

**Report of the Standing Committee on
International Control (STACTIC)**
(FC Doc. 05/2)

**13-15 April 2005
Reykjavik, Iceland**

1. Opening by the Chair – Mr. Martin Newman (EU)

The Chairman opened the meeting at 10:00 am at the Grand Hotel Reykjavik, Iceland and welcomed representatives from Canada, Denmark (in respect of the Faroe Islands and Greenland), EU, Iceland, Japan, Norway, Russia, Ukraine, the NAFO Secretariat and an observer from the NEAFC Secretariat to the STACTIC intersessional meeting. (Annex 1)

2. Appointment of Rapporteur

Mr. Robert Steinbock (Canada) was appointed rapporteur.

3. Adoption of Agenda

The Chair proposed reordering the agenda and proposed that the items proposed by Ukraine be included under Update on the Observer/VMS Pilot Project. The EU representative indicated that he would like to raise a number of issues under Other Matters.

The revised agenda as attached was adopted. (Annex 2).

**4. STACTIC Requirements for the 2005 Annual Meeting in light
of the delays in September 2004**

The Chairman briefed the meeting regarding the results of a recent conference call that the Chair of General Council convened with the Chairs of the Fisheries Commission, the Standing Committees and the Executive Secretary on how to improve the functioning of the annual meeting. Some suggestions had been made that STACTIC should meet the week prior to the annual meeting but these were rejected. The call concluded that the General Council and Fisheries Commission will meet briefly on the Monday morning and provide guidance to their respective Standing Committees to allow them to begin their work on the afternoon of Monday. At the first session of the Fisheries Commission, the Chair of STACTIC will provide a report of the intersessional meeting. With respect to STACTIC, the report would be finalized on the Wednesday afternoon and the Chairman would report on the Thursday morning to Fisheries Commission on the proposals for adoption. As a result of the call, the Chair of General Council has circulated a letter to heads of delegation to describe this proposed new approach.

The representative of Iceland welcomed these proposed amendments to the annual meeting in light of some of the concerns raised by Iceland at the conclusion of the 2004 annual meeting.

**5. Discussion on possible future work with the Advisory Group
for Data Communications, set up by NEAFC**

The Chairman outlined the background to the creation of the Advisory Group for Data Communications (AGDC), an informal group of technical experts of NEAFC, which met on April 12 under the chairmanship of Mr. G. Geirsson (Iceland). He noted the need for a structured group to introduce procedures for ensuring conformity in the formats of messages and to improve cooperation with NAFO and other RFMOs with respect to the North Atlantic Format (NAF). The NEAFC PECCOE meeting decided that the AGDC would meet next on October 13 after its October 12 meeting to undertake technical scrutiny of any proposals that emerged from PECCOE with data implications.

It was agreed that most format reviews could take place through the web in order to enable a quick reaction. It was suggested that proponents of any new proposal in STACTIC should consult with the NAF home page, the AGDC and the NEAFC Secretariat to ensure consistency with this format to the extent possible. It was noted that NAFO experts should be involved with respect to those discussions that are NAF-generic. The AGDC Chairman would develop this cooperation with NAFO as well as other RFMOs.

6. Report of the Inspectors Workshop hosted by EU, January 2005

Mr. M. Knight (Canada), the rapporteur of the NAFO Inspectors Workshop, provided a powerpoint presentation on the observations and recommendations of the workshop which are summarized in Annex A of the rapporteur's report (Annex 3) on the Workshop.

The Chairman clarified that the Workshop was an informal arrangement with no formal status in the governance of NAFO. He noted that the inspectors had made suggestions, which Contracting Parties could determine how they wished to follow up and whether they wished to make formal proposals to STACTIC and the Fisheries Commission.

The representative of the EU congratulated the Workshop for being productive and positive and suggested that STACTIC should review the recommendations carefully and determine how it wishes to address them.

The representative of Japan welcomed this workshop because, as its fishing vessels received inspections from Canada and the EU, inspections should be harmonized.

With respect to the issue of boarding ladders (STACTIC Working Paper 05/7 presented by the Secretariat), the Workshop recommended that pilot ladders pose a safety threat to inspectors and suggested that the provisions on the construction and use of boarding ladders be reinstated into the NCEM. The representative of Denmark (in respect of the Faroe Islands and Greenland) undertook to provide references to ladders in the International Maritime Organization rules and a background paper on this subject for the September 2005 STACTIC meeting. Representatives noted that failure to provide a safe ladder was already a serious infringement under NCEM Article 32.1 j). The Chairman suggested that the need to highlight this in the NCEM should be reflected upon again in light of the Danish paper.

With respect to the Workshop recommendation to increase the duration of inspections in NAFO from three to four hours in the interest of harmonization with NEAFC, the representative of the EU undertook to prepare a proposal on this for the September STACTIC meeting.

The Workshop had noted that the earlier revisions to NCEM Article 9 have made it complex with various opinions with regard to the interpretation of these provisions. The EU explained that they had received legal advice that Article 9.1 should be read separately from other paragraphs of Article 9. The representative of the EU considered that this gave rise to problems on the ground and that the provisions under Article 9.4 concerning changing of position in cases of excessive bycatch should not be viewed as a derogation from this rule. As a consequence, it would undertake to prepare a draft and circulate it before the September 2005 STACTIC meeting for comments. Canada stated that the legal advice provided to the EU seemed to be consistent with Canada's interpretation, i.e. that Article 9.1 should be read separately from other paragraphs in Article 9. Canada agreed that it would be appropriate to review the wording of Article 9 but cautioned that the outcome of the review could be to leave the text as it is.

The Workshop had suggested that product labeling by species should be considered by STACTIC. The representative of Canada proposed product labeling by stock area would be beneficial to differentiate redfish stocks under moratoria from 30 redfish as well as oceanic redfish and undertook to draft a proposal on this matter.

