CLOSING PROCEDURE (Items 22-24)

22. Time and Place of the Next Meeting

The 2004 Annual Meeting will be held in Dartmouth, Nova Scotia, Canada September 13-17, 2004.

23. Other Business

No other business was raised.

24. Adjournment

The Chair thanked the NAFO Secretariat, Gordon Moulton, Kym Purchase and Barb Marshall for their assistance. The meeting was adjourned at 1:00 pm on September 19, 2003.

Annex 1. List of Participants

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Annex 2. Agenda

I. Opening Procedure

1. Opening by the Chairman, D. Swanson (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

II. Administrative

6. Review of Commission Membership
7. Election of Chair and Vice-Chair
8. Record of Agreed Fisheries Commission Decisions at 2003 NAFO Annual Meeting

III. Conservation and Enforcement Measures

9. Report of STACTIC, June 2003 (Copenhagen)
 - i) Proposals for amendments of Conservation and Enforcement Measures, in particular the observer scheme
 - ii) CEM Overhaul
 - iii) Other issues
10. Presentations on Compliance
 - i) Review of 2002 Compliance
 - ii) Compliance Review Committee
11. Review of the provisions on chartering operations in the NAFO Regulatory Area
12. Increase of inspection presence in the NAFO Regulatory Area
13. Report of the Working Group on Allocation of Fishing Rights, 26-27 March 2003, Miami, USA and the meeting on allocation of "block quota" between Estonia, Latvia, Lithuania and Russia on 10 June 2003, Moscow, Russian Federation
14. Report of STACTIC at the Annual Meeting
15. Canadian Management Measures for 2J3KL Cod in 2003
16. Next Steps in Implementation of the Precautionary Approach

IV. Conservation of Fish Stocks in the Regulatory Area

17. Summary of Scientific Advice by the Scientific Council
 - a) Stock assessments and recommendations (Scientific Council Chairman)
 - b) Other issues (to be determined by SC)
18. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2004
 - 18.1 Cod in Div. 3M
 - 18.2 Redfish in Div. 3M
 - 18.3 American plaice in Div. 3M
 - 18.4 Shrimp in Div. 3M
19. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2004
 - 19.1 Cod in Div. 3NO
 - 19.2 Redfish in Div. 3LN
 - 19.3 American plaice in Div. 3LNO
 - 19.4 Yellowtail flounder in Div. 3LNO
 - 19.5 Witch flounder in Div. 3NO
 - 19.6 Capelin in Div. 3NO
 - 19.7 Squid (Ilex) in Subareas 3 and 4
 - 19.8 Shrimp in Div. 3LNO
 - 19.9 Greenland halibut in Div. 3LMNO

- 19.10 If available in the Regulatory Area:
 - i. Cod in Div. 2J3KL
 - ii. Witch flounder in Div. 2J3KL
- 19.11 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
- 19.12 Management of Currently Unregulated Stocks:
 - i. 3O redfish
 - ii. Others (?)
- 20. Formulation of Request to the Scientific Council for:
 - a) Scientific advice on the management of fish stocks in 2005
- 21. Transfer of Quotas Between Contracting Parties

V. Closing Procedure

- 22. Time and Place of the Next Meeting
- 23. Other Business
- 24. Adjournment

Annex 3. Decisions and Actions by the Fisheries Commission

<i>Substantive Issue (Agenda item)</i>	<i>Decision/Action</i> <i>(and appropriate FC Documents.)</i>
<u>II. Administrative Issues:</u>	
6. Review of Fisheries Commission Membership	Relates only to review of Membership. Matter decided by General Council.
7. Election of Chair and Vice Chair of Fisheries Commission	Incumbent Chair and Vice-Chair have been re-elected for 2004-2005.
<u>III. Conservation and Enforcement Measures</u>	
9. Report of STACTIC, June 2003:	
STACTIC WP 03/6 – Draft overhaul of the NAFO Conservation and Enforcement Measures (Final)	Accept the recommendation of STACTIC and adopt this overhaul of the NCEM as per STACTIC WP 03/6 final with updates as per this Annual Meeting. Article 36 to remain in CEM overhaul. Recommend that Contracting Parties immediately begin using the new format. STACTIC W.P. 03/15 revised was adopted regarding wording ... "per each <u>flag state</u> ". FC Working Paper 03/24 adopted re Part VI B(1) – will be amended to the CEM to reflect VMS position reporting requirements (Reporting requirements every 2 hours.)
Proposals for amendments of Rules of Procedure of the Fisheries Commission	Adopted FC Doc. 03/16. New rule 4.5 of Fisheries Commission regarding future amendments to the NAFO Conservation and Enforcement Measures. FC WP 03/10 adopted . Provides for election of a Vice-Chair for STACTIC. (Referred to under item 14- report of STACTIC)
Observers and Satellite Tracking	Discussed under agenda items 9 and 14. FC WP 03/20 (Pilot Project) adopted . STACTIC WPs 03/12(Revised), 03/17 and 03/18 will be dealt with informally and options brought forward for discussion at the June 2004 STACTIC Intersessional Meeting. Canada will coordinate.
SCS 00/23 referral to STACTIC for review	Was considered by STACTIC. The STACTIC Chairman reported that Scientific Council did not wish to review this document.
Review of Compliance	As per STACFAD WP 03/9 Executive Secretary consulted with STACFAD and STACTIC regarding resources required for compilation of data for STACTIC's annual review of compliance. STACTIC agreed that the work must be done but financing is a matter for STACFAD and the Secretariat to resolve.
10. Presentations on Compliance	Presentations by Canada and EU.

