

PART I

Report of the General Council Meeting

(GC Doc. 04/5)

26th Annual Meeting, September 13-17, 2004

Dartmouth, Nova Scotia, Canada

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

- 1. The Meeting was opened by the Chair of the General Council, David Bevan (Canada).**

The Representatives of sixteen (16) Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland-DFG), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and the United States of America (Annex 1). Bulgaria was unable to attend.

The Chair welcomed delegates to the 25th anniversary meeting of NAFO (Annex 2). He remarked that international fisheries had a long history on the Grand Banks and the Flemish Cap and remains part of our fabric and ties NAFO and its fishers historically, economically, socially and culturally. He pointed to the difficult times that the fishery has encountered during the past 25 years and to the need to invest in improved conservation, a strong science and a focus on stock rebuilding. He emphasized that the protection of ocean habitat and deep sea biodiversity has become more important than ever in light of biological limits being stressed in the world's ecosystems under an unprecedented combination of human activities and natural changes. While NAFO had made progress in addressing these issues in recent years, NAFO still had to strengthen its management and governance structure to manage the ocean resources in the NAFO Regulatory Area in a sustainable and profitable way. The Chair closed his opening statements by affirming the imperative role that close cooperation and collaboration play in facing the significant challenges.

The Heads of Delegations from Canada, European Union, United States, Ukraine, Korea, Russia, and Japan addressed their opening statements to the assembly (Annexes 3-9).

- 2. Appointment of Rapporteur**

The Executive Secretary of NAFO, Dr. Johanne Fischer, was appointed as Rapporteur.

- 3. Adoption of Agenda**

The adopted Agenda is attached in Annex 10.

- 4. Admission of Observers**

Admission of Observers was addressed by the Executive Secretary reporting on her invitations to FAO, IBSFC, ICCAT, ICES, NAMMCO, NASCO, NEAFC and NPAFC in accordance with the Rules of Procedure. These organizations acknowledged NAFO's invitations. IBFSC, ICCAT, ICES, NASCO and NPAFC were unable to attend. FAO was represented by Mr. Hiromoto Watanabe (Fishery Liaison Officer, Fishery Policy and Planning Division), NAMMCO by Mr. Kolbeinn Arnason of Iceland and NEAFC by the delegate of Denmark (DFG). Also, Mr. Joao Neves from the NEAFC Secretariat will attend STACTIC sessions. WWF has applied a few weeks before the Annual Meeting to obtain status as observer at General Council, Fisheries Commission and Scientific Council. According to the Rules of Procedure of General Council and Fisheries Commission the request came too late to be processed this year. However, Scientific Council granted observer status to two WWF delegates for its sessions: Ms. Charlotte Mogensen (Fisheries Policy Officer for the WWF European Policy Office) and Dr. Robert Rangeley (Atlantic Director for the WWF Canada).

The representative of FAO delivered a statement to the General Council (Annex 11).

5. Publicity

The Secretariat submitted STACFAD WP 04/5 as a proposal for a new media policy of NAFO. Discussion of this proposal was deferred to STACFAD. Participants then agreed to the existing procedure for the present meeting, i.e. that no statements should be made to the media until after the conclusion of the meeting, when the NAFO Secretariat would issue a Press Release. The Press Release was finalized and issued at the closing session of the General Council, September 17, 2004 (Annex 12).

6. Record of Agreed General Council Decisions at the 2004 NAFO Annual Meeting

Last year, delegates had agreed that a summary record of agreed decisions should be produced for General Council and Fisheries Commission before the meeting ends and finalized during the last session. The Secretariat presented the format it had used last year for this purpose. Delegates agreed that the format shown should be continued to be used and that a list of agreed decision should be elaborated by rapporteurs and presented at the end of the meeting (Annex 13).

II. Supervision and Coordination of Organizational, Administrative And Other Internal Affairs (items 7-10)

7. Review of Membership

(a) General Council and (b) Fisheries Commission. The membership of NAFO is 17 Contracting Parties, they are members of the General Council and Scientific Council. The membership of the Fisheries Commission (those members participating in fishery in the NAFO Regulatory Area) is 16 as Bulgaria did not participate in a NAFO fishery.

Four Contracting Parties (Estonia, Latvia, Lithuania and Poland) have acceded to the European Union and have therefore submitted official notifications of withdrawal from NAFO. They will be integrated in the Delegation of the European Union starting 2005. The four Contracting Parties in question all addressed General Council stating that they will remain active participants in the Organization as members of the European Union delegation. The European Union expressed that it feels honoured that these four countries joined the Union and that, as the EU delegation operates by consensus, these NAFO Contracting Parties will indeed have an influence on the EU policy as active fishing states.

8. Administrative Report

Discussion of the Administrative Report was referred to STACFAD. At the closing session, on the advice of the Chair of STACFAD, the Report was adopted by the General Council.

9. Update on the web and electronic publications by the Secretariat

The Executive Secretary introduced new features of the NAFO member pages that have been re-organized some months ago. Electronic versions of the General Council and Fisheries Commission Meeting Proceedings and Scientific Council Meeting Reports have been elaborated. The Annual Report is now an electronic publication only and accessible through the NAFO website. The changes were noted by delegates and the Secretariat commended for its continued efforts to improve electronic communication.

10. Timely submission of fishery statistical data (request by SC)

In June 2004, Scientific Council's Standing Committee for Research Coordination had noted that there was a widespread lack of respect for the STATLANT submissions and particularly for the submissions of the STATLANT 21B and recommended that the General Council be reminded of the importance of these STATLANT data to the work of the Scientific Council (SC WP 04/22). As these recommendations mainly addressed Fisheries Commission, it was decided to defer this agenda item to the Fisheries Commission and invite SC Chair to present the recommendations in person to the Commission.

III. Coordination of External Relations (item 11)

11. a) Report of Executive Secretary on North Atlantic Regional Fisheries Management Organizations (NARFMO)

The Executive Secretary reported on the North Atlantic Regional Fisheries Management Organizations (NARFMO) Meeting that took place in March 2004 in London. This regular meeting represents an important opportunity for Executive Secretaries of similar organizations to discuss work-related issues, coordinate their activities, and inform each other of innovations and progress achieved so far. In March 2004, IBSFC, NAMMCO, NASCO, NEAFC and NAFO Secretariats discussed a number of issues, e.g. practical cooperation on IUU fishing; exchange of information regarding the ecosystem approach to fisheries management; media and NGO attendance at meetings. It was agreed to hold the next meeting in conjunction with the fourth FAO Regional Fishery Bodies Meeting in Rome in 2005.

Denmark expressed support for the efforts of coordinating activities by the Secretariat of different Fishery Bodies and suggested that, for improved efficiency and feedback, in the future the NAFO Executive Secretary should decide who should represent NAFO at the meetings of other organizations. This proposal was accepted by General Council.

b) NAFO's accession to the Fishery Resources Monitoring System (FIRMS) Partnership

The Executive Secretary introduced a proposal from the NAFO Secretariat supported by Scientific Council to accede to the Fishery Resources Monitoring System (FIRMS). FIRMS is a partnership of international organizations, regional fishery bodies and national scientific institutes to report and share information on status and trends of fishery resources within a formal agreement. This information is published through the Fisheries Global Information System (FIGIS), a web-based information management tool operated by FAO. The Executive Secretary draw the attention of delegates to Annex 2 of the Partnership Agreement that is different for each FIRMS member and, in the case of NAFO, was drafted based on previous recommendations from Scientific Council and on discussion during the first meeting of the FIRMS Steering Committee. Scientific Council recommended that the General Council approve the FAO/FIRMS and NAFO Partnership Arrangement.