With respect to the measurement of holds, the Workshop suggested a pragmatic approach that measurement discrepancies between inspectors should be resolved by having the measurements redone at that time and that STACTIC review measures to allow for safe access to fish holds. It was agreed that Contracting Parties should reflect on this further before the annual meeting given the various aspects to the safe access issue.

The Workshop suggested that STACTIC consider measures concerning strengthening ropes, bags and topside chafers. It was agreed that as a first step, all delegations would provide their national measures on attachments to nets or at least an explanation at the September STACTIC meeting.

The meeting took note of the Workshop's observation with respect to the different views on the effectiveness of the observer program.

7. Port State Control

Norway had introduced the item on Port State Control to the agenda in light of the agreement on an international instrument by the 2004 FAO Technical Consultation to Review Port State Measures to Combat IUU Fishing. This instrument was a model scheme describing basic and minimum port State measures for subsequent action through RFMOs.

The Chairman noted that NEAFC PECCOE meeting on April 11 had a detailed discussion on this item raised by Norway as a proposal in that forum. The Norwegian proposal had raised a number of questions in terms of principle with respect to the scope and the way in which the proposal would fit in within the existing NEAFC measures. Norway had undertaken to revise its proposal against this background and that discussion of the Norwegian paper was not appropriate. The Chairman noted that as the NEAFC NCP Scheme goes beyond the NAFO Scheme, any new proposal would need to be adapted to the NAFO context. This might also imply that STACFAC would need to examine the proposal.

The representative of Norway confirmed their intention to return to a later STACTIC meeting with a proposal on port state measures.

8. Definition of "prior notice" re Article 28.1 of the CEM

The representative of Russia noted the absence of any definition of "prior notice" to be given by inspectors prior to boarding under Article 28.1 and that he felt this was a deficiency in the measures. He proposed that prior notice, not less than 30 minutes, be provided to a vessel to be inspected. He also suggested that the trawl should not be retrieved within that 30 minutes.

The representative of Canada expressed a number of concerns with providing a specific notification time as this could provide the opportunity for crewmembers to hide or destroy evidence or to hide small mesh within the 30 minutes if so allotted. He noted that a definition of prior notice could also lead to other problems. He also drew the attention of participants to the provision that forbids the retrieval of the net for a period of 30 minutes after notification of an inspection.

It was noted that the notice period is for the safety and security of inspectors and it is necessary to give notice as stated in the NCEM. There was no consensus to amend the NAFO provisions. It was agreed to return to this issue if there is a proposal.

9. Reporting requirements for transshipments in NRA (Article 22.1) (STACTIC W.P. 05/8)

The representative of Norway introduced the proposal to amend several articles of the NCEM as outlined in STACTIC W.P. 05/8. These were necessary to address IUU fishing involving unreported or misreported transshipments of fish at sea. He noted that NEAFC adopted similar new measures at its November 2004 annual meeting. He proposed that NAFO harmonize its measures with those of NEAFC in this respect. Some minor revisions were proposed in the text. It was agreed that STACTIC W.P. 05/8 (Revised) (Annex 4) would be recommended to the Fisheries Commission for adoption at the 2005 annual meeting.

10. Application of the mesh size of 100mm for Redfish

The representative of Russia introduced his proposal to reduce the current mesh size requirement for redfish from 130mm to 100mm for redfish in Division 30 – *Sebastes fasciatus* – to reduce the mortality of this stock as explained in NAFO document GF/05-063 which included his letter of February 15, 2005 to the NAFO Executive Secretary.

He also proposed that the mesh size of 130mm for oceanic redfish in Divisions 1F2GJH3K should be harmonized with the 100mm mesh size used for this stock in NEAFC. This proposal was supported by the representative of Ukraine. Ukraine suggested that concerns on bycatch raised by some Contracting Parties could be solved under the current CEM regime with close monitoring of fisheries using the observer program. Ukraine also referred to the recent FAO review of mortality of fish escaping trawl gears which stated negative effects of unaccounted mortality on fish stocks. The representatives of Iceland and Russia supported the decreased mesh size for the oceanic redfish stock.

The representative of Canada expressed understanding for the Russian proposal but raised a number of concerns that required further evaluation. Further assessment was required on the conservation aspects for 3O and oceanic redfish, bycatches, the impact on other stocks in the vicinity of redfish, the merits of a minimum fish size, and the merits of a square mesh instead of a diamond mesh. Compliance concerns related to the potential use of small mesh gear in other fisheries would also have to be considered. He noted that the use of 100mm mesh may not be warranted in the oceanic redfish fishery given the high catch rates in this fishery with 130mm mesh. The representatives of the EU and Japan suggested that these questions should be referred to Scientific Council and once its advice is provided, STACTIC should review the enforcement aspects. It was agreed that STACTIC would forward the following requests through the Fisheries Commission to the Scientific Council at its September 2005 meeting.

- Is there a scientific justification for reducing the mesh size in Division 3O and what would be the effect of a reduction of mesh size on the level of mortality?
- Would a harmonization of mesh size with NEAFC in Divisions 1F2GJH3K have a detrimental effect on the target species and other fisheries in the area?

When considering such questions, the Scientific Council should assess the implications for bycatch, the need for minimum fish sizes and the relevance of introducing technical conservation measures, such as square mesh gear.

11. Review of operation of the VMS (actions resulting from the discontinuation of the X25 communication line)

The Secretariat introduced STACTIC W.P. 05/4 – Update on the NAFO VMS communication gateway, which provided an overview of the events, challenges and possible solutions to resolve the discontinuation of the VMS gateway X25 in early January 2005. It was noted that the Secretariat receives all messages via fax or e-mail with the exception of the Faroe Islands, Japan and Russia which use FTP. The Secretariat also noted that Rule 4.3 of Annex XX will need to be revised to reflect the new VMS gateway.