11. Review of the Provisions on Chartering Arrangement in the NRA	FC WP 03/12 (Revision 5) on Chartering Arrangements was adopted .
12. Increase of Inspection Presence in the NRA.	STACTIC is tasked to review current coverage, who provides it and costs then recommend options towards more equitable sharing of coverage and/or costs. This item will be explored in an intersessional meeting such that a report will be made to Fisheries Commission at 2004 Annual NAFO Meeting.
13. Report of the Working Group on Allocations of Fishing Rights, 26-27 March 2003	FC Doc 03/2 Accepted - Most of the discussion dealt with agenda item 4 of that meeting. No recommendations to the FC under item 5 of that document.
Allocation of "Block" Quota Between Estonia, Latvia, Lithuania and Russian Federation	FC WP 03/7 was adopted by consensus with Reservation by Ukraine, text of which is annexed to FC Report as requested.
14. Report of STACTIC at the Annual Meeting	Appropriate recommendations to Fisheries Commission included under items. Cross reference Agenda item 9. New Chair (Martin Newman, EU) and Vice-Chair (Mads Nedergaard, DFG) of STACTIC elected for 2004-2005.
15. Canadian Management Measures for 2J3KL Cod	Fisheries for cod in 2J3KL closed indefinitely to directed fishing. Thus, this item to be removed from Agenda for next year.
16. Next Steps on Implementation of the Precautionary Approach	FC WP 03/21 adopted
IV. Conservation of Fish Stocks in the Regulatory Area	
17. Summary of TAC advice	TACs adopted as per scientific advice are reflected in annexed Quota Table for 2004. Iceland's reservation to 3M shrimp management measures, the observer program and the chartering provisions noted. Denmark's (in respect of Faroe Islands and Greenland) reservation to 3L shrimp management measures noted.
18. Management and Technical Measures for Fish Stocks in the Regulatory Area	Pelagic Sebastes Mentella (oceanic redfish) in the NRA; FC WP 03/15 (Revised) adopted .
19. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits	Greenland Halibut 3LMNO; FC WP 03/23 adopted .
Currently Unregulated Stocks	3O Redfish – Intersessional meeting to discuss the management and possible regulation of this stock to be held in Canada, Spring 2004. Consultation on date to follow. A report of the intersessional meeting will be provided for consideration at the September 2004 meeting.
20. Formulation of Request for advice to the Scientific Council for 2005	FC WP 03/22 (revised) was adopted .
21. Transfer of Quotas Between Contracting Parties	FC WP 03/3 tabled presenting summary of transfers.

Annex 4. Pilot Project on Observers, Satellite Tracking and Electronic Reporting
(FC Working Paper 03/20 – now FC Doc. 03/12-Rev.)

The Conservation and Enforcement Measures shall be amended as follows:

1. The text of Article 23.8 shall be replaced by the following:

"The elements of the Observer Program are subject to review and revision, as appropriate, for application in 2005 and subsequent years."

2. The following Chapter VII shall be inserted:

CHAPTER VII – PILOT PROJECT ON OBSERVERS, SATELLITE TRACKING AND ELECTRONIC REPORTING

Article 45 - Scope

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

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

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

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

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

Article 46 - Implementation

Participating Contracting Parties should notify the names of the vessels participating in the pilot project to the NAFO Secretariat. Such vessels shall have observers on board in accordance with Article 23 of the NAFO Conservation and Enforcement Measures.

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

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

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

withdraw the observers from no more than 50% of the vessels participating in the Pilot Project that are present in the Regulatory Area.

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

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

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

In the case where a vessel without an observer is found by an inspector to be engaged in any infringement, the Contracting Party shall apply the provisions of Article 32, paragraphs 2 to 9 of the Scheme, as appropriate, and, when the vessel is not re-routed, it shall embark an observer without delay.

In addition to their duties under the Conservation and Enforcement Measures observers on board vessels participating in the Pilot Project shall report daily by electronic channels via the FMC to the NAFO Secretariat ("OBR report") of his duties described in Article 23.4. a) i) to iv) of the Conservation and Enforcement Measures.

Article 47 - Daily Reports

- a) Masters of vessels and observers taking part in the Pilot Project shall transmit daily reports by division.
- b) The daily reports are to be received by the NAFO Secretariat by 1200 UTC daily. The report period will run from 0001 hours to 2400 hours of the previous day.
- c) The catch reported in the daily report of the master will correspond with those recorded in the log.
- d) The daily reports shall include as appropriate the amounts, by Division, of the following categories:
 - i) The daily catch by species retained on board
 - ii) Discarding
 - iii) Undersize fish
- e) If the electronic means of transmitting daily reports (to and from FMC) is not functioning, the master and the observer will continue to report daily by other means keeping a written log of these transmissions on board and available to inspectors.

The templates for Daily Catch (CAX) and Observer Reports (OBR) are contained in Annex XXI(a).