Delegates agreed that NAFO joins the FIRMS Partnership Arrangement as presented in GC Working Paper 04/3.

IV. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention (items 12-15)

12. Report of STACFAC and joint STACFAC/STACTIC June Meetings

The June 2004 STACFAD reports were covered under agenda item 14.

13. Consideration of Non-Contracting Party activity in the NAFO Regulatory Area and agreement on the task of STACFAC at the current meeting.

Canada reported that eight NCP vessels had been sighted in the NAFO Regulatory Area since the last Annual Meeting and proposed that STACFAC carefully consider all NCP vessel occurrences in the NAFO Regulatory Area and provide General Council with recommendations regarding a sensible approach to deal with this issue. This was agreed and the matter referred to STACFAC.

14. Report of STACFAC at the Annual Meeting and decisions on actions

STACFAC Chair, Ms. Nadia Bouffard (Canada), presented the STACFAC Report to General Council including a list of recommendations asking General Council to:

1. remind Contracting Parties of their obligations to inspect the Non-Contracting Party vessels when they enter Contracting Party ports, and to prohibit landings and transshipment from these Non-Contracting Party vessels, where warranted. Information shall be sent without delay through the Secretariat to all NAFO Contracting Parties, with a view to tracking the activities of these Non-Contracting Party vessels.
2. ask the Secretariat to compile a package on the history of Non-Contracting Party fishing vessels using a

similar format as is used in the International Commission for the Conservation of Atlantic Tunas, to facilitate discussion at future STACFAC meetings;

3. have the letter in response to the sightings of Dominica-flagged vessels engaged in IUU fishing activities drafted by STACFAC and approved by General Council delivered by the EU to the Dominica representative in Brussels as a diplomatic démarche. Canada and USA have consented to participate in this démarche and other NAFO Parties are encouraged to also be part of this démarche.
4. mandate STACFAC to review and continue discussions on the Norwegian proposal (STACFAC Working Paper 04/8) on joint NAFO and NEAFC scheme to promote compliance by Non-Contracting Party vessels at the next NAFO annual meeting.
5. task the Executive Secretary to draft a response to the Belizean letter inserting paragraphs developed by STACFAC regarding the issue of Co-operating Non-Contracting Party status in NAFO as well as the availability of quotas.

Delegates adopted all recommendations by STACFAC. Norway requested that STACFAC WP 04/8 be annexed to the STACFAC report.

15. Dispute Settlement Procedures

Canada tabled GC Working Paper 04/4. The EU voiced concerns that this Working Paper appeared to ignore past efforts to resolve this issue and requested more time to further investigate the Working Paper and how it should be interpreted. Canada agreed that further discussions are needed to reconcile the different opinions within NAFO and suggested that the procedures for dispute settlement to be devised for NAFO should be in agreement with those described in the UN Fish Stock Agreement. The matter was deferred for discussion to the next Annual Meeting in 2005.

V. Finance (items 16-17)

16. Report of STACFAD at the Annual Meeting

Chair of STACFAD (Standing Committee on Finance and Administration), Mr. Fred Kingston (EU), presented the STACFAD report (Part II of this Report) to General Council with the following recommendations:

- 1) Contracting Parties take immediate action to meet their financial obligations and bring financial stability to the Organization.
- 2) Contributions from Bulgaria be deemed uncollectible and that this amount be applied against the accumulated surplus.
- 3) The minimum balance in the Accumulated Surplus Account be \$125,000 in order to fulfil the financial obligations of the Organization in early 2005.
- 4) The discussion exploring a headquarters agreement for NAFO be deferred to the next Annual Meeting in 2005 to allow further analysis of this issue.
- 5) The General Council adopt the Media Policy concerning the conditions for attendance by media representatives at NAFO meetings outlined in Annex 4 of the STACFAD Report.
- 6) The General Council adopt in principle the recommendations contained in STACFAD W.P. 04/1 concerning a new NAFO classification system for the Secretariat Staff, but defer the decision as to the exact level of compensation to the next Annual Meeting.
- 7) The Working Group, recommended to be set up under recommendation 8 (STACFAD Agenda Item 12) to re-examine the NAFO Staff rules, also discuss issues connected to the special work situation of the NAFO staff, including their benefits and responsibilities, in comparison with Canadian government employees.
- 8) A Working Group be established to assist in this revision of the Staff Rules and this Working Group will be composed of the Executive Secretary, a representative of the NAFO Staff, Canada, EU, and the Chair of STACFAD
- 9) Endorsement of a Staff Association and Staff Representative.

- 10) Endorsement of the STACFAD WP 04/4 – Staff Committee.
- 11) General Council appoint the three nominees to the Staff Committee for one year.
- 12) After extensive discussions were held on the subject, there was no consensus on the means to adjust the Executive Secretary's salary or to modify the ceiling on the renewal of the Contract contained in Staff Rule 4.1.
- 13) For 2005, the specific goals for evaluating the eligibility of the Executive Secretary for a performance pay allowance are the following:
 - Re-structure the public NAFO webpages to increase user friendliness and access to NAFO-related information by the public and to enhance NAFO's profile in the public
 - Develop the NAFO electronic Journal
 - Propose necessary changes to the Staff Rules taking into account the specific situation of the NAFO Secretariat, the regulations of the Canadian government and UN regulations.
 - Contribute with substantial information to the determination of the level of compensation to be added to NAFO staff base salaries. This information should include definition of missing employment benefits in NAFO in comparison with Canadian government employees and, where possible, determination of the financial consequences this might entail. It also should detail added responsibilities and duties of NAFO staff that their peers employed by the Canadian government are not expected to perform.
 - Maintain effective capacity to produce the information requested by STACTIC for an annual compliance report to the Fisheries Commission.
- 14) A budget of \$20,000 be included in the 2006 and 2007 budget forecast, to be used for the purpose of hosting a NAFO Reception.
- 15) The budget for 2005 of \$ 1,499,000 be adopted. This figure was later revised (see item 17 below).
- 16) The dates for the 2007 Annual Meeting be as follows with the location in Halifax, unless an invitation to host is extended by a Contracting Party and accepted by the Organization:
 - a. Scientific Council - 12-21 September
 - b. General Council - 17-21 September
 - c. Fisheries Commission - 17-21 September

17. Adoption of Budget and STACFAD Recommendations for 2005

General Council Chair informed meeting participants that Contracting Parties had reached a decision regarding a salary raise from 1 January 2005 and the allocation of a performance bonus regarding 2004 for the Executive Secretary and that they deferred a decision regarding alteration of the ceiling of contract renewal to the next Annual Meeting. He also stated that as a result of additional requirements by General Council, the budget had to be raised by \$25,000. Therefore, a budget of \$1,524,000 for 2005 was adopted.

Regarding item 16.6) above, the European Union noted their concern regarding the lower benefits that NAFO Secretariat staff receive in comparison with Canadian Government employees. The EU announced that for discussion of this matter at the next Annual Meeting, it will be important that the level of compensation be set at an adequate level, which should be no lower than 10%.

All other recommendations of STACFAD were adopted without further discussion.