Two representatives from Trackwell, the Icelandic service provider, provided an overview of the situation and responded to questions from representatives. A copy of a technical manual entitled “NAFO HTTPS Gateway – Testing Connection” was distributed to representatives which describes a step-by-step guide for Contracting Parties’ Fisheries Monitoring Centers (FMCs) to integrate into NAFO via the client certified HTTPS. Trackwell noted that the work is fairly complicated, the costs to establish the system in FMCs can vary between companies, the operation costs are significantly less than under X25, and technical assistance is available to FMCs at a fee. In terms of time frame for implementation, they advised that this is up to the individual Contracting Parties.

STACTIC agreed on a recommendation to Fisheries Commission to revise Annex XX, items 4.3 and 4.4 of the NCEM in order to allow other protocols to be used (STACTIC W.P. 05/13 (Revision 2) (Annex 5) and to recommend that it be circulated for a mail vote in the near future. It was also requested that the Secretariat post the approved protocols on the NAFO members’ website.

The Chair noted a recent letter from the Executive Secretary to him outlining her frustration with the level of service provided by the current service provider and whether more local alternatives should be evaluated. It was suggested that representatives could advise the Secretariat at the annual meeting on how to proceed with evaluating service providers based on their experience to date. It was suggested that the Secretariat may also wish to obtain STACFAD advice on evaluating service providers and possible rules on retendering.

12. Data Exchange and Format Protocols (Annex 23.D of the CEM) (STACTIC W.P. 05/9)

The representative of Iceland introduced a discussion paper for accurate error codes for those Contracting Parties using the RET message, as outlined in STACTIC W.P. 05/9 (Annex 6), and in light of a similar proposal adopted by NEAFC at its 2004 annual meeting. Given the technical aspects involved, Iceland agreed to review its paper and submit a proposal at the 2005 annual meeting. The cost implications of these amendments would also be assessed by the Secretariat for review.

13. Update on the Observer/VMS Pilot Project

The Secretariat provided an update on the intended participation of Contracting Parties in the pilot project during 2005 (STACTIC W.P. 05/1) and reminded representatives that according to Article 51 of the NCEM, Contracting Parties (including those with an inspection presence) shall submit an interim report at the 2004 annual meeting and that reports have been received to date from Norway, Iceland, and the Faroe Islands.

The representative of Denmark (in respect of the Faroe Islands and Greenland) provided a report of the participation of the Faroese vessels in the pilot project during 2004. The report concluded that implementation of 50% observer coverage was impossible at any one time and flexibility is essential to have this coverage over a certain period of time, and that there was little or no difference between the CAX and OBR reports in terms of compliance.

The representative of Iceland provided a report on the results of Iceland's participation in the pilot project in the shrimp and oceanic redfish fisheries during 2004. He concluded that the reduction of observers has not increased non-compliance, the reduction of observers saves significant amounts of money, the technical function is ok, and thus Iceland intends to submit a proposal before the 2005 annual meeting to reduce the level of observer coverage in the NAFO Regulatory Area. He noted that its vessels were also subject to port inspections in Iceland and that its landing figures were similar to its catch reports.

The representatives of Denmark (in respect of the Faroe Islands and Greenland) and Norway also advised that their vessels involved in the pilot project were subject to at-sea and port inspections without any infringements having been detected.

The Secretariat provided an update and suggestions regarding the digitization of the NAFO observer reports (STACTIC W.P. 05/2) (Annex 7) which recommended that all future and other NAFO reports be submitted electronically to the Secretariat and that reports from past years that are held in electronic format by Contracting Parties be submitted to the Secretariat. Following some discussion, it was agreed that while a reminder to Contracting Parties is appropriate, a new recommendation to the Fisheries Commission on the submission of reports is unnecessary given the 2004 recommendation. The Chair suggested that when providing past digitized reports, the focus should be on 2003 and future reports so as to avoid unnecessarily burdening Contracting Parties. The representative of Iceland stated that they were confused in this matter because their representative in the Scientific Council has full access to the log book data base for Icelandic vessels which contains all relevant information.

The representative of Ukraine introduced two papers which had been tabled in the morning. STACTIC W.P. 05/11(Annex 8) proposed conversion of the observer program from a compliance tool to a scientific observation system. STACTIC W.P. 05/12 (Annex 9) outlined a proposed scheme for placing international observers under the new scientific observation system.

Iceland reminded the other delegations that the observer program was introduced as a compliance tool. A number of representatives felt that the Scientific Council should outline its requirements and how best to achieve them. After some discussion, the Chairman noted that further discussion would be deferred until the annual meeting. The Fisheries Commission is required to evaluate the operation of the observer program this year and the way forward. Iceland intends to submit a proposal to reduce the level of observer coverage. He noted that the new elements introduced by Ukraine would also inform the discussion. However, the Chairman stated that it was not within the responsibility of STACTIC to consider the need for a scientific observer program but that Contracting Parties could raise the issue in the Scientific Council if they wished. Ukraine responded that this question will certainly be raised by them at the Scientific Council but reserved their opinion that this is also a STACTIC question to some extent since observers still monitor vessels' fishing activities. The representative of the EU expressed interest in the cost

savings achieved by Iceland as a result of reduced observer coverage in the pilot project and suggested other Parties submit their analyses of cost savings for review at the annual meeting.

14. Evaluation of the format of compliance data to be received by the Secretariat in 2005 in view of the experiences made with the drafting of the first compliance report

The Secretariat introduced STACTIC W.P. 05/3 outlining suggestions to improve the Compliance Review based on feedback from the public on the first Review and suggested that the Review for 2004 be drafted as stand-alone text without direct references to the confidential tables and include some facts and compliance indicators in the document. It was agreed that the Secretariat should focus on making the tables more concise and provide some analysis or pre-evaluation of compliance with the NCEM.