Article 48 - Data Collection/Compilation/Analysis

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

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

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

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

Article 49 - Confidentiality

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

Article 50 - Costs

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

Article 51 – Follow-up

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

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

3. The following Annex XXI shall be added:

ANNEX XXI (a)

1. Daily Catch Report for Pilot Project (CAX)

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

1 Optional if a vessel is subject to satellite tracking

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

2. Observer Report (OBR)

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

1 Only to be transmitted if relevant

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

3 “Yes” if the observer approves the Log Book entries by the captain

4 “Yes” if the observer approves the Hails transmitted by the captain

5 “Yes” if an infringement is observed

6 Mandatory if “LB” = “No”, or “HA” = “No”, or “AF” = “Yes”.

7 Directed species is the species which represents the greatest catch for that day

ANNEX XXI (b)

Data to be compiled by Executive Secretary and Forwarded to Inspection Parties

Catch and Catch Rate Report (Weekly)

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

By-catch Report (Weekly)

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

Discards Report (Weekly)

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

**Annex 5. Amendment of the Rules of Procedure for the Fisheries Commission
to allow for a STACTIC Vice-Chair**

(FC Working Paper 03/10 – now FC Doc. 03/17)

Rule 5.3 be amended as follows: (amendment underlined)

- 5.3 The Committee shall consist of representatives, one from each Commission member, who may be assisted by experts and advisers and shall elect, from among those representatives, to serve for two years, its own Chairman and Vice-Chairman; who shall be allowed a vote. The Executive Secretary shall be an ex officio member, without vote.

**Annex 6. Amendment of the Rules of Procedure for the Fisheries Commission
regarding proposals/amendments to the NAFO CEM
(FC Working Paper 03/13 Revised – now FC Doc. 03/16)**

New Rule 4.5 to be added reading:

Any proposal amending the Conservation and Enforcement Measures of NAFO which is intended to be submitted for adoption by the Fisheries Commission must include at least a clear explanation of its rationale in an explanatory memorandum as well as a clear indication of the provision to be amended and the exact wording of the amendment. The Executive Secretary shall, when incorporating amendments of these measures adopted by the Fisheries Commission, indicate by reference to the working paper or document when the amendment was adopted.

Annex 7. Amendment to CEM regarding VMS reporting
(FC Working Paper 03/24 – now FC Doc. 03/14)

Article 20, paragraph 1 (now Article 21) of the Conservation and Enforcement Measures shall be amended as follows: (amendment underlined)

1. In order to improve and maintain compliance with the Conservation and Enforcement Measures for their vessels fishing in the Regulatory Area, fishing vessels operating in the Regulatory Area shall be equipped with a satellite monitoring device allowing the continuous reporting of their position by the Contracting Party. The satellite monitoring device shall ensure the automatic communication at least once every two hours to a land-based fisheries monitoring centre of the flag state (hereafter referred to as FMC) of data relating to:
 - a) the vessel identification;
 - b) the most recent geographical position of the vessel (longitude, latitude) with a position error which shall be less than 500 metres, with a confidence interval of 99%; and
 - c) the date and time of the fixing of the said position of the vessel.

The first transmitted position report in the Regulatory Area detected by the FMC of the Contracting Party shall be identified as “ENT”. All subsequent position reports shall be identified as “POS” except the first position report detected outside the Regulatory Area which shall be identified as “EXI”.

If a Contracting Party so requests, the Secretariat shall confirm receipt of all electronic reports using a return message identified as “RET”.

Annex 8. Chartering Arrangements
(FC Working Paper 03/12 Revision 5 – now FC Doc. 03/10)

This Article 13 (now Article 14) shall read as follows:

1. A Contracting Party may utilise partly or wholly quota and fishing days allocated to that Party under Annex I by way of a chartering arrangement with a fishing vessel flying the flag of another Contracting Party and notified in accordance with Article 14. Such chartering arrangement must be subject to the consent of the flag State Contracting Party.
2. The chartering Contracting Party shall limit such chartering arrangements to one fishing vessel per flag state of the chartering Contracting Party per year and for a limited duration not exceeding 6 months.
3. For the purpose of this Article the chartering Contracting Party means the Contracting Party to which the quota and fishing days have been allocated pursuant to Annex 1. The flag state Contracting Party means the Contracting Party in which the chartered vessel is registered.
4. Chartering arrangements involving vessels identified as having been involved in IUU fishing activities pursuant to Chapter VI shall not be permitted.
5. The relevant flag State Contracting Party is responsible for ensuring that the vessel complies with the requirements of these Conservation and Enforcement Measures. This does not nullify the obligations under Chapter I of the chartering Contracting Party to which the quota and fishing days have been allocated originally.
6. When operating under chartering arrangements, the chartered vessels shall not be authorised at the same time to utilize the quota or fishing days of the flag State Contracting Party. The vessel shall not be authorised to fish under more than one chartering arrangement at the same time. Any transshipment at sea shall be previously authorised by the chartering flag state Contracting Party and shall be carried out under the supervision of an observer on board.
7. Chartering Contracting Parties intending to have recourse to such chartering arrangements shall notify prior to commencement of the chartering arrangement the following information to the Executive Secretary:
 - a) the name and registration of the chartered vessel and the relevant flag Contracting Party;
 - b) previous name(s) and flag state(s) of the vessel, if any;
 - c) the name and address of the owner(s) and operators of the vessel;
 - d) a copy of the chartering and the fishing licence issued by the chartering Contracting Party;
 - e) the fishing possibilities concerned;
 - f) the date as from which the vessel is authorised to commence fishing on these fishing possibilities; and
 - g) the duration of the chartering arrangement.
8. The relevant flag State Contracting Party shall notify in writing its consent to the Executive Secretary.
9. The Executive Secretary shall verify upon receipt of all required documentation that the chartering arrangements fulfill the conditions referred to in paragraphs 2 and 4. The Executive Secretary shall then circulate this documentation without delay to Contracting Parties, indicating the date at which the chartering arrangement becomes effective.
10. Both the chartering Contracting Party and the flag State Contracting Party shall inform the Executive Secretary of the termination of the chartering arrangement and the beginning and ending of fishing operations under it.
11. All catches and by-catches from notified chartering arrangements shall be recorded by the relevant chartering and flag State Contracting Party separate from other national catch data recorded pursuant to Article 18. They shall be reported to the Contracting Party to which the fishing possibilities have been allocated and to the Executive Secretary, separately from other national catch data pursuant to Article 19. The Executive Secretary shall add these catches to the catch statistics of the Contracting Party to which the fishing possibilities were originally allocated.