VI. Closing Procedures (items 18-21)**18. Time and Place of the Next Annual Meeting**

The Estonian delegate issued an invitation for the next Annual Meeting to take place in Tallinn. Delegates welcomed the invitation and thanked Estonia for the kind offer. The 27th Annual Meeting will thus be held in Tallinn, Estonia, at the following dates:

Scientific Council	-	19-23 September 2005
General Council	-	19-23 September 2005
Fisheries Commission	-	19-23 September 2005

19. Other Business

No other business was discussed.

20. Press Release

The Executive Secretary drafted a Press Release that reflects the review and changes by the NAFO President (Annex 12).

21. Adjournment

The meeting adjourned at 14:00, September 17, 2004.

Annex 1. List of Participants

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Annex 2. Opening Speech by the Chair of General Council, David Bevan (Canada)

Distinguished delegates, ladies and gentlemen,

With the 25th anniversary of NAFO, it is indeed an honour and a pleasure for me to serve as your Chair at this year's NAFO annual meeting.

As some of you will remember, I have spent many years working in various NAFO committees and meetings. I must say that I have always enjoyed the openness and professionalism that has transpired from those meetings.

As we begin today, I want to reflect on the importance of the work that this Organization undertakes.

Even before 1497, fisheries have been prosecuted on the Grand Banks and Flemish Cap, flourishing for most of its 500-year history. The northern cod stocks were the most bountiful food resource in the world. The great fishing fleets of Europe - the French, Spanish, Portuguese and English - had prosperous fisheries that led to the settlement of communities in Canada.

Despite many changes over the centuries, the fishery remains part of our fabric and ties us and our fishers historically, economically, socially and culturally.

The last 25 years have presented substantial challenges to NAFO. We have had difficult times - over at least the last 15 years dealing with collapsing groundfish stocks and the harsh reality of moratoria.

NAFO has always recognized the need to invest in improved conservation, the need for strong science, and a focus on stock rebuilding. Significant progress has been made, and as an organization, we all can take credit for what has been done.

While NAFO has over the years taken steps towards improving stock conservation, there are major challenges ahead of us to achieve the rebuilding of stocks that are fundamental to the life of so many coastal communities.

Many stocks continue to be at historically low levels, despite the fishing moratoria we have established. Progress to stock rebuilding has been very slow and fragile. Achieving recovery depends upon political will, the actions taken at NAFO to adopt the right conservation measures, and ensuring that these measures are implemented and adhered to.

But these are our day to day challenges. There are larger threats to fish stocks and NAFO is not the only one facing these threats. The biological limits of the world's marine ecosystems are being strained under an unprecedented combination of human activities and natural changes.

As a result, protection of ocean habitat and deep sea biodiversity has become more important than ever. Science is making great efforts to explain what those of us in fisheries have known for a long time – the elements of marine ecosystems are interconnected. How we manage human activities that impact particularly sensitive benthic areas such as seamounts, hydrothermal vents and cold-water corals will be reflected in the sustainability of fish stocks depending on these unique and vulnerable habitats.

We all know that over 70% of the world's fish stocks are fully or over exploited. World demand for protein, overcapacity in the fishing industry and the challenges of ensuring compliance are exerting tremendous pressures on many fragile ecosystems. As fisheries managers, we have a responsibility to work on the better use of marine resources. The Grand Banks are a very important and rich marine ecosystem that we have to use in a measured way.

While NAFO has been very conscious of these challenges and has made progress in addressing them in recent years, our job is far from finished. In the next quarter century, NAFO will need to strengthen its management and governance structure to manage the ocean resources of the NAFO Regulatory Area in a sustainable and profitable way.

Close cooperation and collaboration are essential to achieving our shared objectives of stock recovery, conservation and sustainable development for present and future generations. Given the interdependent reality of our world, they are imperative.

The challenges are significant. I am confident that through your leadership, NAFO will meet these challenges,

I would like to thank the NAFO Secretariat for the excellent arrangements undertaken for this meeting.

Thank you. I would now like to open the floor for opening statements.

Annex 3. Opening Statement by the Representative of Canada (Jean-Claude Bouchard)

Mr. Chairman, distinguished Representatives, Ladies and Gentlemen,

Let me first introduce myself – my name is Jean-Claude Bouchard and I am the Associate Deputy Minister of Fisheries and Oceans Canada.

It is a pleasure for Canada to participate at this twenty-sixth annual meeting of NAFO in Dartmouth, Nova Scotia.

Mr. Chairman, we have experienced major challenges during the past 15 years. The fishing communities in Atlantic Canada, in particular, have suffered enormously.

NAFO Contracting Parties also have seen their share of difficult times. In particular, we have all had to deal with the hard reality of moratoria and the need to ensure strong conservation and enforcement measures.

Last year, NAFO responded positively and constructively to the evidence of a declining Greenland halibut stock and adopted a comprehensive, long-term strategy to rebuild the Greenland halibut stock.

Recovery will be possible only if we adhere to the established quotas and ensure that catches remain within these quotas. It is essential that we renew our commitment to the Rebuilding Plan and its effective implementation.

As NAFO parties, we have a responsibility not to let history repeat itself. We need to ensure the recovery of important stocks such as Greenland halibut as well as other groundfish and flatfish stocks.

Mr. Chairman, Canada has worked hard with other Contracting Parties for the recovery of straddling stocks. Yet, despite the continuing moratoria for stocks such as 3NO cod and 3LNO American plaice, we have seen no significant results – catches of these stocks have increased in recent years and are jeopardizing their rebuilding and recovery.

NAFO also has another important responsibility, and that is to ensure that agreed enforcement measures are respected in the NAFO Regulatory Area.

Non-compliance continues at an unacceptable rate in the NAFO Regulatory Area. In early May of this year, Canada increased its patrol presence in the NAFO Regulatory Area to detect and deter non-compliant fishing activities. To date, over 100 boardings and inspections have taken place this year with relatively few citations issued. We believe that the enhanced inspections have served as a deterrent and succeeded in changing fishing behaviour.

However, this is not enough. We need to see longer lasting change. Members and flag States need to take stronger actions to help deter and change these illicit behaviours in a more lasting way.

Moreover, there is no common approach to port inspections when vessels that have been cited for serious infringements return to port. In addition, strong follow-up on infringements is lacking in many instances. Without strong deterrents, non-compliance will continue to threaten stocks under moratoria.

We have a long and difficult road ahead to ensure the rebuilding of once plentiful stocks. Many stocks continue to be at historically low levels, despite the fishing moratoria. Progress towards stock recovery is very slow, and fragile. Achieving recovery depends on the actions taken around this table, to adopt the right conservation and enforcement measures, and back home, to ensure their adherence by fishing fleets.

It is clear to us that the well-being of groundfish and shrimp stocks – and the economic future of our fishing communities – depends upon the decisions we make here once we return home.

It is for this reason that NAFO is so important to the people who are represented by everyone around this table. In the absence of a commitment by all Contracting Parties to stock rebuilding and sustainable fishing practices, the future of our fishing industry is bleak. Canadian fishermen from Canada's Atlantic coast have nowhere else to go. Their future is directly and uniquely dependent on the success of NAFO in meeting its responsibility. We are accountable to them and to all fishermen who have and hope to continue to benefit from the fisheries resources of the Northwest Atlantic.

This meeting is being watched very closely in Newfoundland and Labrador, in Atlantic Canada and elsewhere in Canada. The level of scrutiny reflects not only the importance of the outcome to domestic interests, but also an increasing scepticism that NAFO can successfully address the challenges it must face.

This growing Canadian frustration with NAFO's performance has been expressed politically in the form of demands for strong action by the government to assert Canadian interests in the protection of straddling groundfish stocks.

Canadians expect strong action from NAFO to protect and rebuild stocks.

With this as a backdrop, I want to be clear about the Government of Canada's objective for this meeting. Our intent, and commitment, is to work with all Parties to achieve an objective which I believe we all share – to find ways to make NAFO more effective at rebuilding and managing the fish stocks of the Northwest Atlantic.

There is one issue that is particularly important for Canada in making NAFO work and that is to address currently unregulated stocks. Given pressures on stocks worldwide, it is unacceptable for states to allow these stocks to be fished in the absence of proper harvest limits.

We believe that making NAFO work can be advanced by showing that we are detecting problems of compliance; that there is a harmonized approach to at-sea and port inspections, that all Contracting Parties are following up to deter non-compliance; that we are adopting more effective conservation measures; and by demonstrating that science is the basis for setting TACs.

Making NAFO more effective is a collective challenge. Canada believes that this Organization can find the will to continue to strengthen its performance.

I am hopeful that all Contracting Parties will come together in a shared commitment, a shared purpose, and a shared priority to fisheries conservation, stock rebuilding, and sustainable fisheries management.

Canada is looking forward to a constructive and positive dialogue at this session – one which advances the interests of this Organization and its members, and provides a brighter future for all who depend upon the fisheries resources under our stewardship. Thank you.

Annex 4. Opening Statement by the Representative of the European Union (John Spencer)

Mr Chairman, distinguished delegates, ladies and gentlemen

It is a great pleasure for me and my Delegation to be in Dartmouth for the 2004 Annual Meeting of NAFO. My Delegation is composed of both fisheries managers from my Member State Administrations and representatives of our fishing industry. We would like to thank Dr Fischer and the NAFO Secretariat for the excellent arrangements provided for this meeting.

I believe that this meeting will be particularly important in view of a number of challenges that NAFO is facing and certain adjustments that are required due to changing political circumstances. These issues need to be taken seriously by all NAFO Parties – affecting as they do the effectiveness of this multilateral organisation.

NAFO has, in fact, been subject of critical comments and scrutiny since our last meeting, in particular here in Canada, where NAFO is often compared to “a toothless tiger” by its critics. Non-Canadian fishing vessels, which in actual fact operate on less than 10 % of the fishing grounds on the Grand Banks, are frequently stigmatised unfairly in the press as being responsible for the destruction of key stocks in this Area.

It has even been argued by some commentators that Canada should extend its jurisdiction over the entire Grand banks and Flemish Cap through what is referred to as “custodial management”, a concept which remains mysteriously ill-defined and unexplained to us.

We believe if such action was undertaken, it would run counter to international law and seriously undermine NAFO, besides being predicated on basically unfair assumptions. We therefore wish to express our strongest political and legal reservations about such a line of action, and wish to sensitise all NAFO Members in this respect. NAFO’s Regulatory Area is, by definition, international waters for which this Organisation has been conferred competence, a competence that should not be diminished, but rather the contrary, reinforced by Members. The European Community is fully committed to the work of NAFO and to ensuring the conservation and management of the fishery resources in the NAFO Area. We believe all NAFO Parties must be equally associated to this common commitment.

In this regard, the Community proposed last year a 15-year Re-Building Plan for Greenland halibut. That plan was tabled following an unprecedented change in the scientific advice from 2002 to 2003. We took the initiative to propose this plan despite that it was our own fleet which would have to make the biggest sacrifices in reducing its fishing catches in 2004 compared to 2003. I must stress that this very drastic measure, unprecedented in its severity in international fisheries management terms, will continue to require a very intense effort over the next years.

The fact that all NAFO Parties supported our proposal and that those actively involved in the fishery in the NAFO area, committed themselves to a substantial reduction in catches over many years, eloquently demonstrates that NAFO can and does take decisive action and is not a “toothless” tiger. Regrettably, this fact has been ignored by media and those which see as their mandate to undermine the activities of this Organisation.

The adoption of this Rebuilding Plan further demonstrates the determination of the NAFO membership to take strong action and not to repeat past mistakes on many key stocks which are now under moratoria.

It should therefore be the aim of this Organisation to make it clear to the international community and media that it intends to fulfil its mandate to ensure the sustainable management of our stocks. We need a much higher profile internationally to ensure that NAFO’s work is fully understood.

I wish to draw the attention of delegates to a recent debate which risks undermining the Joint Inspection Scheme of NAFO. It is well known that the views of the European Community and those of Canada differ in respect of the status held by the NAFO Inspection Scheme in respect of the provisions of the United Nations Fish Stocks Agreement of 1995. Canada has made clear that it views the NAFO scheme as not being consistent with the Agreement, and that on such grounds, Canada reserves the right to apply the Agreement vis-à-vis any other NAFO Party that has ratified it, even if such application entails actions that do not respect NAFO provisions. In particular, this might imply the right of the inspection state under certain circumstances to bring a vessel to port, even in the absence of flag State consent.

We have made it quite clear to that Member that the European Community does not agree with such an interpretation of the UN Fish Stocks Agreement, which amounts to negating the power of Regional Fisheries Organisations, such as NAFO, to implement what their status already implies: a regional multilateral approach to fishery regulation and control based on international cooperation. Such interpretations further result in nullifying NAFO rules and creating discriminatory treatment among the membership. We strongly draw Contracting Parties attention to the seriousness of this debate.

The application of NAFO's boarding and inspection scheme has also received special attention following an initiative to increase considerably inspection activities, allegedly to address systematic non-compliance by Non Canadian fishing activities.

It is worth noting that these increased inspection activities have not led to a higher number of citations for infringements than in previous years, which reinforces the view that the compliance picture is not as bad or dramatic as it is often painted.

In any case, I must stress a number of points that are of great concern to our delegation; first, it is appropriate to recall that the boarding and inspection scheme is a carefully negotiated instrument intended to strike a balance between fishing interests and control needs. However, EC vessels continue to be over-inspected in relative terms compared to fishing vessels of other NAFO Members in the area. Furthermore, instances where inspection teams do not respect the agreed procedures in the Scheme, continue to be reported. We therefore insist that the Scheme is implemented objectively and in full respect of its provisions.

Mr Chairman, finally I would like to state that it is with great pleasure that the EC has welcomed Estonia, Latvia, Lithuania and Poland to its membership in May 2004. Co-operation within NAFO with these four countries had always been very cordial and productive. We are convinced, by having worked closely together already since 2003, that the enlarged Community cannot but enhance its commitment to the success of NAFO with the help and assistance of its new Members.

Mr Chairman, ladies and gentlemen, my Delegation looks forward to working with you all on these and other important matters during this meeting.

Annex 5. Opening Statement by the Representative of the United States
(Jack Dunnigan)

Thank you and good afternoon, Mr. Chairman, Fellow colleagues, Ladies and Gentlemen

On behalf of the United States of America let me say that we are pleased to be back again with our colleagues to discuss important issues for the conservation and management of the fisheries of the Northwest Atlantic Ocean – particularly this year as we celebrate the 25th Anniversary of the Northwest Atlantic Fisheries Organization.

At times like these we tend to look back and remember the highlights of the past, and that is as it should be. But let us also emphasize that NAFO is an organization with a future as well as a past. And the future holds ample opportunities for the parties around the table to forthrightly address the issues that bind us together. Our world is changing, and the requirements for fisheries conservation are changing as well. NAFO, like many other regional fisheries management organizations and like many of our internal fisheries management programs, has traditionally focused on single-species management strategies. But as our world changes, we will inevitably be challenged to move to newer, more comprehensive approaches.

We will be challenged to look more broadly at marine ecosystems. Our fish stocks and the oceans that they live in and the seabed are all interrelated. The international community is becoming more aware of the needs of safeguarding important values associated with habitat areas of particular concern. In the NAFO Convention area, many areas such as sea mounts have been identified that ought to receive special attention. The NAFO Scientific Council provided global leadership in providing needed focus and attention to these areas. These areas support a diverse array of species including cold water corals that are particularly vulnerable, and are a very important part of the ocean web that supports our fisheries.

Many issues that are being considered by the international community may have particular application to NAFO. FAO, for example, has noted particular concerns for sharks and closely related skates and rays, and for fishing capacity, both of which are issues that have been dealt with around this table. The United States continues to believe that NAFO needs to move forward with measures to conserve skates, and we will be looking very closely at the advice that we receive from the Scientific Council.

Improved systems of compliance and inspection will need to be a part of the future if NAFO is going to be effective. We note that at this meeting there will be an organized review of contracting party compliance through STACTIC, and we welcome that. Our anticipation is that NAFO will continue to build on the review to create a comprehensive suite of measures to support compliance by all parties fishing in the NAFO regulatory area. This is essential to having an effective program of control for non-contracting parties.

And our future will also, we believe, require that we openly discuss and prepare to improve NAFO's approach to bycatch. The United States continues to be concerned that NAFO cannot meet its goals for our shared fisheries without a more effective approach to controlling the incidental harvest of non-target species, including many that are subject to moratorium.

And so we believe that NAFO has a significant future ahead of it. The United States hopes to be a vital part of that future. Unfortunately, it is increasingly difficult for the United States to view its commitment to NAFO as being consistent with the investment that we make. Although we very much appreciate the interest and assistance that we received from our colleagues over the past year in pursuing fishing opportunities in the NAFO Convention Area, we continue to be disappointed that these efforts have not yet led to concrete results. We continue to believe that our position as a coastal state, our tradition of fishing in the Northwest Atlantic, and our substantial investment in time and money and leadership within NAFO warrant recognition with the NAFO system for allocations. It continues to be very difficult to justify the level of our country's commitment without having reasonable and practical fishing opportunities for our fishermen.

In closing, Mr. Chairman, let me also introduce to our colleagues around the table our new NAFO Commissioner representing our industry, Mr. James Salisbury. We will also be joined tomorrow by our new Commissioner representing the New England Fishery Management Council, Mr. John Pappalardo. I have had the pleasure of working with both Jim and John for a number of years. They look forward to meeting with all of you and your industry representatives, and working together to secure NAFO's future.

Thank you very much, Mr. Chairman.

Annex 6. Opening Statement by the Representative of Ukraine (Vasyl Chernik)

Dear Chairman, Colleagues, Ladies and Gentlemen:

The Ukrainian delegation welcomes all the participants of the Northwest Atlantic Fisheries Organization anniversary session and wishes a successful meeting for all of us.

I believe we all remember the very important event in the history of fisheries in the Northwestern Atlantic, which occurred 25 years ago: the time when a new regional fisheries organization - NAFO - was established and took responsibility for the management of marine living resources in one of the richest fishing grounds on the planet. History of fisheries in the region counts at least 5 hundred years or even more. Fisheries in the area for many decades and centuries were the source of livelihood and income either for local coastal communities as well as for fishermen of long distance fleets from the countries at the other side of the Atlantic.

Addressing these welcome words to all the attendants, I would like to briefly remind of Ukrainian history of fisheries in the region. The Ukrainian fleet started fishing in the Northwest Atlantic in early 1970-ies under the Soviet Union flag – the time of NAFO predecessor (ICNAF). At that time, up to 10 medium and large Ukrainian trawlers operated at the shelf areas off New England and Nova Scotia, moving further north to Newfoundland and Labrador waters with later fisheries development. In 1975, Ukrainian catch in the Northwest Atlantic was above 130000 t, which was about 20% of the total Ukrainian distant water catch in the World Ocean. On average, Ukrainian catch in the area during 1971-1977 was equal to 10% of total distant water catch of Ukraine.

The Ukrainian fleet left the Northwest Atlantic in 1978 after introduction of the 200-miles exclusive economic zones. During that time we survived during difficult adaptation and hard learning of transition from fishing at the shelf waters of the ocean to operations in the high seas of Pacific, Indian and Antarctic Oceans.

Ukraine gains priceless experience of the operations in the regional fisheries management bodies areas, first of all in CCAMLR, and in the 200-miles EEZs of coastal countries. For all these years, Ukraine developed fisheries strictly founded on scientifically-based, rational, long-term use of marine living resources.

Ukrainian fishermen returned to Northwest Atlantic waters in 1994. During the 1990-ies, from 1 to 5 medium trawlers were operating again in the area searching for northern prawn at Flemish Cap under flags of Lithuania and Russia.

Ukraine joined NAFO in 1999, that hard time when stocks of many principal species such as cod, halibut and several others were overfished despite NAFO existence and efforts to manage fisheries on rational non-exhaustive manner. This is evidence of the fact that the current approach to management of marine living resources often are not based on sound scientific advice. Short-time interests of fishing companies or local communities sometimes prevail over long-term benefits of rational exploitation of marine living resources. In many cases, NAFO has no essential data for proper resources state prediction, responsible scientific and management advice. Research level which member countries may allow often does not bring information necessary for multi-species and of course ecosystem modeling of Northwest Atlantic.

Ukrainian vessels have been operating under Ukrainian flag for the third year already (2001, 2003, and 2004). We operate with strict compliance of all the conservation measures, fishery regulation, quota and fishing effort levels.

Ukraine comes to NAFO with firm expectancies to bring here all the best from our more than 40-years experience of research and fisheries management of World Ocean living resources. We intend to support all the efforts of Contracting Parties aimed at sound management of the fisheries in the region. We are ready to jointly fight against IUU fishing, bring efforts for fisheries research, observe the “Code of conduct for the responsible fisheries” and apply precautionary approach. Ukraine intends to support all the initiatives directed to long-term, rational use of the marine living resources, we support rebuilding plans of overfished species. We respect coastal state rights and respect interests of nations habitually fished for marine living resources of the Northwest Atlantic and not the last decade only.

At the same time, we expect that Contracting Parties will consider Ukraine not as a newcomer claiming extra rights which it cannot expect, but as a nation which has 30-years history of fisheries in the region and long-term history of

marine fisheries, fisheries research which were pioneering in the many areas of the World Ocean and have experience of non-exhaustive management of marine living resources.

Once again let me congratulate all of you with the start of anniversary NAFO session and wish all of us fruitful work.

Thank you for your attention.

Annex 7. Opening Statement by the Representative of the Republic of Korea
(Young Gyu Kim)

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen,

It is my great honor and pleasure to meet with such a distinguished group of people at the 26th Annual Meeting of NAFO as the head delegate of the Korean delegation in this fabulous city, Dartmouth.

I would like to express my deepest gratitude to the Secretariat of NAFO, which helped to organize this year's NAFO Conference. My special thanks goes to the Canadian government, for helping to make this historic meeting possible.

Mr. Chairman,

I would like to take this opportunity to remind you that Korea is actively participating in global efforts to achieve sustainable fisheries as a responsible fishing nation as well as to develop and implement conservation and management measures for fish stocks in the Northwest Atlantic in close cooperation with other NAFO member states.

Even though, however, we joined NAFO in December 1993 and have made great contributions to its success, the fishing quota allocated to Korea has not reached the level which even one vessel can harvest. Since joining the Organization, Korea has suspended all fishing efforts in the NAFO Regulatory Area, as no profitable fishing quota was ever secured for us. Therefore, I would kindly ask that the fishing quota be allocated to Korea favorably in due consideration of historical fishing activities and our efforts to promote conservation and management.

Mr. Chairman,

I believe that all member countries of NAFO realize that, in spite of all those painful and precious activities, contributions and decisions of scientists, experts and decision makers of the Member States of NAFO, the TAC of some important stocks have been reduced substantially. Therefore, we need more conservation and management measures for those depleted stocks based on the scientific evidence.

Furthermore, we need more effective and strict compliance to prevent and impose penalties on any infringements, violation including IUU fishing activities and FOC fishing vessels in the NAFO regulatory Area.

I am optimistic that this annual meeting will now provide a strong basis for the conservation and management of fish stocks in the Northwest Atlantic. And, let me assure you that Korea is more ready than ever to play an integral part in this partnership for collective action.

Thank you very much, Mr. Chairman.

Annex 8. Opening Statement by the Representative of the Russian Federation
(Anatoly Makoedov)

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen,

We are glad to greet all the participants of the present meeting. We would like to express our gratitude to Canada for hosting this meeting and providing us with fine weather like it was last year.

Today we have not just an ordinary meeting but celebrate the 25th anniversary of the Organization. Today is the 13th of September and we are at the point of reducing the number of state flags on the table from 17 to 13. This is the last time when Estonia, Latvia, Lithuania and Poland that have recently accessed to the European Union act as independent Contacting Parties to NAFO.

One of the greatest achievements of the last year meeting was the Greenland halibut Rebuilding Plan. I do believe that during this meeting we will manage to solve all the problems facing us now including the plan to increase salary for the Executive Secretary. The rest of the issues we will discuss during long NAFO evenings.

Thank you.

Annex 9. Opening Statement by the Representative of Japan
(Taku Sasaki)

On behalf of Japanese Delegation, I wish to make some opening remarks at the beginning of the NAFO 26th annual meeting.

First of all, I would like to offer our congratulation on NAFO 25th anniversary and express our sincere respect to our predecessors who have contributed for the activities of this organization.

I would like to mention the following specific issues that Japan takes interest at this year's meeting.

First, at the last year's meeting, we adopted the 15 year rebuilding program for Greenland Halibut. This program shows NAFO's firm commitment to sustainable fishery for this stock and also gives a long term and stable guideline to the fishermen for conservation and management of the stock. We should maintain this momentum and implement this program steadily. Japan made a painful decision of vessel reduction in NAFO area from two to one in accordance with the program. We request the other states to implement appropriate measures following the program.

Second, the compliance issues are our great concern. The issues of the compliance and enforcement have been discussed for many years and the various enforcement measures developed in NAFO. Our fishing vessels are subject to strict inspection by both Canadian and EU inspectors. Equitable level of enforcement is needed to all the fishing fleets operating in the region to ensure the compliance.

Third, NAFO should take effective measures to combat IUU fishing operation. The issue is global problem and each regional fisheries management organization is taking various measures to eliminate IUU fishery. However IUU fishing operators always look for loopholes in the management restriction of fishing areas, species or fishing types. We should shut any loophole of fishing management on global level.

Finally, Japan would like to confirm its commitment to work with all the participants here for fruitful results of this meeting.

Thank you.

Annex 10. Agenda

1. Opening by Chairman, D. Bevan (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity
6. Record of Agreed General Council Decisions at 2004 NAFO Annual Meeting
7. Review of Membership
 - a) General Council
 - b) Fisheries Commission
8. Administrative Report (STACFAD)
9. Update on electronic publications by the Secretariat
10. Timely submission of fishery statistical data (request by SC)
11. a) Report of Executive Secretary on North Atlantic Regional Fisheries Management Organizations (NARFMO) Meeting in 2004
b) NAFO's accession to Fishery Resources Monitoring System (FIRMS) Partnership
12. Report of STACFAC and joint STACFAC/STACTIC June Meetings
13. Consideration of non-Contracting Party activity in the NAFO Regulatory Area and agreement on the task of STACFAC at the current meeting
14. Report of STACFAC at the Annual Meeting and decisions on actions
15. Dispute Settlement Procedures
16. Report of STACFAD at the Annual Meeting
17. Adoption of the Budget and STACFAD recommendations for 2005
18. Time and Place of Next Annual Meeting
19. Other Business
20. Press Release
21. Adjournment

**Annex 11. FAO Statement at the 26th Annual Meeting of the
Northwest Atlantic Fisheries Organization (NAFO)**
(Hiromoto Watanabe)

Mr. Chairman, distinguished delegates and observers:

FAO is very grateful for the invitation extended by the Secretariat of the Northwest Atlantic Fisheries Organization (NAFO), to observe Twenty-sixth Annual Meeting on the occasion of the Twenty-fifth anniversary of the organization. Please accept our sincere congratulations upon your successful achievements for last twenty-five years. FAO has been keeping a close and effective working relationship with NAFO and desires to continue such collaboration.

FAO appreciates, in particular, the cooperativeness of the NAFO Secretariat in responding to FAO's periodic requests for information relating to NAFO's activities. Most recently, FAO received questionnaire filled by the NAFO Secretariat for monitoring the implementation of the Code of Conduct for Responsible Fisheries and related international plans of action. Such collaboration greatly assists FAO in meeting its global fisheries reporting responsibilities.

The role of regional fishery bodies has been increasing its importance and highly expected in sustainable and responsible fisheries management all over the world. The Technical Consultation to Review Progress and Promote the Full Implementation of the IPOA to Prevent, Deter and Eliminate IUU Fishing and the IPOA for the Management of Fishing Capacity held in Rome, 24-29 June 2004, noted that Regional Fisheries Management Organizations (RFMOs) played a pivotal role in galvanizing regional action against IUU fishing and related activities. During the Consultation a number of initiatives were proposed including strengthening informal and formal networks between RFMOs and closing regional governance gaps that permitted IUU fishers to operate. The Technical Consultation to Review Port State Measures to Combat IUU Fishing, just held in Rome, 31 August – 2 September 2004, also highlighted that concerted action at the regional level should be encouraged for taking harmonized and coordinated Port State Measures to combat IUU fishing and agreed on the "Model Scheme", which would be considered as constituting principles and guidelines to be used by States as a reference for the negotiation and adoption of regional MOUs or of resolutions or recommendations within RFMOs, as well as alternatively for the adoption of measures by Port States at the national level. NAFO is one of the leading regional fisheries bodies having a long history and experiences in the sustainable fisheries management in the Northwest Atlantic Ocean and highly expected to take a leading role in any regional actions for sustainable and responsible fisheries management, in particular to combat IUU fishing.

Mr. Chairman,

FAO will convene the Twenty-sixth Session of the Committee on Fisheries (COFI) from 7 to 11 March 2005, followed by a Ministerial Meeting on Fisheries on 12 March 2005. Then the Fourth Meeting of Regional Fishery Bodies will be held also in FAO Headquarters on 14 and 15 March 2005. These are the best opportunities for any regional fishery bodies to exchange information and coordinate their actions at each regional level. As in previous years FAO looks forward to active participation of NAFO to these meetings.

I will carefully and conscientiously observe the proceedings of this meeting and report appropriately to the management of the FAO Fisheries Department.

Taking this opportunity, FAO wishes to express again the appreciation for the assistance and cooperation received from NAFO.

Finally I hope that the meeting will be marked with success and that the outcome will serve to promote sustainable and responsible fisheries in the Northwest Atlantic Ocean.

Thank you very much, Mr. Chairman, for the opportunity to make this statement on behalf of FAO.

Annex 12. Press Release

The 26th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held at the Holiday Inn Harbourview in Dartmouth, Nova Scotia, Canada, during 13-17 September 2004, under the chairmanship of David Bevan (Canada), President of NAFO.

Fisheries Commission

NAFO Fisheries Commission was chaired by Dean Swanson from USA. As always, the advice of NAFO Scientific Council was heard before discussions on TACs (Total Allowable Catches) and quotas took place. After very long and difficult negotiations, Fisheries Commission agreed on a number of new measures to increase NAFO's ability to protect the fishery resources of the Northwest Atlantic:

- **More fish stocks under regulations:** NAFO will now extend regulations to a number of important fish stocks previously unregulated, namely 3O redfish, thorny skate and white hake. Regarding thorny skate, this is the first time that a Regional Fisheries Body has imposed management measures on the fishery of an elasmobranch species.
- **More long-term protection plans:** In line with the new strategy for more efficient protection that was developed last year for the first time for Greenland halibut, TACs for these newly regulated species have been set to a fixed level for the next 3 years.
- **NAFO starts implementing the Precautionary Approach:** NAFO adopted a framework for the Precautionary Approach (PA). As a first step towards its implementation Fisheries Commission requested Scientific Council to provide advice for selected stocks in 2005 within the PA framework. The outcomes from the evaluation of these selected stocks will be used to guide Fisheries Commission regarding the most appropriate application of the framework to all NAFO stocks.
- **The Greenland halibut rebuilding plan has been reviewed and will be continued,** as agreed in 2003, with a decrease in the TAC for 2005.
- **Yellowtail flounder stock responds to NAFO protection measures:** NAFO regards it as a success of their conservation measures that the regulated yellowtail flounder stock is showing signs of continued recovery.
- **First NAFO Compliance Report:** For the first time in the history of the Organization, NAFO has undertaken a compliance review with the goal to identify areas in which compliance with the NAFO measures can be improved. This report will be accessible on the NAFO public website.
- **Conservation and Enforcement Measures (CEM) further improved:** A number of amendments to the CEM introduced substantial improvements to the NAFO inspection scheme. Product labelling and storage plans are now obligatory for all species and vessels. Also harmonization of NAFO reports with formats already used in the Northeast Atlantic by NEAFC has made great progress. NAFO is confident that these improvements will contribute significantly to the transparency and efficiency of the Vessel Monitoring System that has been in place for many years now.
- **Rights of NAFO inspectors clarified:** NAFO clarified that inspectors are entitled to remain on board of fishing vessels in cases where citations for serious infringements have been issued.
- **Workshop for NAFO inspectors will enhance international cooperation for compliance:** EU has offered to host a workshop for inspectors to examine procedures and methods for inspections at sea and in port. The goal of this workshop is to increase confidence and to harmonize the approach of inspection authorities of NAFO Contracting Parties.

Attached is the table of Total Allowable Catches and quotas agreed at this session.

General Council

General Council, chaired by David Bevan from Canada, discussed administrative, financial and other matters including the following:

- **NAFO membership will be changing due to EU accessions.** Starting 2005, the membership of NAFO will change as four Contracting Parties, Estonia, Latvia, Lithuania and Poland, have acceded to the European Union. However, they will remain active participants in NAFO as part of the EU delegation.
- **Non-contracting party vessels (NCP) activities:** NAFO Parties were informed of NCP vessels believed to be fishing oceanic redfish in the NAFO Regulatory Area. These vessels are believed to be flagged to Dominica. NAFO Parties will be raising their concerns about these vessels with officials of Dominica. NAFO Contracting Parties are continuing work to make improvements to the Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures of NAFO.
- **The following election of NAFO officers took place:**

Standing Committee on Non-Contracting Party Fishing Activity in the Regulatory Area (STACFAC)

(1) **Chair:** Nadia Bouffard

(2) **Vice-Chair:** Gene Martin (USA)

- **A NAFO media policy is in place.** NAFO agreed on a media policy intended to express the desire of the organization to raise its profile and encourage media to report about the activities of NAFO including attendance at the opening sessions of the Organization. The media policy will be accessible through the NAFO webpages (www.nafo.int) and the Secretariat.
- **NAFO intends to enhance its webpages.** During the next year, the NAFO Secretariat will increase its efforts to provide relevant information on the Organization and on fishery issues to the public. The focus will be on enhancing the user-friendliness of the public NAFO webpages (www.nafo.int) by restructuring these pages and by including more summary documentation and links.

Scientific Council

The Scientific Council, under the chairmanship of Joanne Morgan (Canada), conducted assessments of stocks in the NAFO Convention Area during the past year, and advice was presented to the Fisheries Commission at this Annual Meeting. Most stocks in the NAFO Regulatory Area remain at low abundance, except for yellowtail flounder in Div. 3LNO and northern Shrimp in Div. 3M and Div. 3LNO.

Scientific Council expressed grave concern over the increase in catch for cod in Div. 3NO and American plaice in Div. 3LNO. Both of these stocks are below B_{lim} and under moratoria to directed fishing, yet fishing mortality over the last number of years has been at a level that will not allow the stocks to recover. Greenland halibut in Subarea 2 and Div. 3KLMNO is estimated to be at its lowest observed level and catches above 19000 t in 2005 will result in further stock decline.

Scientific Council also reported progress on the methods to estimate limit reference points and once again recommended that the Precautionary Approach framework developed by Council be adopted by the Fisheries Commission of NAFO.

General Information

The meeting was attended by 200 delegates from sixteen Contracting Parties - Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), Estonia, European Union, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Russia, Ukraine and United States of America.

Prior to the Annual Meeting, the following NAFO meetings were held during 2004: (1) FC Working Group on the Management of Div. 3O Redfish (St. John's, NL, Canada, 30-31 March); (2) Scientific Council Limit Reference Point Study Group (Lorient, France, 15-20 April); (3) Scientific Council Regular Meeting (Dartmouth, N.S., Canada, 3-17 June); (4) STACFAC Meeting (Copenhagen, Denmark, 15-16 and 18 June); (5) Joint STACFAC/STACTIC Meeting (Copenhagen, Denmark, 17-18 June) and STACTIC Meeting (Copenhagen, Denmark, 21-23 June).

Annex I.A

Annual Quota Table

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2005 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		Yellowtail	Witch	
Division/Contracting Party	3L	3M	3NO	3LN	3M	3O	Sub-Area 2 and Div. 1F+3K	3LNO	3M	3LNO	3L	3NO
Canada		0	0	0	500	6000	1000 ^{2,4}	0	0	14624 ⁵		0
Cuba		0	-	0	1750		1000 ^{2,4}	-	-	-		-
Denmark (Faroe Islands and Greenland)		0	-	-	69		25000 ^{2,3}	-	-	-		-
European Union		0 ¹²	0 ¹²	0 ¹²	7813 ¹³	7000	$\frac{25000^{2,3}}{6500^{2,16}}$	0	0 ¹²	-		0 ¹²
France (St. Pierre et Miquelon)		-	-	-	69		1000 ^{2,4}	-	-	300 ⁵		-
Iceland		-	-	-	-		25000 ^{2,3}	-	-	-		-
Japan		-	-	-	400	150	1000 ^{2,4}	-	-	-		-
Korea		-	-	-	69	100	1000 ^{2,4}	-	-	-		-
Norway		0	-	-	-		25000 ^{2,3}	-	-	-		-
Russia		0	0	0	9137	6500	25000 ^{2,3}	-	0	-		0
Ukraine						150	1000 ^{2,4}					
United States of America		-	-	-	69		1000 ^{2,4}	-	-	-		-
Others		0	0	0	124	100	-	0	0	76 ⁵		0
TOTAL ALLOWABLE CATCH	*	*8	*	*	5000 ⁹	20000 ¹⁷	32500 ^{11,18}	*	*8	15000 ¹⁰	*	*8

Species	White hake	Capelin	Skates	Greenland halibut	Squid (Illex) ¹	Shrimp	
Division/Contracting Party	3NO	3NO	3LNO	3LMNO	Sub-areas 3+4	3L	3NO
Canada	2500	0	2250	2112	N.S. ⁶	10833	
Cuba		0		-	510	144	
Denmark (Faroe Islands and Greenland)		-		244	-	144	
European Union	5000	0 ¹²	8500	8254 ¹⁹	<u>N.S.</u> ⁶ 611 ¹⁴	720 ¹⁵	
France (St. Pierre et Miquelon)		-		230	453	144	
Iceland		-		-	-	144	
Japan		0		1443	510	144	
Korea		-		-	453	144	
Norway		0		-	-	144	
Russia	500	0	2250	1796	749	144	
Ukraine						144	
United States of America		-		-	453	144	
Others	500	-	500	0 ⁷	794	0	
TOTAL ALLOWABLE CATCH	8500 ¹⁷	*	13500 ¹⁷	14079	34000 ⁸	13000	*

* Ban on fishing in force – The provisions of Article 9, 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 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, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.
5. Contracting Parties shall inform the Executive Secretary before 1 December 2004 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. In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.
8. Applicable to 2005 and 2006.
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, 2005. 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 9, 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 this stock in 2005 as compared to 2004, these figures shall be accordingly adjusted.
12. Including fishing entitlements of Estonia, Latvia, and Lithuania following their accession to the European Union and in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7).
13. Including allocations of 1571 tonnes each for Estonia, Latvia and Lithuania out of a sharing of 20,000 tonnes, following their accession to the European Union.
14. Allocations of 128 tonnes each for Estonia, Latvia and Lithuania as well as 227 tonnes for Poland out of a TAC of 34,000 tonnes, following their accession to the European Union.
15. Including allocations of 144 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 13000 tonnes, following their accession to the European Union
16. Allocation of 5800 tonnes for Lithuania and 700 tonnes to Latvia following their accession to the European Union.
17. Applicable to 2005, 2006, and 2007.
18. The quota shares in footnotes 4 and 16 can only be fished in the NAFO Regulatory Area. If an increase in the overall TAC as defined in footnote 11 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share referred to in footnote 4.
19. Including an allocation of 461 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.

Annex I.B
Effort Allocation Scheme for Shrimp Fishery in the
NAFO Regulatory Area Div. 3M, 2005

CONTRACTING PARTY	NUMBER OF FISHING DAYS	NUMBER OF VESSELS
Canada	456	16
Cuba	100	1
Denmark		
– Faroe Islands	1606	8
– Greenland	515	14
European Union	3293 ¹	33 ¹
France (in respect of St Pierre et Miquelon)	100	1
Iceland	N/A	N/A
Japan	100	1
Korea	100	1
Norway	1985	32
Russia	2100	N/A
Ukraine	100	1
USA	100	1

¹ Including fishing entitlements transferred from Poland (100 fishing days with one vessel), Estonia (1667 fishing days with 8 vessels), Latvia (490 fishing days with 4 vessels) and Lithuania (579 fishing days with 7 vessels) following their accession to the European Union.

Annex I.C

Rebuilding Plan for 3LMNO Greenland Halibut

Species	Greenland halibut	Greenland halibut	Greenland halibut	Greenland halibut
Division/ Contracting Party	3LMNO 2004	3LMNO 2005	3LMNO 2006	3LMNO 2007
Canada	2223	2112	2056	1778
Cuba	-	-	-	-
Denmark (Faroe Islands and Greenland)	-	244	238	206
European Union	8203	8254 ³	8038 ⁴	6951 ⁵
France (St Pierre et Miquelon)	-	230	224	194
Iceland	-	-	-	-
Japan	1519	1443	1405	1215
Korea	-	-	-	-
Norway	-	-	-	-
Russia	1890	1796	1748	1512
Ukraine	-	-	-	-
United States of America	-	-	-	-
Others	985 ¹	0 ²	0 ²	0 ²
TOTAL ALLOWABLE CATCH	14820	14079	13709	11856

¹ Of which no more than 60% may be fished before 1 May in each year.

² In 2005, the previous 935 t “Others” quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.

³ Including an allocation of 461 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

⁴ Including an allocation of 450 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

⁵ Including an allocation of 389 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

Annex 13. Decisions and Actions by the General Council

Substantive Issue (Agenda Item)	Decision/Action
5. Publicity	<u>Agreed</u> : Participants agreed to the existing procedure for the present meeting, i.e. that no statements should be made to the media until after the conclusion of the meeting when the NAFO Secretariat would issue a Press Release.
6. Record of Agreed General Council Decisions at 2004 NAFO Annual Meeting	<u>Agreed</u> : A list of agreed decisions should be elaborated by rapporteurs and presented at the end of the meeting using the same format as previous year.
8. Administrative Report	<u>Adopted</u>
10. Timely submission of fishery statistical data	<u>Agreed</u> : Defer this item to Fisheries Commission and invite SC Chair to present the recommendations in person to the Commission.
11. a) Report of Executive Secretary on NARFMO b) NAFO's accession to FIRMS Partnership	<u>Agreed</u> : In future the NAFO Executive Secretary should decide who should represent NAFO at the meetings of other organizations. <u>Agreed</u> : Delegates agreed that NAFO join the FIRMS Partnership Arrangement as presented in GC W.P. 04/3.
13/14. STACFAC report and recommendations	<u>Adopted in whole</u>
15. Dispute Settlement Procedures	<u>Deferred to 2005 Annual Meeting</u>
16/17. STACFAD report and recommendations	(a) Contracting Parties reached a decision regarding a salary raise from 1 January 2005 and the allocation of a performance bonus regarding 2004 for the Executive Secretary; (b) Decision regarding alteration of the ceiling of contract renewal was <u>deferred</u> to the next Annual Meeting; (c) Budget of \$1,524,000 for 2005 <u>adopted</u> ; and, (c) All other recommendations of STACFAD were <u>adopted</u> .
18. Next Annual Meeting	<u>Agreed</u> : Next Annual Meeting to be held in Tallinn, Estonia, on the following dates: Scientific Council: 19-23 September 2005 General Council/Fisheries Commission: 19-23 Sep 2005