Denmark (in respect of the Faroe Islands and Greenland) raised the need for the revision of point 3.3 of Annex XX to amend the time limit in order to allow the Secretariat more time to process data.

The Secretariat also introduced STACTIC W.P. 05/5 (now Revised, Annex 10) which proposed a standardized bilingual format for NAFO observer reports and a budget dedicated to the translation of all non-English NAFO reports. It was agreed that a standardized bilingual format would enhance transparency and help the work of inspectors. It was concluded that further review of the format was required with possible input from Scientific Council on the required data elements. The Norwegian representative questioned the confidentiality if the transmission of observer reports by e-mail were to be used. The Secretariat agreed that the confidentiality question had not been considered. The representative of Ukraine strongly supported the efforts of the Secretariat in the development of standard formats for observer reports and suggested a more detailed review of the forms by the Scientific Council. Ukraine also suggested that the Secretariat consult existing electronic forms of other RFMOs such as CCAMLR.

15. Election of Chair

As Mr. M. Newman was stepping down from the Chair, STACTIC elected Mr. Höskuldur Steinarsson (Iceland) as the new Chair. Representatives thanked Mr. Newman for his efforts and perseverance in guiding STACTIC during his tenure.

16. Other Matters

The representative of the EU, supported by Denmark (in respect of the Faroe Islands and Greenland) and Iceland, raised a number of practical difficulties caused by the notification requirements in the 3L shrimp fishery in Article 22.3. Canada noted the rationale behind the provision given the different management regimes, i.e. quota and effort days, and that the hail provisions also required reporting of catch on board. In light of the comments received from other representatives, the EU would work on a proposal and consult with the AGDC regarding notification requirements. Iceland noted that the problem could be resolved by the Fisheries Commission by changing the management regime from effort days to quota in Division 3M.

The EU also flagged the need for clarification of the provisions regarding designated ports and charter arrangements and agreed to submit proposals on these matters for the annual meeting.

The representative of Iceland noted some difficulties in catch reports by one Contracting Party which resulted in the premature closure of the oceanic redfish fishery during 2004. The representative of the EU explained that there was no error in its catch report but in the interpretation thereof by the Secretariat.

17. Adoption of Report

The report was adopted.

18. Adjournment

The meeting adjourned at 11.10 am on Friday, April 15, 2005.

Annex 1. List of Participants

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Annex 2. Agenda

1. Opening by the Chair (M. Newman, EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. STACTIC requirements for the 2005 Annual Meeting in light of the delays in September 2004
5. Discussion on possible future work with the Advisory Group for Data Communications, set up by NEAFC
6. Report on Inspectors Workshop hosted by EU, January 2005
7. Port State Control
8. Definition of “prior notice” re Article 28.1 of the CEM
9. Reporting requirements for transshipments in NRA (Article 22.1) (STACTIC W.P. 05/8)
10. Application of the mesh size of 100mm for Redfish
11. Review of operation of the VMS (actions resulting from the discontinuation of the X25 communication line)
12. Data Exchange and Format Protocols (Annex 23.D of CEM) (STACTIC W.P. 05/9)
13. Update on the Observer/VMS Pilot Project
14. Evaluation of the format of compliance data to be received by Secretariat in 2005 in view of the experiences made with the drafting of the first compliance report
15. Election of Chair
16. Other Matters
17. Adoption of Report
18. Adjournment

Annex 3. Observations and Recommendations – Annex A of Report of NAFO Inspectors Workshop hosted by EU during January 25-27, 2005, Brussels

Prior Notice

- It was agreed that there has to be prior notice. But no specified period.

Night Boarding

- There are a number of safety issues around completing night boardings, it was agreed that they can be completed safely.

Frequency of Inspections

- There is a need to improve the communication between Inspectors and platforms on activities.
- It is agreed that platforms should communicate at a scheduled time each day if in the NRA.
- There is a need to further discuss methods of communications to make sure it is secure.

Pilot ladders

- Pilot ladders pose a safety threat to Inspectors.
- It was suggested that the specific provisions be put back into the NCEM's.

Conversion Factors

- This issue was discussed but there was no agreement on a way ahead.

Duration of Inspections

- After some discussion it was agreed that this item should be harmonized with the NEAFC Measures. It was agreed that there should be a proposal to STACTIC to increase the time for inspection from 3 to 4 hours.

Directed Fishery

- It was agreed that earlier revisions to Article 9 have made it complex.
- There were various opinions with regard to the interpretation of these provisions.
- It was suggested that a small group attempt to redraft the Article.

Stowage Plans

- There seem to be a number of approaches to this new measure.
- Vessels starting trips in 2005 would be required to meet the new measure.
- It was agreed since this was a new measure, some tolerance should be used for the first trip of each vessel during to 2005 for masters and inspectors to adjust where the master is making a reasonable effort.

Product labeling

- It was agreed that the 3-alpha codes in Annex II should be used.
- It was also agreed that Annex XXIII (c) would be used to label product form.
- For GHL, 3KLMNO is acceptable.
- STACTIC should consider whether labeling species by division is appropriate.

Measurement of holds

- It was agreed that the best way to resolve hold measurement discrepancies between inspectors would be to have the inspectors redo measurements at that time.
- It was also suggested that STACTIC look at providing measures to allow for safe access to the fish holds.

Strengthening Ropes

- It was recommended that STACTIC consider measures concerning strengthening ropes, bags and topside chafers.

Observers

- There were different views on the effectiveness of the observer program.

**Annex 4. Proposal for amendments to the NAFO Conservation and Enforcement Measures
regarding reporting requirements for transshipments in NRA
(STACTIC W.P. 05/8, Revised)**

Concerns about the increase in transshipments of fish and fish products, in particular on the high seas, have been expressed in different international forums over the last years.

There are indications that common means of conducting illegal, unreported and unregulated (IUU) fishing involves the unreported (or misreported) transshipments of fish at sea, where monitoring of the transshipments is very difficult.