12. The chartering Contracting Party shall report to the Executive Secretary by 1 July each year, and for the previous calendar year, all relevant information concerning the implementation of chartering arrangements notified under this Article, including information on catches taken and fishing effort deployed by the chartered vessel.
13. The Executive Secretary shall by 15 August each year submit a report to the Fisheries Commission providing an overview of chartering arrangements and their compliance with the provisions of this Article. The Fisheries Commission shall, on the basis of this report, review compliance with the provisions of this Article at each Annual Meeting.

**Annex 9. Agreed Record of Consultations Among Estonia, Latvia, Lithuania and
Russia on Allocation of Joint ("Block") Quotas in the NAFO Regulatory Area
(FC Working Paper 03/7)**

In accordance with the decision of the NAFO Fisheries Commission Working Group on Allocation of Fishing Rights, 26-28 March 2003 (Miami, USA), consultations on allocation of joint ("block") quotas were held in Moscow, Russia, on 10 June 2003.

The Russian delegation was headed by Dr. Anatoly N. Makoedov, Deputy Chairman of the State Committee for Fisheries of the Russian Federation.

The Latvian delegation was headed by Mr. Normunds Riekstins, Director of the National Board of Fisheries, Ministry of Agriculture of the Republic of Latvia.

The Lithuanian delegation was headed by Mr. Vytautas Vaitiekunas, Director of the Fisheries Department under the Ministry of Agriculture of the Republic of Lithuania.

The Estonian delegation was headed by Mr. Lauri Vaarja, Fisheries Adviser of the Ministry of Environment of the Republic of Estonia.

List of participants in contained in the Annex.

In the course of consultations the Parties reviewed the following criteria, which could be used for allocation of quotas among the Parties:

- historical catch data;
- participation in scientific research in the NAFO Regulatory Area;
- dependence of coastal regions on fisheries;
- a "good will" principle.

After all the delegations had expressed their views, it was agreed that:

1. a list of stocks for further allocation of joint ("block") quotas in the NAFO Regulatory Area shall include the following stocks:
 - cod in Div. 3M
 - cod Divs. 3NO
 - redfish Div. 3M
 - redfish Divs. 3LN
 - American plaice Div. 3M
 - American plaice Divs. 3LNO
 - witch Divs. 3LMNO
 - capelin Divs. 3NO
 - squid SA 3+4
2. joint ("block") quotas for all stocks (including stocks currently under moratoria) referred to in par. 1 of this Agreed Record shall be allocated among the Parties as follows:

Republic of Latvia	- 11.34%
Republic of Lithuania	- 11.34%
Russian Federation	- 65.98%
Republic of Estonia	- 11.34%
3. this Agreed Record shall be forwarded to the NAFO Fisheries Commission to be used for allocation of quotas among the Parties.

Head of the Russian delegation	Anatoly N. Makoedov
Head of the Latvian delegation	Normunds Riekstins
Head of the Lithuanian delegation	Vytautas Vaitiekunas
Head of the Estonian delegation	Lauri Vaarja

(Annex)

List of Participants**The Russian delegation**

Anatoly N. Makoedov

Marina A. Sominskaya

Nina G. Kim

Boris F. Prischepa

Alexander V. Vaskov

- Head of Delegation, Deputy Chairman of the State Committee for Fisheries of the Russian Federation, Moscow;
- Deputy Head of Section of the Department of Aquatic Biological Resources and Fisheries Management, the State Committee for Fisheries of the Russian Federation, Moscow;
- Chief Specialist of the Department of International Cooperation, the State Committee for Fisheries of the Russian Federation, Moscow;
- Head of Federal State Directorate, Murmanrybvod", Murmansk;
- Scientist of the Polar Research Institute (PINRO), Murmansk.

The Latvian delegation

Normunds Riekstins

Uldis Rinkis

- Head of Delegation, Director of the National Board of Fisheries, Ministry of Agriculture of the Republic of Latvia;
- Senior Officer of Fisheries and Fish Resources Division, the National Board of Fisheries, Ministry of Agriculture of the Republic of Latvia.

The Lithuanian delegation

Vytautas Vaitiekunas

Algirdas Rusakevicius

Povilas Kinduris

- Head of Delegation, Director of the Fisheries Department, Ministry of Agriculture of the Republic of Lithuania;
- Chief Specialist of the Fisheries Department, Ministry of Agriculture of the Republic of Lithuania;
- Director General of the Lithuanian State Centre for Fish Stock Enhancement and Fisheries Research.

The Estonian delegation

Lauri Vaarja

Aare Tuvi

- Head of Delegation, Fisheries Adviser of the Ministry of Environment of the Republic of Estonia;
- Senior Officer of the Fishery Resources Department, Ministry of Environment of the Republic of Estonia.

Annex 10. Statement by Ukraine on Traditional Fishing in the NAFO Regulatory Area

Mr. Chairman,

According to Article XI.4 of the NAFO Convention, the allocation of catches and fishing rights in the Regulatory Area shall take into account the interest of Fisheries Commission members whose vessels have traditionally fished within that Area.

Ukrainian vessels have been fishing in the Area from 1972 under the fishing rights of the former USSR. At the time of accession to NAFO, at the 21st Annual Meeting, 1999, and other appropriate meetings, the Ukrainian delegation presented its justification of traditional fishing rights in the NAFO Area. In this context, Ukraine expected to carry on and utilize its fishing rights allocations according to the established historical fishing which includes, as well, the so-called “Block Quota” allocation to the former entities of the USSR. Any decision to exclude Ukraine from its traditional share in the above-noted allocation would be contradictory to the NAFO Convention and the spirit of international cooperation.

We would like to emphasize that Ukraine is a geographically disadvantaged state and needs access to any available fishing resources to support the socioeconomic needs of its 50 million population.

This delegation asks the Fisheries Commission and NAFO Contracting Parties to take into account the Ukrainian traditional fishing rights for the quota allocation in the NAFO Regulatory Area.

Thank-you.

Annex 11. Amendment to CEM re 3L Shrimp Vessels
(STACTIC W.P. 03/15 Revised – now FC Doc. 03/15)

Conservation and Enforcement Measures to be amended as follows:

The first sentence of Article 11.2 (now Article 12.2) shall be replaced by the following:

“All fishing for shrimp in Division 3L shall take place in depths greater than 200 metres and shall be limited at any one time to one vessel per each flag state Contracting Party’s allocation”.

Annex 12. Comments adopted by FC regarding Precautionary Approach Framework
(FC Working Paper 03/21)

1. The Fisheries Commission acknowledges the work of the Scientific Council in preparing Proposed NAFO Precautionary Approach Framework (FC Working Paper 03/9), and expresses its appreciation for the dedication of the Scientific Council to providing advice to the Fisheries Commission in this regard.
2. Further discussion on the practical application of the framework is required. In the meantime the Fisheries Commission encourages Contracting Parties, in developing proposals for fisheries conservation and management, to consider the NAFO Precautionary Approach Framework in preparing choices for future action, including technical and management measures.

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2004 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.

Species	Cod			Redfish			American plaice		Yellow-tail	Witch		Capelin	Green-land halibut	Squid (Illex) ¹	Shrimp	
Division/ Contracting Party	3L	3M	3NO	3LN	3M	Sub-area 2 and Div. 1F + 3K	3LNO	3M	3LNO	3L	3NO	3NO	3LMNO	Sub- areas 3+4	3L	3NO
Canada		0	0	0	500	7500 ^{2, 4}	0	0	14137 ⁵		0	0	2223	N.S. ⁶	10,833	
Cuba		0	-	0	1750	7500 ^{2, 4}	-	-	-		-	0	-	510	144	
Denmark (Faroe Islands and Greenland)		0	-	-	69	25000 ^{2, 3}	-	-	-		-	-	-	-	144	
European Union		0	0	0	3100	25000 ^{2, 3}	0	0	290 ⁵		-	0	8203	N.S. ⁶	144	
France (St Pierre et Miquelon)		-	-	-	69	7500 ^{2, 4}	-	-	-		-	-	-	453	144	
Iceland		-	-	-	-	25000 ^{2, 3}	-	-	-		-	-	-	-	144	
Japan		-	-	-	400	7500 ^{2, 4}	-	-	-		-	0	1519	510	144	
Korea		-	-	-	69	7500 ^{2, 4}	-	-	-		-	-	-	453	144	
Norway		0	-	-	-	25000 ^{2, 3}	-	-	-		-	0	-	-	144	
Poland		0	-	-	-	25000 ^{2, 3}	-	-	-		-	0	-	227	144	
Estonia		0	0	0	1571	7500 ^{2, 4}	-	0	-			0	-	128	144	
Latvia		0	0	0	1571	7500 ^{2, 4}	-	0	-			0	-	128	144	
Lithuania		0	0	0	1571	7500 ^{2, 4}	-	0	-			0	-	128	144	
Russia		0	0	0	9137	25000 ^{2, 3}	-	0	-			0	1890	749	144	
Ukraine						7500 ^{2, 4}									144	
United States of America		-	-	-	69	7500 ^{2, 4}	-	-	-		-	-	-	453	144	
Others		0	0	0	124	-	0	0	73 ⁵		0	-	985 ⁷	794	0	
TOTAL ALLOWABLE CATCH	*	*	* ⁸	* ⁸	5000 ^{9, 8}	32500 ¹¹	* ⁸	*	14500 ¹⁰	*	*	* ⁸	14820	34000	13000	*