Some global initiatives to address the problem have been taken in instruments such as the 1995 UN Fish Stocks Agreement (cf. Articles 18 and 23) and in the FAO International Plan Of Action (IPOA) to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing. Paragraph 49 of the IPOA on IUU sets out the following:

“Flag States should ensure that, to the greatest extent possible, all their fishing, transport and support vessels involved in transshipment at sea have a prior authorization to tranship issued by the flag State, and report to the national fisheries administration or other designated institution:

the date and location of all their transshipments of fish at sea;

the weight by species and catch area of the catch transhipped;

the name, registration, flag and other information related to the identification of the vessels involved in the transshipment; and

the port of landing of the transhipped catch.”

Thus flag States should, at a minimum require all their vessels engaged in transshipment of fish at sea to report information set forth in this paragraph.

For transshipments in the NAFO Regulatory Area, the reporting obligations are set out in Article 22, paragraph 1, subparagraph c) of the NAFO Conservation and Enforcement Measures (CEM). The reports shall be in accordance with Annex X) of the CEM. Questions have been raised concerning obligations on the receiving vessels compared to those of the donor vessels, in particular concerning the timing of notifications. To enable the control services to actually inspect a receiving vessel, just a short time for notification should be allowed. Further there are no requirements concerning information on the catch after transshipment.

In order to make the notification requirements clearer, it is suggested to amend the CEM accordingly by making a distinction between the donor and the receiving vessel and to limit the allowed time for notification from the receiving vessel to one hour. Further, to enable NAFO-parties to control receiving vessels also upon landing, information on the port where the landing will take place should be required, cf. the last point of the quote from the IPOA on IUU Fishing above. This should be an obligation on the receiving vessel. For practical reasons it should be allowed to submit such a report also after the transshipment as the port of destination might be unknown at that time. However, a minimum time of notification prior to arrival in port should be required.

It is proposed to amend the current Article 22, paragraph 1, subparagraph c) of the CEM to read as follows:

each transshipment in the Regulatory Area. Concerning donor vessels this report shall be made at least twenty-four (24) hours in advance and concerning receiving vessels this report shall be made not later than one (1) hour after and shall include the date, time, geographical position of the planned transshipment and total round weight by species (3 alpha codes) to be off-loaded or which have been on-loaded in kilograms (rounded to the nearest 100 kilograms) and the call sign of vessels transhipped to or from respectively. This report shall be identified as TRA;

Further, it is suggested to include at the end of Article 22, paragraph 1, subparagraph c) of the CEM the following sentence:

The receiving vessel shall report the total catch onboard and the total weight to be landed, the name of port and the time of landing at least twenty-four (24) hours in advance of any landing. This report shall be identified as POR.

To make port state control effective it is necessary to increase the transparency on information about landings. The article 22, paragraph 2 of the CEM should read as follows:

Competent authorities of each Contracting Party shall automatically transmit the information referred to in paragraph 1 to the Executive Secretary. The Executive Secretary shall transmit the information to other Contracting Parties with an inspection presence in the Regulatory Area as soon as possible and shall ensure that all such transmissions are numbered sequentially for each Contracting Party. The port of landing report shall in addition be made available without delay to the Flag state of the vessel sending the report and to all Contracting Parties. These reports are to be treated in accordance with Annex XX.

If a Contracting Party so requests, the Secretariat shall confirm receipt of all electronic reports using a return message identified as “RET” according to the data exchange format in Annex IX.

In the NEAFC Scheme it was found necessary also to improve the Non - Contracting Party Scheme by making the prohibition of transshipments go both ways. It is therefore suggested to make the following amendment to article 41 of the CEM:

1. Contracting Parties shall ensure that their vessels do not receive or deliver transshipments of fish from or to a Non-Contracting Party vessel which has been sighted and reported as having engaged in fishing activities in the Regulatory Area.

A proposed format for the communication of the Port of landing report (POR) and suggested changes to the Transshipment report (TRA) are attached (./.).

New report in Annex X

“PORT of landing ” report

| Data Element: | Field Code: | Mandatory / Optional | Remarks: |
|---|-------------|----------------------|--|
| Start record | SR | M | System detail; indicates start of record |
| From | FR | M | Name of transmitting Party |
| Address | AD | M | Message detail; destination “ XNW ” for NAFO |
| Sequence number | SQ | M | Message detail; serial number of the report from the vessel in the relevant year |
| Type of Message | TM | M | Message detail; message type, “ POR ” |
| 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 |
| Name of Master | MA | O | Name of master of vessel |
| External Registration Number | XR | O | Vessel registration detail; the side number of the vessel |
| Latitude | LA | M ¹ | Activity detail; position at time of transmission |
| Longitude | LO | M ¹ | Activity detail; position at time of transmission |
| Coastal state | CS | M | Activity detail; costal state of Port of Landing |
| Name of Port | PO | M | Activity detail; name of Port for landing |
| Predicted Date | PD | M | Activity detail; estimated date UTC when the master intends to be in port (YYYYMMDD) |
| Predicted Time | PT | M | Activity detail; estimated time UTC when the master intends to be in port (HHMM) |
| Quantity to be landed species live weight | KG | M | Activity detail; quantity by species to be landed in the Port, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms |
| Quantity on board species live weight | OB | M | Activity detail; quantity by species on board, in pairs as needed FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms |
| Date | DA | M | Message detail; UTC date of transmission |
| Time | TI | M | Message detail; UTC time of transmission |
| End of record | ER | M | System detail; indicates end of the record |

¹Optional if a vessel is subject to satellite tracking.