- * Ban on fishing in force – The provisions of Article 8, paragraph 3 shall apply.
1. 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.
 2. The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. 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.
 3. Quota to be shared by vessels from Denmark (Greenland and Faroe Islands) European Union, Iceland, Norway, Poland and Russia. Catches in the NAFO Convention Area shall be deducted from the quotas allocated in the NEAFC Convention Area.
 4. Quota to be shared by vessels from Canada, Cuba, Estonia, France (St Pierre et Miquelon), Japan, Korea, Latvia, Lithuania, Ukraine and USA.
 5. Contracting Parties shall inform the Executive Secretary before 1 December 2003 of the measures to be taken to ensure that total catches do not exceed the levels indicated.
 6. 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 (= 29.458 tons).
 7. Of which no more than 60% (591 t) may be fished before 1 May 2004
 8. Applicable to 2004 and 2005.
 9. Each Contracting Party shall notify the Executive Secretary every second week of catches taken by its vessels from this stock until accumulated reported catch reaches 50%, after which time weekly notification shall apply. Not more than 2500 tons may be fished before July 1, 2004. 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% of the TAC.
 10. The provisions of Article 8, paragraph 3 of the Conservation and Enforcement Measures shall apply.
 11. In the case of the NEAFC decision which modify the level of TAC for Oceanic Redfish in 2004 as compared to 2003, these figures shall be accordingly adjusted.

**Annex 14. Statement by Denmark (in respect of Faroe Islands and Greenland)
Regarding 3L Shrimp**

Denmark (in respect of Faroe Islands and Greenland) would like to express its dissatisfaction with the decision taken regarding the allocation of the 3L shrimp quota in the NAFO Regulatory Area.

With this decision the Fisheries Commission once more has disregarded historical catches as the appropriate basis for quota allocation.

As quota allocations in NAFO Regulatory Area from the outset are based on historical catches Denmark (in respect of the Faroe Islands and Greenland) find this decision to be contrary to generally applied principles in NAFO.

Denmark (in respect of the Faroe Islands and Greenland) protest against the lack of consistency in the decision making processes applied by the Fisheries Commission.

We find that NAFO with this decision neglect the legitimate rights of Denmark (in respect of the Faroe Islands and Greenland) to a share of this quota in accordance with its historical track record.

In this regard I would like to inform the Fisheries Commission that this could lead to an objection by Denmark (in respect of the Faroe Islands and Greenland).

Annex 15. Rebuilding Plan for Greenland halibut in SA 2 and Divisions 3KLMNO
(FC Working Paper 03/23 – now FC Doc. 03/13)

THE FISHERIES COMMISSION

- Noting with great concern the advice of the Scientific Council on the Greenland Halibut Stock in Subarea 2 and Divisions 3KLMNO for 2004,
- Noting that such advice has indicated:
 - that the exploitable biomass of the Greenland halibut stock has been declining in recent years and is presently estimated to be at its lowest level;
 - that the recent recruitment has been poor, and
 - that if catches continue at recent levels the stock will decline further;
- Conscious of the need, in light of this advice, to take effective measures to arrest the decline in the exploitable biomass and to ensure the rebuilding of this biomass to reach a level that allows a stable yield of the Greenland halibut fishery over the long term;
- Conscious also of the fact that the rebuilding of the stock is the only means to provide a future for the interested fisheries industry sector,
- Noting that it is necessary to implement a monitoring programme to ensure that the stock is achieving the rebuilding objective in future years,

HAS AGREED AS FOLLOWS

1. Contracting Parties shall implement a fifteen-year rebuilding programme for the Greenland halibut stock in Subarea 2 and Divisions 3KLMNO.
2. The objective of this programme shall be to attain a level of exploitable biomass 5+ of 140,000 tonnes on average, allowing a stable yield over the long term in the Greenland halibut fishery.
3. For this purpose, a total allowable catch for the following years is established as follows:
 - 2004: 20,000 tonnes
 - 2005: 19,000 tonnes
 - 2006: 18,500 tonnes
 - 2007: 16,000 tonnes

The total allowable catch for subsequent years shall be established taking into account the progress made in the rebuilding of the stock.

4. The Scientific Council shall monitor and review the progress of the programme and submit each year an assessment thereon to the Fisheries Commission.
5. The total allowable catch from 2008 onwards may be adjusted by the Scientific Council advice. However, the total allowable catch shall not be set at levels beyond 15% less or greater than the total allowable catch of the preceding year.
6. The following specific measures shall be applicable with regard to the Greenland halibut fishery in Subarea 2 and Divisions 3KLMNO in respect of vessels 24 meters in length or greater:
 - a) Contracting Parties shall issue specific authorisations to vessels fishing for Greenland halibut (hereafter referred to as 'authorised vessels') and shall transmit the list of such vessels to the NAFO Secretariat.

- b) Each Contracting Party shall allocate its quota for Greenland halibut among its authorised vessels.
 - c) Authorised vessels may only land Greenland halibut catch in ports designated by NAFO Contracting Parties. Landings in ports of non-Contracting Parties shall be prohibited.
 Each landing shall be submitted to inspection in port. The corresponding port inspection report shall be transmitted to the NAFO Secretariat within 7 working days from the date at which the inspection was completed.
 - d) Contracting Parties shall implement a catch reporting regime that ensures effective monitoring of the utilisation of each vessel's quota.
- 7. Each Contracting Party shall adjust fishing effort commensurate with the available fishing opportunities.
 - 8. In reviewing the implementation of this rebuilding plan, the Fisheries Commission may decide on additional measures to ensure the effective attainment of its objective.
 - 9. Contracting Parties shall prohibit landings from non-Contracting Party vessels that have engaged in fishing activities in the Regulatory Area.
 - 10. Contracting Parties fishing on the Others quota shall be subject to the notification and reporting requirements pursuant to Article 3, paragraph 3 and Article 19, paragraph 3 of the Conservation and Enforcement Measures

**Annex 16. Fisheries Commission decision on Oceanic Redfish
fisheries in NAFO SA2 and Divisions 1F and 3K**
(FC Working Paper 03/15 revised – now FC Doc. 03/11)

		Oceanic Redfish (pelagic <i>Sebastes mentella</i>)
		<u>NAFO SA 2 and Divisions 1F and 3K</u>
Denmark (in respect of Faroe Islands and Greenland)	}	25,000 ^{1);2);3)4)}
European Union		
Iceland		
Norway		
Poland		
Russia		
Canada	}	7,500 ^{1);3)4)}
Cuba		
Estonia		
France (St. Pierre et Miquelon)		
Japan		
Korea		
Latvia		
Lithuania		
Ukraine		
USA		

- ¹⁾ The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. 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 2004 and is without prejudice to sharing arrangements for this stock in future years.
- ⁴⁾ In the case of the NEAFC decision which modify the level of TAC for Oceanic Redfish in 2004 as compared to 2003, these figures shall be accordingly adjusted.

**Annex 17. Fisheries Commission's Request for Scientific Advice on Management in 2005
of Certain Stocks in Subareas 2, 3 and 4**

(FC Working Paper 03/22 Revised – now FC Doc. 03/9)

1. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2004 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 2005:

Shrimp (Div. 3M, 3LNO)
Greenland halibut (Subarea 2 and Div. 3KLMNO)

2. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2004 Annual Meeting, provide advice on the scientific basis for the management of the following fish stocks on an alternating year basis:

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

- In 2003, advice was provided for 2004 and 2005 for cod in 3NO, American plaice in 3LNO, witch flounder in 2J3KL, redfish in 3M, redfish in 3LN, redfish in 3O and capelin in 3NO. These stocks will next be assessed in 2005.
- In 2004, advice will be provided for 2005 and 2006 for cod in 3M, American plaice in 3M, yellowtail flounder in 3LNO, witch flounder in 3NO and northern shortfin squid in SA 3&4. These stocks will next be assessed in 2005.

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

3. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2004 Annual Meeting, to provide advice on the scientific basis for the management of skates in Div. 3LNO including recommendations regarding the most appropriate TAC for 2005 and 2006. This stock will be assessed in alternate years thereafter.
4. The Fisheries Commission with the concurrence of the Coastal State requests Scientific Council, at a meeting in advance of the 2004 Annual Meeting, to provide information on the status of the Greenland halibut in SA 2+ Div. 3KLMNO in relation to the Rebuilding Strategy including commentary on progress in relation to targets described in the Strategy.
5. The Commission and the Coastal State request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above:
 - a) The preferred tool for the presentation of a synthetic view of the past dynamics of an exploited stock and its future development is a stock assessment model, whether age-based or age-aggregated.
 - b) For those stocks subject to analytical-type assessments, the status of the stocks should be reviewed and management options evaluated in terms of their implications for fishable stock size in both the short and long term. As general reference points, the implications of fishing at $F_{0.1}$ and F_{2003} in 2005 and subsequent

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

- c) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the following reference points should be calculated: 1) the level of fishing effort or fishing mortality (F) required to take the MSY catch in the long term; 2) two-thirds of that level; 3) 75% of that level; and 4) 85% of that level.
- d) For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.
- e) Spawning stock biomass levels considered necessary for maintenance of sustained recruitment should be recommended for each stock. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing reproductive potential of the stock, management options should be offered that specifically respond to such concerns.
- f) Information should be provided on stock size, spawning stock sizes, recruitment prospects, fishing mortality, catch rates and TACs implied by these management strategies for the short and the long term in the following format:
 - I. For stocks for which analytical-type assessments are possible, graphs should be provided of all of the following for the longest time-period possible:
 - historical yield and fishing mortality;
 - spawning stock biomass and recruitment levels;
 - catch options for the year 2005 and subsequent years over a range of fishing mortality rates (F) at least from $F_{0.1}$ to F_{max} ;
 - spawning stock biomass corresponding to each catch option;
 - yield-per-recruit and spawning stock per recruit values for a range of fishing mortalities.
 - II. For stocks for which advice is based on general production models, the relevant graph of production as a function of fishing mortality rate or fishing effort should be provided. Age-aggregated assessments should also provide graphs of all of the following for the longest time-period possible:
 - exploitable biomass (both absolute and relative to B_{MSY})
 - yield/biomass ratio as a proxy for fishing mortality (both absolute and relative to F_{MSY})
 - estimates of recruitment from surveys, if available.
 - III. Where analytical methods are not attempted, the following graphs should be presented, for one or several surveys, for the longest time-period possible:
 - time trends of survey abundance estimates, over:
 - an age or size range chosen to represent the spawning population
 - an age or size-range chosen to represent the exploited population
 - recruitment proxy or index for an age or size-range chosen to represent the recruiting population.
 - fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the exploited population.