New format for the “TRANSHIPMENT” report in Annex X

“TRANSHIPMENT” report

| Data Element: | Field Code: | Mandatory / Optional | Remarks: |
|--|-------------|----------------------|---|
| Start record | SR | M | System detail; indicates start of record |
| From | FR | M | Name of transmitting Party |
| 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, “TRA” as Transshipment 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 |
| Name of Master | MA | O | Name of master of vessel |
| External Registration Number | XR | O | Vessel registration detail; the side number of the vessel |
| Quantity on-loaded or off-loaded species live weight | KG | M M | Quantity by species on-loaded or off-loaded in the R.A., in pairs as needed. FAO species code live weight in kilograms, rounded to the nearest 100 kilograms, |
| Transhipped To | TT | M ¹ | Vessel registration detail; International radio call sign of the receiving vessel |
| Transhipped From | TF | M ¹ | Vessel registration detail; International radio call sign of the donor vessel |
| Latitude | LA | M ² | Activity detail; position at time of <u>estimated latitude where the master intends to do the transshipment</u> |
| Longitude | LO | M ² | Activity detail; position at time of <u>estimated longitude where the master intends to do the transshipment</u> |
| <u>Predicted Date</u> | <u>PD</u> | <u>M²</u> | <u>Activity detail; estimated date UTC when the master intends to do the transshipment (YYYYMMDD)</u> |
| <u>Predicted Time</u> | <u>PT</u> | <u>M²</u> | <u>Activity detail; estimated time UTC when the master intends to do the transshipment (HHMM)</u> |
| 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 |

¹Whichever one is appropriate.

²Optional for reports sent by the receiving vessel after the transshipment.

**Annex 5. Recommendation regarding revision of Annex XX, Items 4.3
and 4.4 of the Conservation and Enforcement Measures**
(STACTIC W.P. 05/13, Revision 2)

In view of the withdrawal of the communication protocol X.25, it is recommended to revise the text of Annex XX Item 4.3 and 4.4 of the Conservation and Enforcement Measures in order to allow other protocols to be used. Therefore, it is proposed to replace the text of items 4.3 and 4.4 Annex XX by the following:

4.3 Authenticity and Data Access Security

Data exchange protocols for electronic transmission of reports and messages between Contracting Parties and the Secretariat shall be duly tested by the Secretariat and approved by the Fisheries Commission. Electronic transmission is subject to security procedures laid down in this Annex.

4.4 Communication Security

Appropriate encryption protocols duly tested by the Secretariat and approved by the Fisheries Commission shall be applied to ensure confidentiality and authenticity.

In order to implement the provisions of items 4.3 and 4.4 of Annex XX, it is recommended that the Fisheries Commission approves the use of HTTPS as the principal data exchange protocol. However, FTP protocol may also be used provided that appropriate security measures are implemented.

It is also recommended that the Fisheries Commission approves the following encryption protocols for electronic data transmission:

- "Pretty Good Privacy" PGP
- "Digital Encryption Standard" DES

Annex 6. Discussion paper on possible new and amended error codes in Return messages (STACTIC W.P. 05/9)

Background:

The Icelandic FMC has found the RET messages very useful but the current return error numbers are very limited in the case the message has the return status “NAK”. There are only 3 possibilities to report an error and experiences have frequently shown the need for expansion of the return error numbers. There should be an indication of what is the cause for the error and furthermore indicate if the message is accepted or rejected.

Same amendments to the error codes have been accepted in NEAFC, but as yet not been implemented.

Serious communication errors which will require a follow up action have numbers from 100 to 149 and less serious communication errors which do not need a follow up action have error numbers from 150 to 199.

The same logic applies for the other categories.

The aim is to open the possibility for the operator to pinpoint the error and subsequently correct it as well as the possibility of automatic corrections where that is applicable. As there are multiple numbers available for each category, future expansions are very easy and do not call for modifications of the existing numbers.

A) Return message format

| Data Element | Field Code | Mandatory/ Optional | Remarks |
|---------------------|------------|---------------------|---|
| Start Record | SR | M | System detail; indicates start of record |
| Address | AD | M | Message detail; destination, Contracting Party sending the report |
| From | FR | M | Message detail; XNE is NEAFC (who is sending the return message) |
| Type of message | TM | M | Message detail; message type RET for return message |
| Return Status | RS | M | Reporting detail; code showing whether the message is acknowledged or not (ACK or NAK) |
| Return error number | RE | O | Reporting detail; number showing the type of error. See table B) for return error numbers |
| Record number | RN | M | Reporting detail; record number of the message which is received |
| 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 |

B) Return error numbers

| Subject/Article: | Errors | | Error cause |
|----------------------|---------------------------|----------|---------------------------------------|
| | Follow up action required | Accepted | |
| Communication | 101 | | Message is unreadable |
| | 102 | | Data value or size out of range |
| | 104 | | Mandatory data missing |
| | 106 | | Unauthorised data source |
| | | 150 | Sequence error |
| | | 151 | Date / Time in the future |
| | | | |
| | | | |
| Article 15 | | 250 | <i>Attempt to re-Notify a vessel</i> |
| | | 251 | Vessel is not Notified |
| | | 252 | <i>Species not AUT, or LIM or SUS</i> |
| | | | |
| Article 22 | 301 | | <i>Catch prior to Catch on Entry</i> |
| | 302 | | Transshipment prior to Catch on Entry |
| | 303 | | Catch on Exit prior to Catch on Entry |
| | 304 | | No Position received (CAT,TRA,COX) |
| | | 350 | Position without Catch on Entry |
| | | | |

Annex 7. Update and suggestions regarding the digitization of NAFO observer reports
(presented by NAFO Secretariat - STACTIC Working Paper 05/2)

At the NAFO 26th Annual Meeting, held during September 13-17, 2004, the Fisheries Commission adopted the STACTIC recommendation that Contracting Parties make available detailed observer data (catch and effort for each haul, location (longitude and latitude), depth, time of net on bottom, catch composition and discards) to the Scientific Council by submitting them in an electronic format to the NAFO Secretariat (FC Doc. 04/17, item 11, point 8).

A GF letter was sent to all Contracting Parties (GF/05-064, 18 February 2005) with the request to provide this information to the Secretariat. The Secretariat has only received one reply on this from Japan stating they would need ample time to change over to digitization of observer data.

Upon request of Scientific Council, the Secretariat has started a test project of digitizing observer reports in order to determine the total funds necessary for the digitization of information from past and present observer reports not available electronically. This process has now started with the hiring of a temporary database operator. The results from our trial digitization will be available in June 2005 and will include a cost estimate for retrospective work (that includes digitization of the summary and the detailed information) and for present reports (that includes digitization of the detailed information only).

The costs for the digitization of NAFO observer reports will depend very much on the amount of reports already available in electronic format. Also, the costs could be minimized if reports from past years that are held in electronic format by individual Contracting Parties be made available to the NAFO Secretariat. Therefore, the Secretariat asks STACTIC to recommend the following to Fisheries Commission:

- All future observer and other NAFO reports be submitted electronically to the Secretariat.
- Reports from past years that are held in electronic format by individual Contracting Parties be made available to the NAFO Secretariat.

**Annex 8. Paper presented by Ukraine on conversion of Observer Program
from compliance tool to Scientific Observation System
(STACTIC Working Paper 05/11)**

Most of the recent stock assessment efforts for majority of species (both regulated and unregulated) in NAFO regulation area often faced uncertainty in many principal biological parameters of the species under assessment. General source of the uncertainty is a lack of information which could be used for assessment of stock status and effect of fisheries and environmental changes onto marine living resources.

Recent trends in NAFO surveillance scheme modification takes into consideration gradual improvement in VMS data collection, which resulted in decreased needs to maintain and observe compliance by means of observers. Achievements in electronic monitoring of vessels activity lead to development of the pilot program directed to decreasing of observer coverage as compliance tool.

In the same time there is growing understanding of great uncertainty in the stock status for many species in the NAFO regulation area and anxiety concerning human impact on the exploited stocks and ecosystem as a whole. It is clear that there are two ways for solving of the mentioned problem: a). complete ban of fishing in the area or b). increase efforts to monitor status of the stocks of principal species as well as associated and related species and whole ecosystem of Northwest Atlantic and fisheries impact on the ecosystem.










Ukraine believe that many negative consequences in fisheries assessment and management are direct results of skewed efforts of NAFO observer program which paid most attention to compliance measures rather than collection of proper biological and ecosystem data.

Ukraine firmly believes that recent NAFO decision directed to reducing observer coverage are steps in wrong direction which increased uncertainty in the understanding of the status of stocks in the NAFO regulation area. Instead of decreasing of observer coverage Ukraine call for urgent steps to return to 100% observer coverage of the fishing operations in the NAFO area with simultaneous changes in observer programs objectives, mechanisms, rules and background.

We call all Contracting Parties to reconsider observer program objectives as: “The principal objective of observer program are to collect data essential for monitoring of the stocks of marine living resources and effect of fisheries on these stocks, including vessel fishing activity, catch, bycatch and discards information, biological data for species caught during target fisheries or as bycatch (both kept onboard or discarded) and relevant environmental information”. Term “observer” should be replaced with more relevant term “scientific observer” and principal duties of observer should be revised to correspond with observer new status.

**Annex 9. Paper presented by Ukraine re Scheme of placement of
Observers onboard fishing vessels in the NAFO Regulatory Area**
(STACTIC Working Paper 05/12)

Ukraine propose new scheme of observation i.e. scientific observation scheme. It should involve greater national efforts and international coordination in placement of observer onboard fishing vessels and take off unnecessary burden of surveillance from observers. Principal outline of the scheme proposed are as follows:

-  Each vessel should have at least one scientific observer onboard (national or international).
-  If contracting party doesn't place national observers it should inform all contracting parties and request an international observer.
-  International observers will be sent to another contracting party vessel on the base of bilateral agreement between contracting parties.
-  In such a bilateral arrangement, the Member wishing to place scientific observers on board a vessel of another Member shall be referred to as the 'Designating Member' whilst the Member who accepts on board its vessel shall be referred to as the 'Receiving Member'.
-  Unless otherwise agreed the equipment, clothing and salary and any related allowances of a scientific observer shall normally be borne by the Designating Member. The vessel of the Receiving Member shall bear the cost of on board accommodation and meals of the scientific observer.
-  Each contracting party should send a list to NAFO Secretariat of designated observers which could be placed onboard fishing vessels as national and/or international observers. This list should be freely accessible to all contracting parties. The list presented by certain contracting party could be amended within the year by the contracting party.
-  Scientific observers shall be nationals of the Member who designates them.
-  Activities of scientific observers on board vessels will be specified by the Fisheries Commission which taking into account advice from the Scientific Council.
-  Activity of observers should be based on standard sampling methodology and electronic data reporting to Scientific Council and Fisheries Commission which should be developed and adopted as matter highest priority. Current situation with absence of standard sampling manual, absence of electronic observer report formats and templates, absence of regional species identification reference books for observers developed by NAFO (or contracting party with under NAFO auspice) cannot be considered as normal.

Ukraine hopes that these proposals will be taken into consideration by STACTIC and passed for further considerations of Scientific Council. After approval this scheme by STACTIC in principal it could be developed in more details.