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

- 6. Noting the progress made by the Scientific Council on the development of a framework for implementation of the Precautionary Approach, the Fisheries Commission requests that the Scientific Council provide the

following information for the 2004 Annual Meeting of the Fisheries Commission for stocks under its responsibility requiring advice for 2005, or 2005 and 2006:

- a) the limit and precautionary reference points as described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (when precautionary reference points cannot be determined directly, proxies should be provided);
 - b) information including medium term considerations and associated risk or probabilities which will assist the Commission in developing the management strategies described in paragraphs 4 and 5 of Annex II in the Agreement;
 - c) information on the research and monitoring required to evaluate and refine the reference points described in paragraphs 1 and 3 of Annex II of the Agreement; these research requirements should be set out in the order of priority considered appropriate by the Scientific Council;
 - d) any other aspect of Article 6 and Annex II of the Agreement which the Scientific Council considers useful for implementation of the Agreement's provisions regarding the precautionary approach to capture fisheries;
 - e) propose criteria and harvest strategies for re-opening of fisheries and for new and developing fisheries; and
 - f) to continue to work toward the harmonization of the terminology and application of the precautionary approach within relevant advisory bodies.
7. In addition, the following elements should be taken into account by the Scientific Council when considering the precautionary approach:

- a) Many of the stocks in the NAFO Regulatory Area are well below any reasonable level of B_{lim} or B_{buf} . For these stocks, the most important task for the Scientific Council is to inform on how to rebuild the stocks. In this context and building on previous work of the Scientific Council in this area, the Scientific Council is requested to evaluate various scenarios corresponding to recovery plans with timeframes of 5 to 10 years, or longer as appropriate. This evaluation should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, including information on the consequences and risks of no action at all.

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

- b) Where reference points are proposed by the Scientific Council as indicators of biological risk, they should be accompanied by a description of the nature of the risk incurred if the reference point is crossed (e.g. short-term risk of recruitment overfishing, loss of long-term yield, etc.)
- c) When a buffer reference point is proposed in order to maintain a low probability that a stock, measured to be at the buffer reference point, may actually be at or beyond the limit reference point, the Scientific Council should explain the assumptions made about the uncertainty with which the stock is measured, and also the level of ‘low probability’ that is used in the calculation.
- d) Wherever possible, short and medium term consequences should be identified for various exploitation rates (including no fishing) in terms of yield, stability in yield from year to year, and the risk or probability of moving the stock beyond B_{lim} . Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the risks of falling below B_{lim} , as well as of being above F_{lim} and, the risks of stock collapse and recruitment overfishing, as well as the risks of growth overfishing and the consequences in terms of both short and long term yields.
- e) When providing risk estimates, it is very important that the time horizon be clearly spelled out. By way of consequence, risks should be expressed in timeframes of 5, 10 and 15 years (or more), or in terms of other appropriate year ranges depending on stock specific dynamics. Furthermore, in order to provide the Fisheries Commission with the information necessary to consider the balance between risks and yield levels, each harvesting strategy or risk scenario should include, for the selected year ranges, the

risks and yields associated with various harvesting options in relation to B_{lim} , and F_{lim} and target F reference points selected by managers.

8. Regarding pelagic *S. mentella* redfish in NAFO Subareas 1-3, the Scientific Council is requested to review the most recent information on the distribution of this resource, as well as on the affinity of this stock to the pelagic redfish resource found in the ICES Sub-area XII, parts of SA Va and XIV and to the shelf stocks of redfish found in ICES Sub-areas V, VI and XIV, and NAFO Subareas 1-3.
9. Regarding white hake in Divisions 3NO, the Scientific Council is requested to provide the following:
 - a) Information on the fishing mortality on white hake in Divisions 3NO in recent years, as well as information on by-catches of other groundfish in the 3NO white hake fishery;
 - b) Information on abundance indices and the distribution of the stock in relation to groundfish resources, particularly for the stocks which are under moratorium;
 - c) Information on the distribution of white hake in Divisions 3NO, as well as a description of the relative distribution inside and outside the NAFO Regulatory Area;
 - d) Advice on reference points and conservation measures that would allow for exploitation of this resource in a precautionary manner;
 - e) Information on annual yield potential for this stock in the context of (d) above;
 - f) Identification and delineation of fishery areas and exclusion zones where fishing would not be permitted, with the aim of reducing the impact on the groundfish stocks which are under moratorium, particularly juveniles;
 - g) Determination of the appropriate level of research that would be required to monitor the status of this resource on an ongoing basis with the aim of providing catch options that could be used in the context of management by Total Allowable Catch (TAC); and
 - h) Information on the size composition in the current catches and comment on these sizes in relation to the size at sexual maturity.
10. Regarding redfish in Divisions 3L, 3N and 3O, Scientific Council is requested to review all available information and provide advice regarding whether the current management units (3LN and 3O) or any alternative may be the most appropriate.