Annex 10. Translation of NAFO Reports
(presented by NAFO Secretariat - STACTIC W.P. 05/5, Revised)

The Secretariat proposes the following:

1. **A standardized bi-lingual form to be used by observers for their NAFO reports.** The Secretariat has designed such a form that can be used for the electronic input of data using either a database (ACCESS) or a spread sheet application (EXCEL). In addition, we designed a paper form for those that do not have access to a computer – in this context the Secretariat continues to urge Contracting Parties to facilitate computer access to their observers and thus encourage electronic data submission (this, of course, is a goal for all NAFO reports, not just those from observers). The bi-lingual form would ensure that the summary information and tables in the report can be used without translation (if written in Latin letters!) and thus lowering translation costs. Only sections containing narratives would then require translation. Find attached to this report the paper form developed by the Secretariat using Spanish as an example. **We ask STACTIC to review the form and to agree to a final version with a recommendation to Fisheries Commission to adopt the standardized form as a requirement for NAFO observer reports.**
2. **A budget dedicated to the translation of all non-English NAFO reports.** In addition to observer reports from some Contracting Parties, we also receive a number of port reports and Apparent Infringement Disposition Documents in languages other than English. Based on the average annual amount of non-English reports we receive and translation costs quoted by local translators I roughly estimate that translation costs in the order of Can\$2,500 per year could incur with the status quo provided that Proposal 1 (above) is implemented.

Our ability to translate will ensure the immediate usability of all NAFO reports and is in my opinion indispensable in the present situation. It should be noted, however, that the installation of a NAFO translation budget could have the effect that more Contracting Parties than now would wish to report in their native language thus taking advantage of the NAFO translation facility. I estimate that translation of relevant reports from all NAFO Contracting Parties (with the exception of Canada and USA) will probably double the costs we estimated for the present situation, i.e. would be in the order of at least Can\$5,000. Nevertheless, the benefits of unburdening individual Contracting Parties from the requirement of reporting in English might easily be worth the effort as I would expect significant improvement of transparency, data quality and data reliability in NAFO.

For all the above reasons, the Secretariat proposes that STACTIC recommends the implementation of a translation budget for NAFO.

Attachment 1: Proposed standardized bi-lingual draft form for NAFO observer reports

Part 1. Vessel and Gear Information and Catch and Effort Summary Table *Informacion del barco y captura y esfuerzo*

| | | | | |
|--------------------------|-----------------------|-------------------------------|------------------------|-------------------------------|
| Vessel name: | Type of Vessel*: | Call Sign: | Country or Flag State: | Observer name: |
| <i>Nombre del Barco:</i> | <i>Tipo de barco:</i> | <i>Distintivo de Llamada:</i> | <i>País:</i> | <i>Nombre del Observador:</i> |

*See CEM Annex V for fishing vessel type codes

| Gear # <i>Arte #</i> | Gear Type* <i>Tipo de Arte</i> | Make <i>Modelo</i> | Mesh Size (mm) <i>Tamaño de Redes (mm)</i> | | | | | | | | | | | |
|-------------------------|-----------------------------------|-----------------------|--|------------------------|----------------------|-------------------------|------------------------|----------------------|-----------------------------------|------------------------|----------------------|-------------------------|------------------------|----------------------|
| | | | Wings <i>Alas</i> | | | Body <i>Cuerpo</i> | | | Lengthening Piece <i>Antecopo</i> | | | Codend <i>Copo</i> | | |
| | | | High <i>Superior</i> | Low <i>Inferior</i> | Ave. <i>Media</i> | High <i>Superior</i> | Low <i>Inferior</i> | Ave. <i>Media</i> | High <i>Superior</i> | Low <i>Inferior</i> | Ave. <i>Media</i> | High <i>Superior</i> | Low <i>Inferior</i> | Ave. <i>Media</i> |
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*See CEM Annex VI for Gear Codes

Catch and Effort Summary Table *Capturas y Esfuerzo*

| NAFO Area <i>Zona NAFO</i> | Date <i>Fecha</i> | Directed Species* <i>Especies objetivo</i> | Gears Used ** <i>Arte usada</i> | # of sets or hauls <i># de redada</i> | Hours fished <i>Horas de pesca</i> | Average Depth (m) <i>Profundidad media (m)</i> | | Fishing Days <i>Días de pesca</i> |
|-------------------------------|----------------------|---|------------------------------------|--|---------------------------------------|--|-------------------|--------------------------------------|
| | | | | | | start <i>comienzo</i> | end <i>fin</i> | |
| | | | | | | | | |
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*See CEM Annex II for the 3-Alpha Species Code. **Refer to Gear # in Column 1, Table above.

Catch in kg *Capturas (kg)*

| NAFO Area <i>Zona NAFO</i> | COD | | RED | | PLA | | YEL | | WIT | | HKW | | CAP | | SKA | | GHL | | SQI | | PRA | | OTH | |
|-------------------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
| | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> |
| | | | | | | | | | | | | | | | | | | | | | | | | |
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Part 2. Catch details by haul or set* *Datos del captura*

| Date <i>Fecha</i> | Set No. <i>Redada #</i> | Gear No. <i>Arte #</i> | NAFO Area <i>Zona NAFO</i> | Time <i>Hora</i> | | Depth (m) <i>Profundidad</i> | | Position <i>Posicion</i> | | | |
|----------------------|----------------------------|---------------------------|-------------------------------|------------------|------------|------------------------------|------------|--------------------------|-------|----------------|-------|
| | | | | Start | End | Start | End | Start <i>comienzo</i> | | End <i>fin</i> | |
| | | | | <i>comienzo</i> | <i>fin</i> | <i>comienzo</i> | <i>fin</i> | LAT. | LONG. | LAT. | LONG. |
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| Date <i>Fecha</i> | Set# <i>Redada#</i> | COD | | RED | | PLA | | YEL | | WIT | | HKW | | CAP | | SKA | | GHL | | SQI | | PRA | | OTH | |
|----------------------|------------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
| | | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> | ret. <i>cap.</i> | disc. <i>desc.</i> |
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Please copy this sheet as necessary. For abbreviation consult CEM Annex VI for gear, Annex II for species.

Por favor, copie esta boja si es necesario.

Part 3. Narrative *Narrativo*

Click here to enter additional information, e.g. undersized fish, by-catch, etc.: