

**SECTION I**  
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**Report of the General Council and its Subsidiary Body  
(STACFAD), 29<sup>th</sup> Annual Meeting  
24-28 September 2007  
Lisbon, Portugal**

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## PART I

### Report of the General Council

(GC Doc. 07/5)

#### 29<sup>th</sup> Annual Meeting, September 24-28, 2007 Lisbon, Portugal

##### I. Opening Procedure (*Agenda items 1-6*)

###### 1. Opening by the Chair

The Meeting was opened by the Chair of the General Council, David Bevan (Canada). (Annex 1). His Excellency, the Minister for Agriculture, Rural Development and Fisheries of Portugal, Jaime Silva, welcomed participants to Lisbon (Annex 2).

The Representatives of twelve Contracting Parties were present: Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland, DFG), the European Union, France (in respect of St. Pierre et Miquelon, SPM), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and the United States of America (Annex 3).

Representatives from the European Union, Canada, DFG, USA, and Japan addressed the General Council with their opening statements (Annexes 4-8).

###### 2. Appointment of Rapporteur

The Executive Secretary of NAFO, Johanne Fischer, was appointed as Rapporteur whose duties included maintaining a record of decisions agreed upon by the General Council (Annex 9).

###### 3. Adoption of Agenda

The adopted agenda is attached in Annex 10.

###### 4. Admission of Observers

The Executive Secretary reported that invitations had been transmitted to the Food and Agriculture Organization of the United Nations (FAO), Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Comisión Permanente del Pacífico Sur (CPPS), International Commission for the Conservation of Atlantic Tunas (ICCAT), International Council for the Exploration of the Sea (ICES), North Atlantic Marine Mammal Commission (NAMMCO), North Atlantic Salmon Conservation Organization (NASCO), North East Atlantic Fisheries Commission (NEAFC), North Pacific Anadromous Fish Commission (NPAFC) and North Pacific Marine Science Organization (PICES). In response to these invitations, FAO was represented by Mr. Hiromoto Watanabe (Fishery Liaison Officer-International Fisheries, Fisheries and Aquaculture Department), CCAMLR and SEAFO by the European Union, CPPS by Mr. Gonzalo Pereira (Executive Secretary), NAMMCO by Ms. Kate Sanderson (Denmark in respect of Faroe Islands and Greenland), ICCAT by Mr. Driss Meski (Executive Secretary) and NEAFC by Mr. Joao Neves (IT Manager and VMS Administrator). Statements to the General Council by the observers from FAO and CPPS are attached (Annexes 11-12).

Applications for observer status were received from the World Wildlife Fund (WWF) and from the Ecology Action Centre (EAC) which were both granted pursuant to Rule 9 of the Rules of Procedure. The WWF was represented by Dr. Robert Rangely and Mr. Marty King and the EAC was represented by Ms. Susanna Fuller, Mr. Matt Gianni and Ms. Monica Verbeek. Both NGOs gave a statement at the beginning and the end of the meeting. (Annexes 13-15)

## 5. Publicity

Participants agreed 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 (Annex 17). The NAFO Media Policy foresees that the opening and closing sessions of NAFO bodies are public as well as additional sessions designated by participants at the meeting. Journalists from a TV station in St. Pierre et Miquelon were accredited to this meeting.

## 6. Guidance to STACFAD necessary for them to complete their work

STACFAD was asked to proceed with their deliberations as outlined in their agenda.

## II. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs (*Agenda items 7-9*)

### 7. Review of Membership

The membership of the General Council, Fisheries Commission and Scientific Council is currently twelve (12) Contracting Parties. The Executive Secretary informed the meeting that the Ukraine had lost its voting rights.

### 8. Reform of NAFO

Ninety days prior to the Annual Meeting the EU had submitted a proposal to amend the NAFO Convention (GC Working Paper 07/14) pursuant to Article XXI paragraph 1 of the said Convention. This proposal was the result of a process involving all Contracting Parties that had started in 2005 and culminated in an extraordinary session of the General Council in Montreal from 19 - 20 April 2007 and a Technical Editing Working Group in Brussels from 22-23 May 2007.

This proposal was in general welcomed by Contracting Parties. After some discussion, the following proposals to amend Article 3 of the EU proposal were made:

DFG proposed changes to Article I, paragraphs (d) and (i) (GC Working Paper 07/18) to address concerns voiced by Russia with regard to allowing “entities” to join NAFO as Contracting Parties. DFG also suggested lowering the ceiling for contributions for Contracting Parties with low population numbers from 15% to 12% (Article IX d – GC Working Paper 07/16). Both proposals were agreeable by General Council noting, however, reservations voiced by the Russian representative who explained that Russia would transmit its final position on these matters within the next several weeks to the Executive Secretary.

It was understood that the calculation of the annual contributions specified in Article IX were to be based on the list of species agreed upon during the inter-sessional meeting of the General Council in Montreal in 2007 and that this list will be incorporated into the Financial Regulations.

Canada submitted a proposal to amend Article VI of the EC proposal (GC Working Paper 07/17). Japan reiterated its position that the compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction, stipulated in Article VII of UNFSA, were very important and that this principle should be consistent in the NAFO Convention, and expressed the disagreement of this part of the Convention. Despite the reservation made by Japan, with no parties eventually blocking, the Canadian proposal was agreeable to all Parties and Canada thanked all Delegates for the spirit of cooperation regarding this proposal.

The EU suggested simplifying the procedures for the implementation of decisions described under Article XIV. The EU representative held the view that this process was unduly complicated, entailing *inter alia* in some cases two successive non binding *ad hoc* panels. He was therefore of the view that the process in Article XIV required a further review before adoption. The position of the EU was not supported by other delegations.

Regarding Article XII, paragraph 2, Japan requested that the term “shall” should be replaced with “may”, taking into account ongoing discussions on port State duties in other RFMOs and international organizations as well as Article XII of UNFSA, which stipulates the compatibility of conservation and management measures established for the high seas with those adopted for areas under national jurisdiction. Also, Japan found it

would be appropriate to include “to the extent possible” in the same paragraph, based on the position that obligatory measures could be implemented within the extent of national jurisdictions. The suggestion by Japan was not supported by other Delegations. Japan reserved its position.

The Chair concluded that the EC proposal to amend the NAFO Convention, as amended following proposals by DFG and Canada (Annex 17), had obtained a sufficient majority as required under the Convention and was therefore formally adopted.

He congratulated Parties for this remarkable achievement and encouraged the Contracting Parties to initiate the necessary process of ratification through their parliaments.

## **9. Administrative Report of the Executive Secretary**

The Executive Secretary briefly introduced the Administrative Report and Financial Report (GC Doc 07/3), highlighting the requirement to elect new officers for General Council and Scientific Council, the incompleteness of fishery statistical data for the NAFO Convention Area, hiring of new employees in the Secretariat, the high number of visitors received by the NAFO public web pages, the change in VMS service provider, the continuing low and stable NAFO annual budget and the lack of timely payment of contributions by a significant number of Parties which jeopardizes the reliable functioning of the Secretariat.

### **III. Coordination of External Affairs** (*Agenda items 10-11*)

## **10. Report of the Executive Secretary on External Meetings**

The Executive Secretary briefly reported that she had attended 11 external meetings (see Administrative Report, GC Doc. 07/3) and drew attention to the Secretariat’s active involvement in CWP and FIRMS. She announced that NAFO will host the next meeting of these two groups and that the CWP will specifically look into new data sources (VMS) and new data requirements (e.g. EAF), two topics of great interest to NAFO.

## **11. NAFO Response to United Nations General Assembly Sustainable Fisheries Resolution 2006**

Participants agreed that many of the initiatives taken by NAFO in recent years including the amendments to the NAFO Convention adopted at this meeting, addressed most requirements in the 2006 UN Resolution with regard to an ecosystem approach to fisheries management, sustainable management, sea turtle protection, cooperation with other RFMOs, transparency, closure of sensitive habitats to fisheries, etc. It was noted that the Fisheries Commission adopted interim measures to prevent significant adverse impacts on vulnerable marine ecosystems and established a Coral Protection Zone in a large area in Division 3O which will be closed to all fishing activity involving bottom contact gear during 2008 to 2012. The intersessional meeting of the Fisheries Commission which is due to take place in early May 2008, will examine a proposal regarding additional protection of vulnerable marine ecosystems. A performance review of NAFO will be addressed in the future when the amended Convention is implemented.

### **IV. Finance** (*Agenda items 12-13*)

## **12. Report of STACFAD at the Annual Meeting and decision on actions**

STACFAD Chair Fred Kingston (EU) presented the recommendations of this Committee to the General Council:

STACFAD recommended that the 2006 Auditors’ Report be adopted.

- a) Regarding fishery statistics, concerns were again expressed regarding the timeliness and accuracy of submissions of catch reports that are needed, not only for the scientific assessment of fisheries activities, but also in the calculation of Contracting Party contributions. Delegates were again urged to convey this message to their respective authorities and ensure future compliance with this NAFO requirement and the Secretariat was also requested to convey this message to NAFO Contracting Parties.
- b) STACFAD strongly urged the Contracting Parties to take immediate action to meet their financial obligations and bring financial stability to the Organization.

- c) STACFAD recommended that the outstanding contribution from Ukraine (\$30,735) for the year 2006 be deemed uncollectible at the end of the current fiscal year if payment is not received by 31 December 2007 and that this amount be applied against the accumulated surplus.
- d) STACFAD again was of the opinion that the current cash flow situation be considered an emergency in accordance with Rule 4.4 of the Financial Regulations. As a consequence, STACFAD recommended that an amount representing 20% of the proposed 2008 budget, namely \$305,800, be maintained as the minimum balance in the Accumulated Surplus Account. STACFAD stresses that this extraordinary recommendation be considered as an interim measure pending the resolution of the current financial situation.
- e) STACFAD also recommended that the Secretariat bill Contracting Parties in two installments to encourage part of the contributions to be paid earlier and thus enable the Secretariat to have sufficient cash flow to operate in early 2008.
- f) STACFAD recommended that the staff rules regarding severance pay and repatriation grant (i.e. Staff Rules 9.5 and 9.6) be amended in accordance with STACFAD WP 07/13 revised. The Committee noted that, in the longer term, these measures will result in net savings to the Organization.
- g) STACFAD recommended the adoption of an amendment to the Secretariat's HR classification system to include a new category level PM-05 in the Senior Publications Manager category.
- h) STACFAD recommended the adoption of the reclassification of two staff members to take effect 1 January 2008.
- i) STACFAD recommended that the budget for 2008 of \$1,529,000 be adopted.
- j) STACFAD recommended that General Council re-appoint the three nominees for the Staff Committee (Bill Brodie, Jim Baird, Fred Kingston).
- k) STACFAD recommended that the dates of the 2010 Annual Meeting (to be held in Halifax, N.S., Canada, unless an invitation to host is extended by a Contracting Party and accepted by the Organization) are as follows:

Scientific Council	-	20 – 24 September
General Council	-	20 – 24 September
Fisheries Commission	-	20 – 24 September

### **13. Adoption of Budget and STACFAD Recommendations for 2008**

The proposed budget for 2008 was accepted.

General Council adopted all STACFAD recommendations. Contracting Parties agreed that, following best practice, the auditors should be replaced in 2008 after having served for four years. Regarding STACFAD recommendation 8 the EU, supported by Canada, found the procedure unusual. Regarding recommendation 11, the EU noted a lack of gender equality in the composition of the Staff Committee.

### **V. Closing Procedure** (*Agenda items 14-18*)

#### **14. Election of Chair and Vice-Chair**

The current Vice Chair, Mr. Terje Lobach (Norway) was elected Chair of General Council. Election of a new Vice-Chair was postponed to the next Annual Meeting. Delegates thanked Mr. David Bevan for his excellent services as Chair of the General Council during the eventful and important last four years.

**15. Time and Place of the Next Annual Meeting**

The 30<sup>th</sup> Annual Meeting will be held in Vigo, Spain, European Union, at the following dates:

Scientific Council	-	22-26 September 2008
General Council	-	22-26 September 2008
Fisheries Commission	-	22-26 September 2008

**16. Other Business**

No other business was discussed.

**17. Press Release**

With input from some interested Contracting Parties the Executive Secretary drafted a Press Release that was posted on the NAFO website and circulated to a wide list of contacts three hours after conclusion of the meeting (Annex 16).

**18. Adjournment**

The meeting adjourned at 17:00, September 28, 2007.

## **Annex 1. Opening Statement by the Chair (David Bevan – Canada)**

Distinguished delegates, ladies and gentlemen,

It is an honour and a pleasure for me to serve as your Chair at this year's annual meeting.

I wish to thank the Executive Secretary and the Secretariat for the excellent arrangements for this meeting.

At the 2005 annual meeting, NAFO agreed to review and renew itself. NAFO adopted a reform strategy to begin the process of modernizing NAFO to incorporate the most recent international legal commitments such as the UN Fish Stocks Agreement, to strengthen and improve the current monitoring, control and surveillance regimes in NAFO, and to begin addressing fishing overcapacity in NAFO.

Advancing the reform of NAFO has been a major priority and NAFO members have made significant progress during the last year. In particular, concrete and major improvements to the NAFO Conservation and Enforcement Measures were achieved at the 2006 annual meeting related to enforcement issues. In addition, constructive discussions on Convention reform took place this year at the April special meeting of General Council followed by the Technical Editing Working Group meeting in May. In June, the European Union tabled a proposal for amendments to the NAFO Convention which was a reflection of the progress to date.

At this time, three outstanding issues remain to be resolved:

- 1) the area of application of the NAFO Commission's conservation and management decisions;
- 2) a revision to the financial contribution formula; and
- 3) the ability of non-State entities to fully participate as members of NAFO.

I understand that NAFO members have been consulting with each other in an effort to resolve these issues. I am hopeful that with close cooperation, Contracting Parties will resolve these issues to their mutual satisfaction and continue the momentum towards reform that has built over the last year.

NAFO, as other regional fisheries management organizations, needs to strengthen its management and governance structure to manage the ocean resources of the NAFO Regulatory Area in a sustainable way. Progress so far puts NAFO on the path to becoming a most effective RFMO. I am confident that NAFO will demonstrate to the international community its continued relevance in undertaking these responsibilities.

NAFO members will need to continue their close cooperation and collaboration to achieve our shared objectives of stock recovery, conservation and sustainable development for present and future generations. These objectives are imperative given the interdependent reality of our world.

Before closing, I wish to remind everyone that in the interests of having a more effective meeting with greater transparency of decision-making, the Chairs of the NAFO bodies will again seek to adhere to a rigorous schedule this week. We will aim to avoid a late night session on Thursday evening. The cooperation of all NAFO bodies will help achieve this goal.

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



## **Annex 2. Opening Speech by His Excellency, the Minister for Agriculture, Rural Development and Fisheries of Portugal, Jaime Silva**

Mr. President, distinguished Delegates, Ladies and Gentlemen,

It is a real pleasure for me to be able to host this 29th Annual meeting of NAFO, particularly as it coincides with the Portuguese Presidency of the EC. It is now nine years since you were last in Lisbon so I invite you to take the opportunity to look around the city and see some of the many changes that have taken place in that time.

Whatever the changes, Lisbon remains Portugal's seaboard capital that looks out both southwards and westwards across the Atlantic and to the North-West, the NAFO area. Portugal's membership from the very beginning of NAFO and its predecessor, the International Commission of the Northwest Atlantic Fisheries, is the logical continuation of a long-standing seafaring tradition with historic records of Portugal fishing cod off the Newfoundland Coast as early as 1502-03.

It is in this context that I am particularly pleased that this Annual Meeting will have the job of completing the reform of the NAFO Convention, enabling NAFO to update its rules and actions, bringing it into line with the recent developments in regional fisheries organisations and the United Nations Convention on the Law of the Sea. This revised Convention will provide the framework to allow NAFO to continue to address the issues of conservation, management and co-operation in the year and years ahead. I know there are certain points still to be resolved in order to achieve this revision, but I am confident that with a little imagination solutions can be found to them to the satisfaction of all.

One of the main challenges we face is to continue our efforts on conservation. Sometimes this can seem like a struggle where we make progress only then somehow to fall back and have to start again. However, I remain optimistic and believe that with a long-term approach shared and owned by all parties we can make solid and consistent progress. The long-term recovery plan for Greenland halibut is a primary example of this. It takes a multiannual and holistic approach to a valuable stock while building in flexibility to adapt to developing circumstances.

Greenland halibut is also a litmus test of our commitment to control and our ability to implement that commitment. We need to stick at it building on the reforms to control we made last year. It will be hard work but we can make progress. From the EC side, we now have the added help of the new EC Fisheries Control Agency whose inclusion of NAFO among its priority actions for its first year of operations shows the importance attached to this area and at the same time is a recognition of the difficulties sometimes faced in control.

Within the framework of the Agency's activities, the Member States of the European Union will take over from 2008 a larger share of the responsibility for control in the NAFO area. The Community participation in the scheme of control for NAFO will integrate inspectors and naval vessels, including from Portugal.

Despite some of the difficulties NAFO faces in terms of the conservation of certain stocks, NAFO remains at the forefront of fisheries management world-wide. It brings together countries from all corners of the globe, including my own, to work together with the four coastal states. It has shown itself to be innovative and forward-looking. At the same time history teaches us that life can often be a case of back to the future. As talk of the opening up of the 'North-West Passage' hums the air-waves and sea-waves, the world's spotlight will once again fall on this North-western corner of the Atlantic. With the renewed momentum we have gained from the reform of control and with a modernised Convention, I am confident that we in NAFO have a sound basis in place to face the challenges that lie ahead and that Portugal will continue to play its part in this process.

I thank you for your attention and, Mr. President, I now declare the 29th Annual Meeting open.

### Annex 3. List of Participants

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#### **Annex 4. Opening Statement by the Representative of the European Union**

Thank you Chair and good morning to you all.

On behalf of the European Union, Portugal in particular, we want to welcome you all here to Lisbon. We've got an excellent facility at our disposal during this week and we are in a wonderful, historic and beautiful town. All the ingredients are there in our view for a good and productive meeting and also having a little bit of enjoyment on the side, so to speak, in the restaurants and bars of the town and also other cultural events.

Chair, as you correctly indicated, we have a very heavy agenda so I don't intend to make a formal opening speech. I would say simply that it is beholding on this Organization to finalize the work on the Convention text. We had major progress last year in terms of the reform and the comprehensive package on control and enforcement measures and we must build on that progress here by getting closure on the revision of the Convention.

We have of course our responsibility vis-à-vis the conservation, sustainability of the resources in terms of management measures and thirdly, we also require to modernize our measures in terms of the follow-up to the UN General Assembly Resolution of November 2006 in relation to the protection of sensitive marine habitants. As you correctly said NAFO is an organization which has put in place a range of modern instruments to monitor the fisheries, to gather science and to give advice on the stocks, and we think that we now need to widen the scope of NAFO to take into account its more broader responsibilities on the conservation and management of resources but also in relation to the marine environment.

So, we look forward to working with other delegations in narrowing any gaps that there may be between our respective positions. By definition it requires flexibility to be demonstrated by all Parties and we would hope that we do not get into a situation where there are questions of principle which cause individual delegations difficulties in accepting what would otherwise be a consensus view on most of the issues confronting us.

Once again welcome to Lisbon and we look forward to working with you all.

Thank-you

## **Annex 5. Opening Statement by the Representative of Canada**

Mr. Chairman, Minister Silva, distinguished Representatives, Ladies and Gentlemen,

It is a pleasure for Canada to participate in this twenty-ninth annual meeting of NAFO in Lisbon. I would like to thank the Portuguese authorities and congratulate them for the excellent organization.

Mr. Chairman, as a coastal State, the issue of fisheries conservation is very important to Canada's new Government. It is of such importance that earlier this year, I was appointed as Ambassador for Fisheries Conservation reporting to both the Minister of Foreign Affairs and the Minister of Fisheries and Oceans.

Canada is working through many international organizations and instruments to strengthen measures to protect the marine environment, including global fish stocks. The significant steps that we are currently taking within NAFO are a key component of Canada's international efforts to improve international fisheries and oceans governance. Canada believes that NAFO can play an important international leadership role in ensuring appropriate measures are in place to protect and maintain healthy straddling stocks. NAFO should strive to be a model for other RFMOs regarding fisheries and oceans governance.

Canada appreciates the significant progress that has been achieved over the last year and half in reforming NAFO and, in particular, the substantial improvements to the NAFO measures in its monitoring, control and surveillance regime.

Canada is looking forward to advance discussions on reform of the NAFO Convention this week and to resolve the outstanding issues. An important issue for Canada will be to ensure that the area of application of the Convention does not impact on Canada's sovereignty within its Exclusive Economic Zone.

Another key element of this meeting will be to discuss the ongoing threats to specific fish stocks and their ecosystems and how to remedy their continuing decline. Canada believes that it is crucial that scientific advice be followed. We need to ensure that our decisions for managing fisheries are based on sound science, and that they integrate eco-system and precautionary approaches.

Mr. Chairman, NAFO like other RFMOs must also implement measures to protect vulnerable marine ecosystems in response to the United Nations General Assembly Resolution of December 2006. Canada's proposals to protect corals would complement NAFO's prior measures to protect seamounts and help ensure a positive review by the UNGA at its fall 2009 meeting.

Mr. Chairman, Canada expects strong action to ensure fisheries conservation.

We look forward to working with all of you in this regard. We wish you well in your deliberations.

Thank you.



**Annex 6. Opening Statement by the Representative of Denmark  
(in respect of the Faroe Islands and Greenland)**

Mr Chairman, distinguished delegates and observers,

The Faroes and Greenland are pleased to be attending the 29<sup>th</sup> Annual Meeting of NAFO. We would like to express our sincere thanks to the Government of Portugal for hosting us and giving us a very welcome opportunity to experience the very beautiful and colourful city of Lisbon.

Reform is still the key issue on our agenda this year, as it was last year. Let it not be the main issue again next year, or this will reflect very badly on our ability to modernise our work and move forward. We hope this process can be finalised without too much further ado. We have had three substantial extraordinary meetings since the process was initiated at the 2005 Annual Meeting, as well as last year's Annual Meeting, to negotiate amendments to our Convention in great detail, resulting in the proposal that is now before us. Although there are some important outstanding issues, including ones of particular importance to our delegation, we look forward to cooperation with other Contracting Parties to resolve these during this week. I will outline our specific views in more detail when we come to the Reform item on our agenda.

The main priority for our delegation in the Reform process has been to provide NAFO with a modern mandate to propose joint management measures that also take account of ecosystem considerations, an important part of all responsible fisheries management today. We have already started to do this, and we look forward to further discussions on ecosystem related issues, clearly within the context of fisheries management. Our over all aim in reforming the Convention has been to improve and strengthen the framework for our decision-making to ensure sustainable conservation and management of our shared fisheries resources. This must remain our primary focus.

A stronger formal framework is only worth the paper it is written on, however, without the necessary political will to cooperate and resolve issues in practice, through an equitable and transparent multilateral approach, with attention to all views and interests around the table. Unfortunately, Mr Chairman, I am again this year – for the third year in a row - obliged to express our delegation's sincere regret and concern that Canadian ports continue to be closed to all vessels from the Faroes and Greenland due to our legitimate objection to the division of 3L shrimp. Many Parties around this table, including Canada, have acknowledged that the division of 3L shrimp was a poor management decision that needs fixing. And even though there may be some signs of a will to correct the mistake, I am sorry to say that continued port closures will for my delegation continue to be a serious political obstacle to meaningful dialogue.

With regard to other conservation and management issues on our agenda, we will seek to work with all delegations to find responsible and workable solutions based on the best possible scientific advice, including the need for further measures for Greenland halibut. With a relatively small share of some few stocks at present, in addition to shrimp, our interest is in ensuring that the actions of the major players in these fisheries do not undermine our ability to make the most of our modest allocations.

Finally, on behalf of all members of our delegation, we look forward as always to working constructively with other delegations, also in STACTIC and STACFAD, during what will no doubt be a very busy week for us all.

## **Annex 7. Opening Statement by the Representative of the United States of America**

Mr. Chairman, distinguished delegates, observers, ladies and gentlemen:

The United States is pleased to join our colleagues once again here in beautiful Lisbon, Portugal for the 29<sup>th</sup> NAFO Annual Meeting. We look forward to an interesting exchange of views this week on a broad number of topics.

The United States remains particularly concerned that inequities remain in the draft revised NAFO Convention text relative to both the NAFO dues assessment procedure and the NAFO allocation practice. Regarding dues assessments, we remain flexible and can accept the compromise developed in Montreal to reform this procedure. We sense that there is general support for such a change and hope to see it reflected in the revised Convention once it is adopted. Regarding the current allocation practice, and as a coastal state, we must emphasize that we will be unable to concur with the draft revised NAFO Convention text until this matter is addressed satisfactorily. As we have noted in the past, the United States has expressed these concerns since the commencement of reform negotiations, and U.S. domestic support for either adoption or ratification of a revised NAFO Convention hinges on whether these concerns are addressed adequately. As a coastal state, we are very interested in finding appropriate language to describe the competencies of the new Commission in the Convention Area. Thus, it is our hope that further discussions at the annual meeting will resolve all of these issues before the revised Convention is considered for adoption.

There are a number of other issues that are of keen interest to the United States for the upcoming meeting. Regarding Greenland halibut, it is our hope that NAFO will set one or more TACs under the rebuilding plan that ensure conservation and management measures are consistent with the scientific advice for this stock. The United States is also committed to the adoption by NAFO of measures consistent with the United Nations General Assembly Fisheries Resolution relating to bottom fishing and vulnerable marine ecosystems. We are working with other NAFO Parties to develop such language and look forward to discussions of this issue at the annual meeting. Additionally, the United States would like to engage in discussions regarding the mechanism currently in place in NAFO relating to adoption of NEAFC measures for pelagic redfish. Finally, we are developing a proposal relating to elasmobranch conservation and management by NAFO for the consideration of Contracting Parties at this annual meeting.

We are looking forward to the 2007 NAFO Annual Meeting and a productive dialogue on these and many other issues in the coming week.

Thank you Mr. Chairman.

### **Annex 8. Opening Statement by the Representative of Japan**

Mr. Chairman, distinguished delegates and observers,

It is a pleasure for Japan to be attending the twenty-ninth Annual Meeting of NAFO in this beautiful city of Lisbon. On behalf of Japanese Delegates, I wish to thank the Government of Portugal and the European Union for hosting this important meeting in this place as same as ten years ago.

Since the annual meeting last year, the organization has made a remarkable progress in developing the new and more effective Convention text, which accommodates modern standards of regional fisheries organizations. Japan greatly appreciates the significant effort made by every member of NAFO. Although there still remain several areas of disagreements, I believe that a series of discussion in this meeting will solve the problems, and that the new Convention of NAFO will begin its voyage from the historic port of Lisbon.

Despite the fisheries management efforts of NAFO in the past, many commercial fish stocks in the area have been remaining in low levels or decreasing. Since the decision making in 2003, Japan has reduced the number of fishing vessel operating in the area from two to one and has cooperated to the Recovery Plan on the Greenland Halibut with responsible management, but the results of Scientific Council in this year indicated that the stock condition had not improved and requested more reduction of actual catch. Japan would like to express our disappointment and strong concern about the reason of failure on the recovery of the fish stocks. Of course Japan would like to cooperate continuously to work for rebuilding those stocks with the full participation of all member countries. It is essential to re-examine and improve the existing Greenland Halibut Recovery Plan in this meeting to ensure sustainable fisheries.

The delegation of Japan looks forward to working with all the participants here for successful results of this meeting.

Thank you, Mr. Chairman.

### Annex 9. List of Actions and Agreed Decisions of General Council

Agenda item:	Action/Decision:
Item 8	General Council adopted the EU proposal to amend the NAFO Convention including proposals put forth by Canada (GC WP 07/17) and DFG (GC WP 07/18 and GC WP 07/16).
Item 13	General Council adopted the proposed budget for 2008 (\$1,529,000).
Item 13	General Council acknowledged the concerns expressed regarding the timeliness and accuracy of submissions of catch reports and STACFAD's urgent appeal to Delegates to convey this message to their respective authorities and ensure future compliance with this NAFO requirement. The Secretariat was also requested to convey this message to NAFO Contracting Parties.
Item 13	General Council agreed to strongly urge the Contracting Parties to take immediate action to meet their financial obligations and bring financial stability to the Organization and adopted the STACFAD recommendation that the outstanding contribution from Ukraine (\$30,735) for the year 2006 be deemed uncollectible at the end of the current fiscal year if payment is not received by 31 December 2007 and that this amount be applied against the accumulated surplus.
Item 13	In view of the financial emergency situation, General Council adopted the STACFAD recommendation to maintain an amount representing 20% of the proposed 2008 budget (namely, \$305,800) as the minimum balance in the Accumulated Surplus Account and agreed to the STACFAD recommendation that the Secretariat bill Contracting Parties in two instalments in 2008.
Item 13	General Council adopted the STACFAD recommendation that Staff Rules 9.5 and 9.6 be amended in accordance with STACFAD WP 07/13 revised.
Item 13	General Council adopted the recommendation by STACFAD regarding a new classification category in the Secretariat and the reclassification of two staff members.
Item 13	General Council appointed Bill Brodie, Jim Baird and Fred Kingston as members of the Staff Committee.
Item 13	General Council agreed to the dates for the 2010 Annual Meeting (20 – 24 September 2010).
Item 15	General Council elected Mr. Terje Lobach (Norway) as its Chair for the next two years. Election of Vice Chair is outstanding.

## **Annex 10. Agenda**

### **I. Opening Procedure**

1. Opening by the Chair, David Bevan (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity
6. Guidance to STACFAD necessary for them to complete their work (Monday)

### **II. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs**

7. Review of Membership of the General Council and Fisheries Commission
8. Report of NAFO
9. Administrative Report (by the Executive Secretary)

### **III. Coordination of External Affairs**

10. Report of Executive Secretary on external meetings
11. NAFO Response to UN General Assembly Sustainable Fisheries Resolution

### **IV. Finance**

12. Report of STACFAD at the Annual Meeting
13. Adoption of the Budget and STACFAD recommendations for 2008

### **V. Closing Procedure**

14. Election of Chair and Vice-Chair
15. Time and Place of Next Annual Meeting
16. Other Business
17. Press Release
18. Adjournment

## **Annex 11. FAO Statement to the 29<sup>th</sup> Annual Meeting of NAFO**

Lisbon, Portugal  
24 September 2007

Mr. Chairperson, distinguished delegates and observers:

FAO is very grateful for the invitation extended by the Secretariat of the Northwest Atlantic Fisheries Organization (NAFO), to observe its Twenty-ninth Annual Meeting held in this beautiful city of Lisbon. FAO also wishes to express its gratitude for the warm hospitality provided by the Government of Portugal. FAO has been keeping a close and effective working relationship with NAFO and desires to continue such collaboration.

Regional Fisheries Management Organizations (RFMOs) play a unique role in facilitating international cooperation for the conservation and management of fish stocks. RFMOs represent the only realistic means of governing fish stocks that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas, or exclusively on the high seas. Therefore, to strengthen RFMOs in order to conserve and manage fish stocks more effectively remains the major challenge facing international fisheries governance. The Twenty-seventh Session of the FAO Committee on Fisheries (COFI 27) held last March in Rome discussed this matter, as a stand-alone Agenda item for the first time in the history of COFI. The Committee was informed about the joint meeting of the 2007 Tuna RFMOs Meeting held in Japan and many members supported the idea of additional joint meetings of non-tuna RFMOs. Members emphasized the importance of performance reviews of RFMOs in a transparent manner. Many Members requested that FAO continue supporting RFMOs and continue its work on issues of concern such as overcapacity, improvement of fleet statistics and the issues of countries and vessels that undermine the effectiveness of RFMOs.

Immediately after the session of COFI, the First Meeting of Regional Fishery Body Secretariats Network (RSN-1) was also held in Rome, which was in fact the fifth such meeting of Regional Fishery Bodies (RFBs) since 1999. It reviewed the decisions of COFI 27 and reconfirmed the global perception that RFBs have a significant role to play in implementing the Code of Conduct for Responsible Fisheries. It also fully noted the recommendation made by the 2006 Review Conference of the UN Fish Stocks Agreement. Among other things, the meeting noted and discussed the priorities and increasing success in combating IUU fishing, such as integrated Monitoring, Control and Surveillance (MCS) packages, blacklisting procedures, port State measures and catch documentation schemes. A number of RFBs also reported their efforts based on an ecosystem approach to fisheries (EAF) and noted that incorporating ecosystem consideration into RFB decision-making remains under development and is essentially work in progress.

Many distinguished delegates will be aware that COFI, acknowledging the urgent need for a comprehensive suite of port State measures, agreed to proceed with the development of a legally-binding agreement on port State measures based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing. I am pleased to advise the meeting that this initiative is progressing well and that an FAO Expert Consultation to Draft a Legally-binding Instrument on Port State Measures was held in Washington D.C., USA, from 4 to 8 September 2007. The Consultation elaborated a draft Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. This document will form the basis for work of the Technical Consultation on Port State Measures to be held at FAO Headquarters from 23 to 27 June 2008. The report of the Technical Consultation will, in turn, be forwarded to the Twenty-eighth Session of COFI in March 2009 for consideration and further appropriate action.

In relation to the EAF, one of the decisions made during COFI 27 is that FAO should convene an expert consultation to prepare draft technical guidelines including standards for the management of deep-sea fisheries in the high seas. The Expert Consultation on International Guidelines for the Management of Deepwater High Seas Bottom Fisheries was held in Bangkok, Thailand, from 11 to 14 September 2007, in order to review the first draft of the guidelines prepared by the FAO Secretariat based on the discussion made during the Expert Consultation on Deep-sea Fisheries in the High Seas held in November 2006. The draft guidelines are now being revised based on the second expert consultation just concluded and to be discussed in the Technical Consultation scheduled to be held in February 2008.

I would also like to advise the meeting that other FAO Expert Consultations planned for 2008 include the Expert Consultation on the Comprehensive Global Record of Fishing Vessels to be held at FAO Headquarters, Rome, Italy, from 25 to 28 February 2008 and an expert consultation on flag State responsibilities at a place and time to be determined.

Since NAFO is one of the world's leading RFMOs, having a long history and much experience in the sustainable management of fisheries in the Northwest Atlantic Ocean, and one of the RFMOs that initiated the reforming process at the earliest stage, it is highly expected that NAFO will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management, as agreed and recommended during COFI 27 and RSN-1.

Mr. Chairperson,

I will sincerely observe the proceedings of this meeting with much interest and report back to the management of FAO's Fisheries and Aquaculture Department.

Let me conclude, Mr Chairperson, by saying that I bring to the meeting greetings from FAO's Assistant Director-General for Fisheries and Aquaculture, Mr Ichiro Nomura. He wishes the meeting every success in its deliberations.

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

**Annex 12. Speech by the General Secretary of the CPPS at the Annual Meeting of NAFO  
Lisbon, September 24<sup>th</sup>, 2007**

In representation of the General Secretariat of the Permanent Commission for the South Pacific (CPPS) I would like to thank the Executive Secretary of NAFO for having invited us to participate as observers at its 29<sup>th</sup> Annual Meeting.

The CPPS is a Regional Maritime Agency established in 1952 and comprised by Colombia, Ecuador, Peru, Chile and Panama. Oceanography, marine environment and Fisheries are among the various matters under the responsibility of the CPPS. In the Fisheries area, we coordinate policies; promote cooperation, capacity building and consulting activities.

Our Organization and its Member countries have worked intensively during over 55 years to ensure the sustainable development of fisheries activities in the Eastern South Pacific, both in its jurisdictional waters and in the adjacent sea.

In the conduct of our work, we have established cooperation links with FAO, through its Fisheries Department, and other regional fisheries agencies, such as the Inter American Tropical Tuna Commission (CIAT – IATTC) and the Latin American Organization for Fisheries Development (OLDEPESCA).

In view of the above, we express our interest in establishing working relationships with NAFO, in order to learn about the Organization's experience in the various areas of fisheries management in international waters, bearing in mind that our member countries participate in the current negotiation process for the establishment of a New Regional Fisheries Management Organization for the High Seas in the South Pacific.

We have already taken the first step towards this direction during the present year, with the participation of the Executive Secretary of NAFO, Dr. Johanne Fischer, in the Workshop organized by the CPPS on Allocation Rights in Regional Fisheries Management Agencies.

Finally, I would like to wish you success in the development and results of this meeting.



### **Annex 13. Opening Remarks from WWF at the 29<sup>th</sup> NAFO Annual Meeting September 24, 2007**

WWF would like to thank Portugal and NAFO – including the General Council, Fisheries Commission, Scientific Council, and Secretariat – for welcoming us at the 29<sup>th</sup> Annual Meeting.

WWF is here because we are concerned about the status of several specific NAFO-managed stocks and more generally about the overall degradation of Northwest Atlantic ecosystems. We are eager to work with NAFO to restore ecosystem health, rebuild stocks, and ensure fisheries are sustainable.

In our view, the top conservation priorities at this meeting are:

- Finalizing the NAFO Reform process;
- Adopting an effective southern Grand Banks cod recovery plan that includes measures to immediately reduce bycatch; and
- Protecting coldwater corals and other VMEs.

Addressing cod recovery and coral protection will require specific changes on the water that would represent significant progress towards rebuilding depleted stocks, implementing the ecosystem approach, and meeting international obligations, such as the 2006 UNGA Resolution on Sustainable Fisheries.

Finally, WWF would like to invite everyone to our reception this evening – beginning at 6pm in the Europa Room – where we will outline our global fisheries program and our conservation expectations for this meeting in more detail.

**Annex 14. Ecology Action Centre Opening Statement to the NAFO General Council,  
September 24, 2007**

Distinguished Chair, Delegates and Observers,

The Ecology Action Centre is pleased to be attending this years NAFO meeting as an observer. We look forward to progress this year towards protecting and restoring fish and

The Ecology Action Centre, particularly in our capacity as a member of the Deep Sea Conservation Coalition, hopes to see significant progress towards implementing the UN GA Sustainable Fisheries Resolution, and protecting vulnerable marine ecosystems in the North West Atlantic.

We are pleased to see the work done to date on modernizing the NAFO Convention to include the basic principles of the UN Fish Stocks Agreement, particularly those of precaution and the ecosystem approach.

We hope the decisions taken this week will lead to action on the water, and action that will help ensure restoration and conservation of the natural resources of the Northwest Atlantic, from which we have all benefited for centuries, and hope to benefit in the centuries to come.

Thank you.

## **Annex 15. WWF Closing Statement: 29<sup>th</sup> NAFO Annual Meeting September 2007**

WWF would like to thank Portugal for its gracious hospitality and NAFO for welcoming us to the 29<sup>th</sup> Annual Meeting. Our closing statement focuses on convention reform, 3NO cod recovery, and coral/vulnerable marine ecosystem (VME) protection, which we identified as top priorities for the meeting and progressing on recent commitments.

### **NAFO Convention Reform**

Completion of the convention reform process represents an important step in modernizing fisheries management in the regulatory area because it enables the application of the ecosystem and precautionary approaches. We urge all contracting parties to ratify the new convention and work together to immediately implement these new management approaches.

### **3NO Cod Recovery**

WWF views the Division 3NO cod recovery strategy as a positive step toward rebuilding this severely depleted population. Successful recovery will only occur if bycatch is immediately reduced. Thus, the 40% bycatch reduction target for 2008 is a critically important component of the recovery strategy. WWF urges NAFO contracting parties to work together to achieve this target. If it is not met through existing bycatch reduction measures by 2008, NAFO must quickly implement additional management measures, such as spatial and/or temporal closures, separator grates, and strict bycatch limits. We encourage the Scientific Council to identify and evaluate these and other cod bycatch reduction measures. WWF will work to inform and contribute to this process.

### **Coral/VME Protection**

WWF is encouraged by NAFO's commitment to implement the United Nations General Assembly (UNGA) Resolution 61/05, which calls on regional fisheries management organizations to assess the impacts of bottom fishing and identify and protect VMEs by December 2008. We feel the level of attention this issue was given at the Annual Meeting illustrates a growing commitment to building ecosystem considerations into fisheries management. We are, however, concerned with the inability of NAFO to agree on a clear process and timeline for meeting the December 2008 deadline. The Division 3O closed area is a positive interim protection measure for a potentially sensitive area but a broader deep-sea closure would have been a practical precautionary measure that would have helped freeze the footprint of bottom fishing throughout the regulatory area. NAFO must act quickly through the appropriate working groups and the May 2008 intersessional meeting to assess the impacts of fishing and identify VMEs based on the best available science so informed management decisions can be made at the 2008 Annual Meeting.

Beyond our immediate conservation priorities, WWF would like to express our concern with some of the stock specific decisions made at the Annual Meeting. Of most concern were the decisions to maintain total allowable catches (TACs) for Division 3NO white hake, Division 3LNO thorny skate, and Division 3O redfish at levels considerably higher than advised by the Scientific Council. Given the uncertainty with the status of these stocks, these decisions clearly contradict the precautionary approach, which is a key component of the new convention. We are also troubled by the lack of transparency in decision making at the meeting.

Finalizing the convention reform process, initiating a cod recovery strategy, and committing to VME protection represent important initial steps in the right direction for NAFO. However, to be meaningful for conservation, these commitments must be immediately translated to changes on the water. Practical, innovative, and precautionary management measures are needed to restore ecosystem health, rebuild depleted stocks, and ensure fisheries are sustainable over the long-term. WWF remains committed to working with NAFO and its members towards these ends.

## **Annex 16. 2007 Annual Meeting Press Release**

### **NAFO Celebrates a Modern Convention**

#### **FOR IMMEDIATE RELEASE**

**LISBON, PORTUGAL** - The Northwest Atlantic Fisheries Organization held its 29th Annual Meeting from the 24th to the 28th of September, 2007. The Ministry of Fisheries of Portugal hosted the meeting in Lisbon, Portugal. The meeting focused on the protection of the environment in the Northwest Atlantic and the establishment of stock management measures.

#### **NAFO Modernizes its Convention**

Outstanding NAFO reform issues have been successfully concluded and revisions to the NAFO Convention were adopted. They include an Ecosystem Approach to Fisheries Management, improvement of the decision making process and strengthening of the obligations and duties of NAFO Member States, Port States and Flag States. The timely conclusion of the NAFO Reform is regarded as a great success and will ensure that NAFO remains in the forefront of regional organizations managing international fish stocks.

#### **NAFO Closes Vulnerable Marine Ecosystems (VME)**

Further to the 2006 precautionary closure of four seamounts in international waters, this year NAFO decided to also close to bottom fisheries a large area on the Grand Banks for the next five years. During this time a coral monitoring and research program in this area will deliver much needed data to devise future strategies for the protection of corals.

NAFO also decided to hold an extraordinary meeting of the Fisheries Commission in Montreal, Canada, in Spring 2008 dedicated to a comprehensive consideration of strategies and measures to address vulnerable marine ecosystems particularly in the deep seas.

#### **NAFO Expands Joint Actions Against IUU Vessels**

NAFO has further expanded its IUU (illegal, unreported and unregulated) vessel list to include a number of other regional organizations managing straddling fish stocks in the Atlantic and Pacific oceans. The "black" list has already proven to be a useful tool since its introduction in 2006.

#### **New NAFO Measures Against Over-fishing**

NAFO has decided on a special catch communication and inspection scheme for vessels fishing Greenland halibut. This measure will strengthen the fight against over-fishing in the Northwest Atlantic.

#### **NAFO Launches Grand Banks Cod Recovery Program**

NAFO adopted a conservation plan and rebuilding strategy for Atlantic cod on the southern Grand Banks to promote recovery of this important species. Despite being under a fishing moratorium for over twelve years the status of cod is still of concern and it is hoped that the new measures which include by-catch limitations and separator grates will help the stock to rebound.

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**Additional highlights of the meeting can be found in the attached backgrounder.**

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## 2007 Annual Meeting Press Release

(24 – 28 September 2007)

### Backgrounder

The 29th Annual Meeting was hosted by the Portuguese Ministry of Fisheries in Lisbon, Portugal. The 200 delegates from NAFO member countries came together to deliberate on management measures for the international fisheries of the Northwest Atlantic as well as to finalize the amendments to the 1979 NAFO Convention. The meeting was also attended by observers from seven other regional fisheries bodies; as well as from the Ecology Action Centre (EAC) and World Wildlife Fund Canada (WWF- Canada).

The **General Council** was chaired by David Bevan (Canada) and focused on the NAFO Reform that started in 2005 to take into account the UN Fish Stock Agreement and other international conventions related to fisheries and marine environments. The amended convention will include a commitment to an ecosystem approach to fisheries management and improve the decision-making process while making it harder for States to object against a NAFO measure. In addition, General Council also addressed administrative and financial matters.

The **Scientific Council** was chaired by Antonio Vázquez (EU) during its fish stock assessments over the last 12 months and who presented the scientific recommendations to the Fisheries Commission at the beginning of this week. Other matters reviewed by the NAFO scientists included the ocean climate summary, using vessel position reports to complement current assessment techniques and creating liaisons with other organizations to apply ecosystem considerations to monitor and assess fish stocks.

The Annual Meeting is followed by the international symposium on “Reproductive and Recruitment Processes of Exploited Marine Fish Stocks”. The objective of the symposium is to review the reproduction, early life history and recruitment in exploited fish.

The **Fisheries Commission** was chaired by Vladimir Shibanov (Russian Federation) and decided on Total Allowable Catches and other conservation measures for the international waters of the Northwest Atlantic. Because of the demanding agenda during this Annual Meeting, not all matters could be adequately discussed. Therefore, Fisheries Commission agreed to hold an extraordinary meeting in Montreal, Canada, in Spring 2008, to specifically address a new allocation for shrimp and a strategy for the protection of Vulnerable Marine Ecosystems.

Attached is the table of NAFO Total Allowable Catches (TAC) and quotas agreed at this session.

### Meetings

Prior to the Annual Meeting, the following NAFO meetings were held during 2007: (1) General Council Intersessional (Montreal, Canada, 19-20 April); (2) Convention Technical Editing Working Group (Brussels, Belgium 22-23 May); (3) Standing Committee on International Control (STACTIC) (Gdynia, Poland, 5-7 Jun); (4) Scientific Council Regular Meeting (Dartmouth, Canada, 7-21 June).

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

NAFO Executive Secretary  
28 September 2007, Lisbon, Portugal

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**CEM Annex I.A.  
Annual Quota Table**

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2008 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	
	3L	3M	3NO	3LN	3M	3O	Sub-Area 2 and Div. 1F+3K	3LNO	3M	3LNO	3L	3NO
Canada		0	0	0	500	6000	385 <sup>2,4</sup>	0	0	15112 <sup>5</sup>		0
Cuba		0	-	0	1750		385 <sup>2,4</sup>	-	-	-		-
Denmark (Faroe Islands and Greenland)		0	-	-	69 <sup>19</sup>		9627 <sup>2,3</sup>	-	-	-		-
European Union		0 <sup>11</sup>	0 <sup>11</sup>	0 <sup>11</sup>	7813 <sup>12</sup>	7000	9627 <sup>2,3</sup> 2503 <sup>2,15</sup>	0	0 <sup>11</sup>	-		0 <sup>11</sup>
France (St. Pierre et Miquelon)		-	-	-	69 <sup>19</sup>		385 <sup>2,4</sup>	-	-	310 <sup>5</sup>		-
Iceland		-	-	-	-		9627 <sup>2,3</sup>	-	-	-		-
Japan		-	-	-	400	150	385 <sup>2,4</sup>	-	-	-		-
Korea		-	-	-	69 <sup>19</sup>	100	385 <sup>2,4</sup>	-	-	-		-
Norway		0	-	-	-		9627 <sup>2,3</sup>	-	-	-		-
Russia		0	0	0	9137	6500	9627 <sup>2,3</sup>	-	0	-		0
Ukraine						150	385 <sup>2,4</sup>					
United States of America		-	-	-	69 <sup>19</sup>		385 <sup>2,4</sup>	-	-	-		-
Others		0	0	0	124	100	-	0	0	78 <sup>5</sup>		0
<b>TOTAL ALLOWABLE CATCH</b>	*	*	* <sup>20</sup>	*	8500 <sup>8,16</sup>	20000	12516 <sup>10,17</sup>	* <sup>16</sup>	*	15500 <sup>9</sup>	* <sup>20</sup>	*

Species	White hake	Capelin	Skates	Greenland halibut	Squid (Illex) <sup>1</sup>	Shrimp	
Division/Contracting Party	3NO	3NO	3LNO	3LMNO	Sub-areas 3+4	3L	3NO
Canada	2500	0	2250	1778	N.S. <sup>6</sup>	20824	
Cuba		0		-	510	278	
Denmark (Faroe Islands and Greenland)		-		206	-	278	
European Union	5000	0 <sup>11</sup>	8500	6951 <sup>18</sup>	<u>N.S.</u> <sup>6</sup> 611 <sup>13</sup>	1392 <sup>14</sup>	
France (St. Pierre et Miquelon)		-		194	453	278	
Iceland		-		-	-	278	
Japan		0		1215	510	278	
Korea		-		-	453	278	
Norway		0		-	-	278	
Russia	500	0	2250	1512	749	278	
Ukraine						278	
United States of America		-		-	453	278	
Others	500	-	500	0 <sup>7</sup>	794	0	
TOTAL ALLOWABLE CATCH	8500 <sup>16</sup>	*21	13500	11856	34000	25000	*

\* Ban on fishing in force – The provisions of Article 11, paragraph 1.b) 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 01 December 2007 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. 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 4250 tons may be fished before 01 July 2008. 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.
9. The provisions of Article 11, paragraph 1.b) of the Conservation and Enforcement Measures shall apply.
10. In the case of the NEAFC decision which modifies the level of TAC in 2008 as compared with 2007, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.
11. 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).
12. 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.
13. 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.
14. Including allocations of 278 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 25000 tonnes, following their accession to the European Union.
15. Allocation of 2234 tonnes for Lithuania and 269 tonnes to Latvia following their accession to the European Union.
16. Applicable to 2008 and 2009.
17. The quota shares in footnotes 4 and 15 can only be fished in the NAFO Regulatory Area. If an increase in the overall TAC as defined in footnote 10 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.
18. Including an allocation of 389 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.
19. Notwithstanding the provisions of footnote 8 and without prejudice to future agreements on allocations, these quotas may be fished in their entirety by these Contracting Parties.
20. Applicable to 2008, 2009, and 2010.
21. Applicable until at least 2012.



**CEM Annex I.B**  
**Effort Allocation Scheme for Shrimp Fishery in the**  
**NAFO Regulatory Area Div. 3M, 2008**

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

<sup>1</sup> 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 17. Amendment to the Convention on Future Multilateral Cooperation**  
(GC Doc. 07/4)

**IMPORTANT NOTE**

**regarding GC Doc 07/4**

***Amendment to the Convention on Future Multilateral Cooperation  
in the Northwest Atlantic Fisheries***

On 28 September 2007, after a two-year process, NAFO adopted the attached *Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries*. This constitutes the first formal step towards a reformed Convention for NAFO. The adopted text now has to be ratified by at least three-fourths of the NAFO Contracting Parties to become legally binding. The complete process is described in the current NAFO Convention, Article XXI.

**Convention on Future Multilateral Cooperation  
in the Northwest Atlantic Fisheries**

**Article XXI**

1. Any Contracting Party may propose amendments to this Convention to be considered and acted upon by the General Council at an annual or a special meeting. Any such proposed amendment shall be sent to the Executive Secretary at least ninety days prior to the meeting at which it is proposed to be acted upon, and the Executive Secretary shall immediately transmit the proposal to all Contracting Parties.
2. The adoption of a proposed amendment to the Convention by the General Council shall require a three-fourth majority of the votes of all Contracting Parties. The text of any proposed amendments so adopted shall be transmitted by the Depositary to all Contracting Parties.
3. An amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary of receipt of written notification of approval by three-fourths of all Contracting Parties unless any other Contracting Party notifies the Depositary that it objects to the amendment within ninety days of the date of transmittal specified in the notification by the Depositary of such receipt, in which case the amendment shall not take effect for any Contracting Party. Any Contracting Party which has objected to an amendment may at any time withdraw that objection. If all objections to an amendment are withdrawn, the amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary of receipt of the last withdrawal.
4. Any Party which becomes a Contracting Party to the Convention after an amendment has been adopted in accordance with paragraph 2 shall be deemed to have approved the said amendment.
5. The Depositary shall promptly notify all Contracting Parties of the receipt of notification of approval of amendments, the receipt of notification of objection or withdrawal of objections, and the entry into force of amendments.



Serial No. N5453

NAFO/GC Doc. 07/4

29<sup>th</sup> ANNUAL MEETING – SEPTEMBER 2007

***Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries***

The Contracting Parties to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (hereinafter "Convention") have agreed as follows:

**Article 1**

The title of the Convention shall be amended to read as follows:

"Convention on Cooperation in the Northwest Atlantic Fisheries"

**Article 2**

The Preamble of the Convention shall be deleted and replaced by the following new Preamble:

"The CONTRACTING PARTIES,

NOTING that the coastal States of the Northwest Atlantic have established exclusive economic zones consistent with the United Nations Convention on the Law of the Sea of 10 December 1982 and customary international law, within which they exercise sovereign rights for the purpose of exploring and exploiting, conserving and managing living resources;

RECALLING the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995, and the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993;

TAKING INTO ACCOUNT the Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organization of the United Nations on 31 October 1995 and related instruments adopted by the Food and Agriculture Organization of the United Nations;

RECOGNIZING the economic and social benefits deriving from the sustainable use of fishery resources;

DESIRING to promote the long term conservation and sustainable use of the fishery resources of the Northwest Atlantic;

CONSCIOUS of the need for international cooperation and consultation with respect to those fishery resources;

MINDFUL that effective conservation and management of these fishery resources should be based on the best available scientific advice and the precautionary approach;

COMMITTED to apply an ecosystem approach to fisheries management in the Northwest Atlantic that includes safeguarding the marine environment, conserving its marine biodiversity, minimizing the risk of long term or irreversible adverse effects of fishing activities, and taking account of the relationship between all components of the ecosystem;

FURTHER COMMITTED to conduct responsible fishing activities and to prevent, deter and eliminate IUU fishing;

HAVE AGREED as follows:"

**Article 3**

Articles I – XXI shall be deleted and replaced by the following new Articles:

*"Article I – Use of Terms*

For the purpose of this Convention:

- (a) "1982 Convention" means the United Nations Convention on the Law of the Sea of 10 December 1982;
- (b) "1995 Agreement" means the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 August 1995;
- (c) "coastal State" means a Contracting Party having an exclusive economic zone within the Convention Area;
- (d) "Contracting Party" means
  - (i) any State or regional economic integration organization which has consented to be bound by this Convention, and for which the Convention is in force; and
  - (ii) this Convention applies *mutatis mutandis* to any entity referred to in Article 305, paragraph 1 c), d) and e) of the 1982 Convention, which is situated in the North Atlantic, and which becomes a Party to this Convention, and to that extent "Contracting Party" refers to such entities.
- (e) "Convention Area", means the area to which this Convention applies, as described in Article IV paragraph 1;
- (f) "fishery resources" means all fish, molluscs and crustaceans within the Convention Area excluding:
  - (i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; and
  - (ii) in so far as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention;
- (g) "fishing activities" means harvesting or processing fishery resources, or transshipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources, including:
  - (i) the actual or attempted searching for, catching or taking of fishery resources;
  - (ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and
  - (iii) any operation at sea in support of, or in preparation for, any activity described in this definition;
 but does not include any operation related to emergencies involving the health and safety of crew members or the safety of a vessel;
- (h) "fishing vessel" means any vessel that is or has been engaged in fishing activities, and includes fish processing vessels and vessels engaged in transshipment or any other activity in preparation for or related to fishing activities, or in experimental or exploratory fishing activities;
- (i) "flag State" means:
  - (i) a State or entity whose vessels are entitled to fly its flag; or
  - (ii) a regional economic integration organization in which vessels are entitled to fly the flag of a member State of that regional economic integration organization;
- (j) "IUU fishing" refers to the activities described in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing adopted by the Food and Agriculture Organization of the United Nations on 2 March 2001;
- (k) "living resources" means all living components of marine ecosystems;

- (l) “marine biological diversity” means the variability among living marine organisms and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;
- (m) “nationals” includes both natural and legal persons;
- (n) “port State” means any State receiving fishing vessels in its ports, offshore terminals or other installations for, *inter alia*, landing, transshipping, refuelling or re-supplying;
- (o) “regional economic integration organization” means a regional economic integration organization to which its member States have transferred competence over matters covered by this Convention, including the authority to make decisions binding on its member States in respect of those matters; and
- (p) “Regulatory Area” means that part of the Convention Area beyond areas under national jurisdiction.

#### *Article II – Objective*

The objective of this Convention is to ensure the long term conservation and sustainable use of the fishery resources in the Convention Area and, in so doing, to safeguard the marine ecosystems in which these resources are found.

#### *Article III – General Principles*

In giving effect to the objective of this Convention, Contracting Parties individually or collectively, as appropriate, shall:

- (a) promote the optimum utilization and long-term sustainability of fishery resources;
- (b) adopt measures based on the best scientific advice available to ensure that fishery resources are maintained at or restored to levels capable of producing maximum sustainable yield;
- (c) apply the precautionary approach in accordance with Article 6 of the 1995 Agreement;
- (d) take due account of the impact of fishing activities on other species and marine ecosystems and in doing so, adopt measures to minimize harmful impact on living resources and marine ecosystems;
- (e) take due account of the need to preserve marine biological diversity;
- (f) prevent or eliminate overfishing and excess fishing capacity, and ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of the fishery resources;
- (g) ensure that complete and accurate data concerning fishing activities within the Convention Area are collected and shared among them in a timely manner;
- (h) ensure effective compliance with management measures and that sanctions for any infringements are adequate in severity; and
- (i) take due account of the need to minimize pollution and waste originating from fishing vessels as well as minimize discards, catch by lost or abandoned gear, catch of species not subject to a directed fishery and impacts on associated or dependent species, in particular endangered species.

#### *Article IV – Area of Application*

1. This Convention applies to the waters of the Northwest Atlantic Ocean north of 35°00' N and west of a line extending due north from 35°00' N and 42°00' W to 59°00' N, thence due west to 44°00' W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10' N.
2. The Convention Area shall be divided into scientific and statistical subareas, divisions and subdivisions, the boundaries of which shall be as defined in Annex I to this Convention.

*Article V – The Organization*

1. Contracting Parties hereby agree to establish, maintain and strengthen the Northwest Atlantic Fisheries Organization, hereinafter “the Organization” that shall carry out the functions set out in this Convention in order to achieve the objective of this Convention.
2. The Organization shall consist of:
  - (a) a Commission;
  - (b) a Scientific Council; and
  - (c) a Secretariat.
3. The Organization shall have legal personality and shall enjoy in its relations with other international organizations and in the territories of the Contracting Parties such legal capacity as may be necessary to perform its functions and achieve its objective. The privileges and immunities which the Organization and its officers shall enjoy in the territory of a Contracting Party shall be subject to agreement between the Organization and the Contracting Party including, in particular, a headquarters agreement between the Organization and the host Contracting Party.
4. The Chairperson of the Commission shall serve as the President and principal representative of the Organization.
5. The President shall convene the annual meeting of the Organization at such time and place as the Commission may determine.
6. The headquarters of the Organization shall be in the Halifax Regional Municipality, Nova Scotia, Canada, or at such other place as may be decided by the Commission.

*Article VI – The Commission*

1. Each Contracting Party shall be a member of the Commission and shall appoint one representative to the Commission who may be accompanied by alternative representatives, experts and advisers.
2. The Commission shall elect a Chairperson and a Vice-Chairperson for a term of two years. Each shall be eligible for re-election but shall not serve for more than four years in succession in the same capacity. The Chairperson and Vice-Chairperson shall not be representatives of the same Contracting Party.
3. Any Contracting Party may request a special meeting of the Commission. The Chairperson of the Commission shall thereupon convene such meeting at such time and place as the Chairperson may determine.
4. Unless otherwise provided, measures adopted by the Commission shall apply to the Regulatory Area.
5. The Commission shall:
  - (a) adopt and may amend the rules for the conduct of its meetings and for the exercise of its functions, including rules of procedure, financial regulations and other regulations;
  - (b) establish such subsidiary bodies as it considers desirable for the exercise of its functions and direct their activities;
  - (c) supervise the organizational, administrative, financial and other internal affairs of the Organization, including relations among its constituent bodies;
  - (d) appoint an Executive Secretary on such terms and conditions as it may determine;
  - (e) direct the external relations of the Organization;
  - (f) approve the budget of the Organization;

- (g) adopt rules to provide for the participation of representatives of inter-governmental organizations, non-Contracting Parties and non-governmental organizations as observers at its meetings, as appropriate. Such rules shall not be unduly restrictive and shall provide for timely access to reports and records of the Commission;
  - (h) exercise such other functions and carry out such other activities consistent with this Convention as it may decide;
  - (i) guide the Scientific Council in identifying tasks and priorities for its work; and
  - (j) develop appropriate procedures in accordance with international law to assess the performance by Contracting Parties of their obligations pursuant to Articles X and XI.
6. The Commission shall, in collaboration with the Scientific Council:
- (a) regularly review the status of fish stocks and identify actions required for their conservation and management;
  - (b) collect, analyze and disseminate relevant information;
  - (c) assess the impact of fishing activities and other human activities on living resources and their ecosystems;
  - (d) develop guidelines for the conduct of fishing activities for scientific purposes; and
  - (e) develop guidelines for the collection, submission, verification, access to and use of data.
7. The Commission may refer to the Scientific Council any question pertaining to the scientific basis for the decisions it may need to take concerning fishery resources, the impact of fishing activities on living resources, and the safeguarding of the ecosystem in which these resources are found.
8. In applying the principles set out in Article III, the Commission shall, in relation to the Regulatory Area adopt:
- (a) conservation and management measures to achieve the objective of this Convention;
  - (b) conservation and management measures to minimize the impact of fishing activities on living resources and their ecosystems;
  - (c) total allowable catches and/or levels of fishing effort and determine the nature and extent of participation in fishing;
  - (d) measures for the conduct of fishing for scientific purposes as referred to in subparagraph 6(d);
  - (e) measures for the collection, submission, verification, access to and use of data as referred to in subparagraph 6(e), and
  - (f) measures to ensure adequate flag State performance.
9. The Commission shall adopt measures for appropriate cooperative mechanisms for effective monitoring, control, surveillance and enforcement of the conservation and management measures adopted by the Commission including:
- (a) reciprocal rights of boarding and inspection by Contracting Parties within the Regulatory Area and flag State prosecution and sanctions on the basis of evidence resulting from such boardings and inspections;
  - (b) minimum standards for inspection of fishing vessels by Contracting Parties in ports where fishery resources or products derived from fishery resources originating in the Regulatory Area are landed;
  - (c) follow-up actions as provided for in Articles X, XI or XII on the basis of evidence resulting from such inspections; and
  - (d) without prejudice to any measures a Contracting Party may itself take in this regard, measures for the prevention, deterrence and elimination of IUU fishing.

10. The Commission may adopt measures on matters set out in paragraphs 8 and 9 concerning an area under national jurisdiction of a Contracting Party, provided that the coastal State in question so requests and the measure receives its affirmative vote.
11. (a) In exercising its functions pursuant to paragraph 8, the Commission shall seek to ensure consistency between:
  - (i) any measure that applies to a stock or group of stocks found both within the Regulatory Area and within an area under national jurisdiction of a coastal State, or any measure that would have an effect through species interrelationships on a stock or group of stocks found in whole or in part within an area under national jurisdiction of a coastal State; and
  - (ii) any actions taken by a coastal State for the management and conservation of that stock or group of stocks with respect to fishing activities conducted within the area under its national jurisdiction.
- (b) The Commission and the appropriate coastal State shall accordingly promote the coordination of their respective measures and actions. Each coastal State shall keep the Commission informed of its actions for the purpose of this Article.
12. Measures adopted by the Commission for the allocation of fishing opportunities in the Regulatory Area shall take into account the interests of Contracting Parties whose vessels have traditionally fished within that area and the interests of the relevant coastal States. In the allocation of fishing opportunities from the Grand Bank and Flemish Cap, the Commission shall give special consideration to the Contracting Party whose coastal communities are primarily dependent on fishing activities for stocks related to these fishing banks and which has undertaken extensive efforts to ensure the conservation of such stocks through international action, in particular, by providing surveillance and inspection of international fishing activities on these banks under an international scheme of joint enforcement.
13. The Commission may develop procedures that allow for actions, including non-discriminatory trade-related measures, to be taken by Contracting Parties against any flag State or fishing entity whose fishing vessels engage in fishing activities that undermine the effectiveness of the conservation and management measures adopted by the Commission. Implementation by a Contracting Party of trade-related measures shall be consistent with its international obligations.

*Article VII –The Scientific Council*

1. Each Contracting Party shall be a member of the Scientific Council and may appoint representatives who may be accompanied at any of its meetings by alternates, experts and advisers.
2. The Scientific Council shall elect a Chairperson and a Vice-Chairperson for a term of two years. Each shall be eligible for re-election but shall not serve for more than four years in succession in the same capacity.
3. Any special meeting of the Scientific Council may be called by the Chairperson at his or her own initiative, upon the request of a coastal State, or upon the request of a Contracting Party with the concurrence of another Contracting Party at such time and place as the Chairperson may determine.
4. The Scientific Council shall adopt, and amend as occasion may require, rules for the conduct of its meetings and for the exercise of its functions, including rules of procedure.
5. The Scientific Council may establish such subsidiary bodies as it may consider necessary for the exercise of its functions.
6. Election of officers, adoption or amendment of rules or other matters pertaining to the organization of work shall be by a majority of the votes of all Contracting Parties present and casting affirmative or negative votes. Each Contracting Party shall have one vote. No vote shall be taken in the absence of a quorum of at least two-thirds of the Contracting Parties.
7. The Scientific Council shall adopt rules to provide for the participation of representatives of inter-governmental organizations, non Contracting Parties and non-governmental organizations as observers to its meetings, as appropriate. Such rules shall not be unduly restrictive and shall provide for timely access to reports and records of the Scientific Council.



8. The Scientific Council shall consistent with the objective and principles of the Convention:
  - (a) provide a forum for consultation and cooperation among the Contracting Parties to study and exchange scientific information and views on fishing activities and the ecosystems in which they occur, and to study and appraise the current and future status of fishery resources including environmental and ecological factors affecting them;
  - (b) promote cooperation in scientific research among Contracting Parties to fill gaps in scientific knowledge;
  - (c) compile and maintain statistics and records;
  - (d) publish or disseminate reports, information and materials pertaining to the fishing activities in the Convention Area and their ecosystems; and
  - (e) provide scientific advice to the Commission as required by the Commission.
9. The Scientific Council may:
  - (a) on its own initiative provide such advice as may assist the Commission in the exercise of its functions;
  - (b) cooperate with any public or private organization sharing similar objectives; and
  - (c) request Contracting Parties to provide such statistical or scientific information as it may require for the exercise of its functions.
10. The Scientific Council shall provide scientific advice in response to any question referred to it by:
  - (a) the Commission pertaining to the scientific basis for the conservation and management of fishery resources and their ecosystems within the Regulatory Area, taking into account the terms of reference specified by the Commission in respect of that question; or
  - (b) a coastal State pertaining to the scientific basis for the conservation and management of fishery resources and their ecosystems within areas under the jurisdiction of that coastal State in the Convention Area.
11. The coastal State shall, in consultation with the Scientific Council, specify terms of reference for the consideration of any question it may refer to the Scientific Council. Such terms of reference shall include, *inter alia*:
  - (a) description of the fishing activities and area to be considered;
  - (b) where scientific estimates or predictions are sought, description of any relevant factors or assumptions to be taken into account; and
  - (c) where applicable, description of any objectives the coastal State is seeking to attain and an indication of whether specific advice or a range of options should be provided.
12. As a general rule, the Scientific Council shall provide its advice by consensus. Where consensus cannot be achieved, the Scientific Council shall set out in its report all views of its members.
13. All reports provided by the Scientific Council shall be published by the Secretariat.

#### *Article VIII –The Secretariat*

1. The Secretariat shall provide services to the Commission, the Scientific Council and their subsidiary bodies to facilitate the exercise of their functions.
2. The chief administrative officer of the Secretariat shall be the Executive Secretary.
3. The employees of the Secretariat shall be appointed by the Executive Secretary in accordance with such rules and procedures as the Commission may adopt in consultation with the Scientific Council, as appropriate.

4. Subject to the general supervision of the Commission, the Executive Secretary shall have full authority over managing employees and employee-related issues of the Secretariat and shall perform such other duties and functions as the Commission may prescribe.

*Article IX – Budget*

1. Each Contracting Party shall pay the expenses of its own delegation to any meetings held pursuant to this Convention.
2. The Commission shall establish the amount of the annual contributions due from each Contracting Party pursuant to the annual budget on the following basis:
  - (a) 10% of the budget shall be divided among the coastal States in proportion to their nominal catches in the Convention Area in the year ending two years before the beginning of the budget year;
  - (b) 30% of the budget shall be divided equally among all the Contracting Parties;
  - (c) 60% of the budget shall be divided among all Contracting Parties in proportion to their nominal catches in the Convention Area in the year ending two years before the beginning of the budget year; and
  - (d) the annual contribution of any Contracting Party which has a population of less than 300,000 inhabitants shall be limited to a maximum of 12% of the total budget. When this contribution is so limited, the remaining part of the budget shall be divided among the other Contracting Parties in accordance with subparagraphs (a), (b) and (c).

The nominal catches referred to above shall be the reported catches of the fishery resources specified in the financial regulations adopted by the Commission pursuant to subparagraph 5 (a) of Article VI.

3. The Executive Secretary shall notify each Contracting Party of the amount of its contribution due as calculated pursuant to paragraph 2, and as soon as possible thereafter, each Contracting Party shall pay its contribution to the Organization.
4. Contributions shall be payable in the currency of the country in which the headquarters of the Organization is located.
5. No later than sixty days before the annual meeting, the Executive Secretary shall submit the draft annual budget to each Contracting Party together with the schedule of contributions.
6. A Contracting Party acceding to this Convention shall contribute in respect of the year it accedes an amount proportional to the number of complete months remaining in the year calculated from the day of its accession.
7. Unless the Commission decides otherwise, a Contracting Party that has not fully paid its contributions for two consecutive years shall have its right of casting votes and presenting objections suspended until such time as it has discharged its financial obligations to the Organization.
8. The financial affairs of the Organization shall be audited annually by external auditors to be selected by the Commission.

*Article X – Contracting Party Duties*

1. Each Contracting Party shall:
  - (a) implement this Convention and any conservation and management measures or other obligations binding on it and regularly submit to the Commission a description of the steps it has taken to implement and comply with such measures or obligations including outcomes of proceedings referred to in Article XI, subparagraph 2 (e);
  - (b) co-operate in furthering the objective of this Convention;
  - (c) take all necessary actions to ensure the effectiveness of and to enforce the conservation and management measures adopted by the Commission;

- (d) collect and exchange scientific, technical, and statistical data and knowledge pertaining to living resources and their ecosystems in the Convention Area including complete and detailed information on commercial catches and fishing effort and take appropriate actions to verify the accuracy of such data;
  - (e) perform biological sampling on commercial catches;
  - (f) make such information as may be required by the Commission or Scientific Council available in a timely manner;
  - (g) without prejudice to the jurisdiction of the flag State, to the greatest extent possible, take actions or cooperate with other Contracting Parties, to ensure that its nationals and fishing vessels owned or operated by its nationals conducting fishing activities comply with the provisions of this Convention and with the conservation and management measures adopted by the Commission; and
  - (h) without prejudice to the jurisdiction of the flag State, to the greatest extent possible, when provided with the relevant information, investigate immediately and fully and report promptly on actions it has taken in response to any alleged serious infringement by its nationals, or foreign flagged fishing vessels owned or operated by its nationals, of this Convention or any conservation and management measure adopted by the Commission.
2. Each coastal State Contracting Party shall regularly submit to the Commission a description of the actions, including enforcement actions, it has taken for the conservation and management of straddling stocks found in waters under its jurisdiction within the Convention Area.

*Article XI – Flag State Duties*

1. Each Contracting Party shall ensure that fishing vessels entitled to fly its flag:
- (a) comply with the provisions of this Convention and with the conservation and management measures adopted by the Commission and that such vessels do not engage in any activity that undermines the effectiveness of such measures;
  - (b) do not conduct unauthorized fishing activities within areas under national jurisdiction in the Convention Area; and
  - (c) do not engage in fishing activities in the Regulatory Area unless they have been authorized to do so by that Contracting Party.
2. Each Contracting Party shall:
- (a) refrain from authorizing fishing vessels entitled to fly its flag to engage in fishing activities in the Regulatory Area unless it is able to exercise effectively its responsibilities in respect of such vessels pursuant to this Convention and consistent with international law;
  - (b) maintain a record of fishing vessels entitled to fly its flag it has authorized to fish for fishery resources in the Regulatory Area and ensure that such information as may be specified by the Commission is recorded therein;
  - (c) exchange the information contained in the record referred to in subparagraph (b) in accordance with such procedures as may be specified by the Commission;
  - (d) in accordance with procedures adopted by the Commission, investigate immediately and fully and report promptly on actions it has taken in response to an alleged infringement by a vessel entitled to fly its flag of measures adopted by the Commission; and
  - (e) in respect of an alleged infringement referred to in subparagraph (d) ensure that appropriate enforcement actions are taken without delay and that administrative or judicial proceedings are initiated in accordance with its laws.
3. Enforcement actions taken or sanctions applied pursuant to subparagraph 2 (e) shall be adequate in severity to be effective in securing compliance, discouraging further infringements and depriving offenders of the benefits accruing from their illegal activities.

*Article XII – Port State Duties*

1. Actions taken by a port State Contracting Party pursuant to this Convention shall take full account of its rights and duties under international law to promote the effectiveness of conservation and management measures adopted by the Commission.
2. Each port State Contracting Party shall implement the measures concerning inspections in port adopted by the Commission.
3. Nothing in this Article shall affect the sovereignty of a Contracting Party over ports in its territory.

*Article XIII – Decision Making of the Commission*

1. As a general rule, decision-making within the Commission shall be by consensus. For the purposes of this Article, “consensus” means the absence of any formal objection made at the time the decision was taken.
2. If the Chairperson considers that all efforts to reach consensus have been exhausted, decisions of the Commission shall, except where otherwise provided, be taken by two-thirds majority of the votes of all Contracting Parties present and casting affirmative or negative votes, provided that no vote shall be taken unless there is a quorum of at least two-thirds of the Contracting Parties. Each Contracting Party shall have one vote.

*Article XIV – Implementation of Commission Decisions*

1. Each measure adopted by the Commission pursuant to Article VI, paragraphs 8 and 9 shall become binding on each Contracting Party in the following manner:
  - (a) the Executive Secretary shall within five working days of adoption transmit the measure to each Contracting Party specifying the date of transmittal for the purposes of paragraph 2; and
  - (b) subject to paragraph 2, unless otherwise specified in the measure, it shall become binding on each Contracting Party sixty days following the date of transmittal.
2. Where any Contracting Party presents an objection to a measure by delivering it to the Executive Secretary within sixty days of the date of transmittal specified pursuant to subparagraph 1(a), any other Contracting Party may similarly present an objection prior to the expiration of an additional twenty day period, or within fifteen days after the date of transmittal specified in the notification to the Contracting Parties of any objection presented within that additional twenty day period, whichever shall be later. The measure shall then become binding on each Contracting Party, except any that has presented an objection. If, however, at the end of such extended period or periods, objections have been presented and maintained by a majority of Contracting Parties, the measure shall not become binding, unless any or all of the Contracting Parties nevertheless agree as among themselves to be bound by it on an agreed date.
3. Any Contracting Party that has presented an objection may withdraw it at any time and the measure shall then become binding on it.
4. (a) Any time after the expiration of one year from the date on which a measure enters into force, any Contracting Party may notify the Executive Secretary of its intention not to be bound by the measure and, if that notification is not withdrawn, the measure shall cease to be binding on it at the end of one year from the date of receipt of such notification by the Executive Secretary.
  - (b) Any time after a measure has ceased to be binding on a Contracting Party pursuant to subparagraph (a), the measure shall cease to be binding on any other Contracting Party on the date the Executive Secretary receives notification of its intention not to be bound.
5. Any Contracting Party that has presented an objection to a measure pursuant to paragraph 2 or given notification of its intention not to be bound by a measure pursuant to paragraph 4 shall at the same time provide an explanation for its reasons for taking this action. This explanation shall specify whether it considers that the measure is inconsistent with the provisions of this Convention, or that the measure unjustifiably discriminates in form or fact against it. The explanation shall also include a declaration of the actions it intends to take following the objection or -notification, including a description of the alternative

measures it intends to take or has taken for conservation and management of the relevant fishery resources consistent with the objective of this Convention.

6. The Executive Secretary shall immediately notify each Contracting Party of:
  - (a) the receipt or withdrawal of any objection pursuant to paragraph 2 or 3;
  - (b) the date on which any measure becomes binding pursuant to paragraph 1;
  - (c) the receipt of any notification pursuant to paragraph 4; and
  - (d) each explanation and description of alternative measures received pursuant to paragraph 5.
7. Any Contracting Party that invokes the procedure set out in paragraphs 2, 4 or 5, may at the same time submit the matter to *ad hoc* panel proceedings. Annex II shall apply *mutatis mutandis*.
8. Where a Contracting Party does not submit the matter to *ad hoc* panel proceedings pursuant to paragraph 7, the Commission shall decide by simple majority mail vote, whether to submit that Contracting Party's explanation made pursuant to paragraph 5 to such proceedings. Where the Commission decides to submit the matter to such proceedings, Annex II shall apply *mutatis mutandis*.
9. Where, pursuant to paragraph 8, the Commission decides not to submit the matter to *ad hoc* panel proceedings, any Contracting Party may request a meeting of the Commission to review the measure adopted by the Commission and the explanation made pursuant to paragraph 5.
10. An *ad hoc* panel constituted pursuant to paragraph 7 or 8 shall review the explanation made pursuant to paragraph 5 and the measure to which it relates and make recommendations to the Commission on:
  - (a) whether the explanation provided by the Contracting Party pursuant to paragraph 5 is well founded, and if so, whether the measure should accordingly be modified or rescinded, or where it finds that the explanation is not well founded, whether the measure should be maintained; and
  - (b) whether the alternative measures set out in the explanation made by the Contracting Party pursuant to paragraph 5 are consistent with the objective of this Convention and preserve the respective rights of all Contracting Parties.
11. No later than thirty days following the termination of the *ad hoc* panel proceedings pursuant to this Article, the Commission shall meet to consider the recommendations of the *ad hoc* panel.
12. Where the procedures set out in paragraphs 7 to 11 have been concluded, any Contracting Party may invoke the dispute settlement procedures set out in Article XV.

#### *Article XV – Settlement of Disputes*

1. Contracting Parties shall co-operate in order to prevent disputes.
2. Where a dispute arises between two or more Contracting Parties concerning the interpretation or application of this Convention, including the explanation referred to in Article XIV, paragraph 5, any actions taken by a Contracting Party following an objection presented pursuant to Article XIV, paragraph 2, or any notification made pursuant of Article XIV, paragraph 4, those Contracting Parties, hereinafter referred to as “Contracting Parties to the dispute”, shall seek to resolve their dispute by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, *ad hoc* panel proceedings or other peaceful means of their choice.
3. Where a dispute concerns the interpretation or application of a measure adopted by the Commission pursuant to Article VI, paragraph 8 and 9, or matters related thereto, including the explanation referred to in Article XIV, paragraph 5, any actions taken by a Contracting Party to the dispute following an objection presented pursuant to Article XIV, paragraph 2, or notification made pursuant to Article XIV, paragraph 4, the Contracting Parties to the dispute may submit the dispute to non binding *ad hoc* panel proceedings pursuant to Annex II.
4. Where a dispute has been submitted to *ad hoc* panel proceedings, the *ad hoc* panel shall at the earliest opportunity confer with the Contracting Parties to the dispute with a view to resolving the dispute expeditiously. The *ad hoc* panel shall present a report to the Contracting Parties to the dispute and through

the Executive Secretary to the other Contracting Parties. The report shall include any recommendations that the *ad hoc* panel considers appropriate to resolve the dispute.

5. Where the Contracting Parties to the dispute accept the recommendations of the *ad hoc* panel, they shall within fourteen days of receipt of the report of the *ad hoc* panel notify all other Contracting Parties, through the Executive Secretary, of the actions they intend to take with a view to implementing the recommendations. Thereupon, the recommendations of the *ad hoc* panel may be referred for consideration by the Commission in accordance with its appropriate procedures.
6. Where no settlement has been reached following the recommendations of the *ad hoc* panel, any of the Contracting Parties to the dispute may submit the dispute to compulsory proceedings entailing binding decisions pursuant to Section 2 of Part XV of the 1982 Convention or Part VIII of the 1995 Agreement.
7. Where the Contracting Parties to a dispute have agreed to submit the dispute to *ad hoc* panel proceedings, they may at the same time agree to apply provisionally the relevant measure adopted by the Commission until the report of the *ad hoc* panel is presented unless they have settled the dispute by other means.
8. Where the Contracting Parties to a dispute are unable to agree on any peaceful means referred to in paragraph 2 to resolve their dispute or are unable to otherwise reach a settlement, the dispute shall at the request of one of them, be submitted to compulsory proceedings entailing a binding decision pursuant to Part XV, Section 2, of the 1982 Convention or Part VIII of the 1995 Agreement.
9. Where recourse is made to compulsory proceedings entailing binding decisions, the Contracting Parties to the dispute shall, unless they agree otherwise, provisionally apply any recommendation made by the *ad hoc* panel pursuant to paragraph 4 or, where applicable, pursuant to Article XIV, paragraph 10. They shall continue to apply such provisional measures or any arrangements of equivalent effect agreed between them until a court or tribunal having jurisdiction over the dispute prescribes provisional measures or renders a decision, or, until the expiration of the measure in question.
10. The notification provisions of paragraph 5 shall apply *mutatis mutandis* with respect to provisional measures applied pursuant to paragraph 7 or prescribed pursuant to paragraph 9 or to any decision of a court or tribunal to which the dispute has been submitted.
11. A court, tribunal or *ad hoc* panel to which a dispute has been submitted pursuant to this Article shall apply the relevant provisions of this Convention, the 1982 Convention, the 1995 Agreement, generally accepted standards for the conservation and management of living resources and other rules of international law not incompatible with this Convention with a view to attaining the objective of this Convention.
12. Nothing in this Convention shall be argued or construed to prevent a Contracting Party to a dispute, as State Party to the 1982 Convention, from submitting the dispute to compulsory procedures entailing binding decisions against another State Party pursuant to Section 2 of Part XV of the 1982 Convention, or as State Party to the 1995 Agreement from submitting the dispute to compulsory procedures entailing binding decisions against another State Party pursuant to Article 30 of the 1995 Agreement.

#### *Article XVI - Co-operation with non-Contracting Parties*

1. Where a vessel entitled to fly the flag of a non-Contracting Party engages in fishing activities in the Regulatory Area, the Commission shall request the flag State to cooperate fully with the Organization either by becoming a Contracting Party or by agreeing to apply the conservation and management measures adopted by the Commission.
2. Contracting Parties shall:
  - (a) exchange information on fishing activities in the Regulatory Area by vessels entitled to fly the flag of any non-Contracting Party and on any action they have taken in response to such fishing activities;
  - (b) take measures consistent with this Convention and international law to deter fishing activities of vessels entitled to fly the flag of any non-Contracting Party that undermine the effectiveness of the conservation and management measures adopted by the Commission;

- (c) advise any non-Contracting Party to this Convention of any fishing activity by its nationals or vessels entitled to fly its flag that undermine the effectiveness of the conservation and management measures adopted by the Commission; and
- (d) seek co-operation with any non-Contracting Party that has been identified as importing, exporting or re-exporting fishery products derived from fishing activities in the Convention Area.

*Article XVII – Co-operation with Other Organizations*

The Organization shall:

- (a) cooperate, as appropriate, on matters of mutual interest, with the Food and Agriculture Organization of the United Nations, with other specialized agencies of the United Nations and with other relevant organizations;
- (b) seek to develop cooperative working relationships and may enter into agreements for this purpose with intergovernmental organizations that can contribute to its work and have competence for ensuring the long-term conservation and sustainable use of living resources and their ecosystems. It may invite such organizations to send observers to its meetings or those of any of its subsidiary bodies; it may also seek to participate in meetings of such organizations as appropriate; and
- (c) cooperate with other relevant regional fisheries management organizations taking note of their conservation and management measures.

*Article XVIII – Review*

The Commission shall periodically initiate reviews and assessments of the adequacy of provisions of this Convention and, if necessary, propose means for strengthening their substance and methods of implementation in order to address any problems in attaining the objective of this Convention.

*Article XIX – Annexes*

The Annexes shall form an integral part of this Convention and unless expressly provided otherwise, reference to this Convention includes reference to the Annexes.

*Article XX – Good Faith and Abuse of Rights*

Contracting Parties shall fulfil in good faith the obligations assumed under this Convention and shall exercise the rights recognized in this Convention in a manner which would not constitute an abuse of right.

*Article XXI – Relation to Other Agreements*

1. This Convention shall not alter the rights and obligations of Contracting Parties that arise from other Agreements compatible with this Convention and that do not affect the enjoyment by other Contracting Parties of their rights or the performance of their obligations under this Convention.
2. Nothing in this Convention shall prejudice the rights, jurisdiction and duties of Contracting Parties under the 1982 Convention or the 1995 Agreement. This Convention shall be interpreted and applied in the context of and in a manner consistent with the 1982 Convention and the 1995 Agreement.

*Article XXII – Amendments to the Convention*

1. Any Contracting Party may propose amendments to this Convention to be considered and acted upon by the Commission at its annual meeting or at a special meeting. Any such proposal shall be sent to the Executive Secretary at least ninety days prior to the meeting at which it is proposed to be acted upon, and the Executive Secretary shall immediately transmit the proposal to each Contracting Party.
2. Adoption of a proposed amendment shall require a three-fourths majority of the votes of all Contracting Parties. The text of any amendment so adopted shall be transmitted by the Depositary to each Contracting Party.

3. An amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary of receipt of written notification of approval by three-fourths of all Contracting Parties unless within ninety days of the date of transmittal specified in the notification by the Depositary of such receipt, any other Contracting Party notifies the Depositary that it objects to the amendment, in which case the amendment shall not take effect for any Contracting Party. Any Contracting Party that has objected to an amendment may at any time withdraw that objection. If all objections to an amendment that has been approved by three-fourths of all Contracting Parties are withdrawn, the amendment shall take effect for all Contracting Parties one hundred and twenty days following the date of transmittal specified in the notification by the Depositary, of receipt of the last withdrawal.
4. Any party that becomes a Contracting Party to the Convention after an amendment has been adopted in accordance with paragraph 2 shall be deemed to have approved that amendment.
5. The Depositary shall promptly notify all Contracting Parties of the receipt of notifications of approval of amendments, the receipt of notifications of objection or withdrawal of objections, and the entry into force of amendments.
6. Notwithstanding paragraphs 1 through 5, the Commission may by a two-thirds majority vote of all Contracting Parties:
  - (a) taking into account the advice of the Scientific Council, if it considers it necessary for management purposes, divide the Regulatory Area into scientific and statistical subareas, regulatory divisions and subdivisions, as appropriate. The boundaries of any such subareas, divisions and subdivisions shall be set out in Annex I;
  - (b) at the request of the Scientific Council, if it considers it necessary for management, scientific or statistical purposes, modify the boundaries of the scientific and statistical subareas, divisions and subdivisions set out in Annex I, provided that each coastal State affected concurs in such action."

#### **Article 4**

Article XXII shall be renumbered as Article XXIII.

#### **Article 5**

Article XXIII shall be deleted.

#### **Article 6**

Articles XXIV and XXV shall be deleted and replaced by the following new Articles:

##### *"Article XXIV - Denunciation*

1. A Contracting Party may denounce this Convention by written notification to the Depositary on or before 30 June of any year. The denunciation shall take effect on 31 December of that same year. The Depositary shall without delay notify all other Contracting Parties.
2. Any other Contracting Party may thereupon by written notification to the Depositary no later than thirty days following notification pursuant to paragraph 1 also denounce the Convention with effect on 31 December of that year. The Depositary shall without delay notify all other Contracting Parties.

##### *Article XXV - Registration*

1. The original of the present Convention shall be deposited with the Government of Canada, which shall communicate certified copies thereof to all the Signatories and to all the Contracting Parties.
2. The Depositary shall register the present Convention and any amendment thereof with the Secretariat of the United Nations."



**Article 7**

Annexes I – II shall be deleted:

**Article 8**

Annex III shall be deleted and replaced by the following two Annexes:

**"Annex I to the Convention – Scientific and  
Statistical subareas, divisions and subdivisions**

The scientific and statistical subareas, divisions and subdivisions provided for by Article IV of this Convention shall be as follows:

**1(a) Subarea 0**

That portion of the Convention Area bounded on the south by a line extending due east from a point at 61° 00' N 65° 00' W to a point at 61° 00' N 59° 00' W; thence in a southeasterly direction along a rhumb line to a point at 60° 12' N 57° 13' W; thence bounded on the east by a series of geodetic lines joining the following points:

Point No.	Latitude	Longitude	Point No.	Latitude	Longitude	Point No.	Latitude	Longitude
1	60°12.0'	57°13.0'	40	67°28.3'	57°55.3'	79	71°31.8'	62°32.0'
2	61°00.0'	57°13.1'	41	67°29.1'	57°56.1'	80	71°32.9'	62°33.5'
3	62°00.5'	57°21.1'	42	67°30.7'	57°57.8'	81	71°44.7'	62°49.6'
4	62°02.3'	57°21.8'	43	67°35.3'	58°02.2'	82	71°47.3'	62°53.1'
5	62°03.5'	57°22.2'	44	67°39.7'	58°06.2'	83	71°52.9'	63°03.9'
6	62°11.5'	57°25.4'	45	67°44.2'	58°09.9'	84	72°01.7'	63°21.1'
7	62°47.2'	57°41.0'	46	67°56.9'	58°19.8'	85	72°06.4'	63°30.9'
8	63°22.8'	57°57.4'	47	68°01.8'	58°23.3'	86	72°11.0'	63°41.0'
9	63°28.6'	57°59.7'	48	68°04.3'	58°25.0'	87	72°24.8'	64°13.2'
10	63°35.0'	58°02.0'	49	68°06.8'	58°26.7'	88	72°30.5'	64°26.1'
11	63°37.2'	58°01.2'	50	68°07.5'	58°27.2'	89	72°36.3'	64°38.8'
12	63°44.1'	57°58.8'	51	68°16.1'	58°34.1'	90	72°43.7'	64°54.3'
13	63°50.1'	57°57.2'	52	68°21.7'	58°39.0'	91	72°45.7'	64°58.4'
14	63°52.6'	57°56.6'	53	68°25.3'	58°42.4'	92	72°47.7'	65°00.9'
15	63°57.4'	57°53.5'	54	68°32.9'	59°01.8'	93	72°50.8'	65°07.6'
16	64°04.3'	57°49.1'	55	68°34.0'	59°04.6'	94	73°18.5'	66°08.3'
17	64°12.2'	57°48.2'	56	68°37.9'	59°14.3'	95	73°25.9'	66°25.3'
18	65°06.0'	57°44.1'	57	68°38.0'	59°14.6'	96	73°31.1'	67°15.1'
19	65°08.9'	57°43.9'	58	68°56.8'	60°02.4'	97	73°36.5'	68°05.5'
20	65°11.6'	57°44.4'	59	69°00.8'	60°09.0'	98	73°37.9'	68°12.3'
21	65°14.5'	57°45.1'	60	69°06.8'	60°18.5'	99	73°41.7'	68°29.4'
22	65°18.1'	57°45.8'	61	69°10.3'	60°23.8'	100	73°46.1'	68°48.5'
23	65°23.3'	57°44.9'	62	69°12.8'	60°27.5'	101	73°46.7'	68°51.1'
24	65°34.8'	57°42.3'	63	69°29.4'	60°51.6'	102	73°52.3'	69°11.3'
25	65°37.7'	57°41.9'	64	69°49.8'	60°58.2'	103	73°57.6'	69°31.5'
26	65°50.9'	57°40.7'	65	69°55.3'	60°59.6'	104	74°02.2'	69°50.3'
27	65°51.7'	57°40.6'	66	69°55.8'	61°00.0'	105	74°02.6'	69°52.0'
28	65°57.6'	57°40.1'	67	70°01.6'	61°04.2'	106	74°06.1'	70°06.6'
29	66°03.5'	57°39.6'	68	70°07.5'	61°08.1'	107	74°07.5'	70°12.5'
30	66°12.9'	57°38.2'	69	70°08.8'	61°08.8'	108	74°10.0'	70°23.1'
31	66°18.8'	57°37.8'	70	70°13.4'	61°10.6'	109	74°12.5'	70°33.7'
32	66°24.6'	57°37.8'	71	70°33.1'	61°17.4'	110	74°24.0'	71°25.7'
33	66°30.3'	57°38.3'	72	70°35.6'	61°20.6'	111	74°28.6'	71°45.8'
34	66°36.1'	57°39.2'	73	70°48.2'	61°37.9'	112	74°44.2'	72°53.0'
35	66°37.9'	57°39.6'	74	70°51.8'	61°42.7'	113	74°50.6'	73°02.8'
36	66°41.8'	57°40.6'	75	71°12.1'	62°09.1'	114	75°00.0'	73°16.3'
37	66°49.5'	57°43.0'	76	71°18.9'	62°17.5'	115	75°05'	73°30'
38	67°21.6'	57°52.7'	77	71°25.9'	62°25.5'			
39	67°27.3'	57°54.9'	78	71°29.4'	62°29.3'			

and thence due north to the parallel of 78° 10' N; and bounded on the west by a line beginning at 61° 00' N 65° 00' W and extending in a northwesterly direction along a rhumb line to the coast of Baffin Island at East Bluff (61° 55' N 66° 20' W); and thence in a northerly direction along the coast of Baffin Island, Bylot Island, Devon Island and Ellesmere Island and following the meridian of 80° W in the waters between those islands to 78° 10' N; and bounded on the north by the parallel of 78° 10' N.

1(b) **Subarea 0 is composed of two divisions:**

**Division 0–A**

That portion of the subarea lying to the north of the parallel of 66° 15' N;

**Division 0–B**

That portion of the subarea lying to the south of the parallel of 66° 15' N.

2(a) **Subarea 1**

That portion of the Convention Area lying to the east of subarea 0 and to the north and east of a rhumb line joining a point at 60° 12' N and 57° 13' W with a point at 52° 15' N and 42° 00' W.

2(b) **Subarea 1 is composed of six divisions:**

**Division 1A**

That portion of the subarea lying north of the parallel of 68° 50' N (Qasigiannguit);

**Division 1B**

That portion of the subarea lying between the parallel of 66° 15' N (approximately 5 nautical miles north of Umanarsugssuak) and the parallel of 68° 50' N (Qasigiannguit);

**Division 1C**

That portion of the subarea lying between the parallel of 64° 15' N (approximately 4 nautical miles north of Nuuk) and the parallel of 66° 15' N (approximately 5 nautical miles north of Umanarsugssuak);

**Division 1D**

That portion of the subarea lying between the parallel of 62° 30' N (Paamiut Glacier) and the parallel of 64° 15' N (approximately 4 nautical miles north of Nuuk),

**Division 1E**

That portion of the subarea lying between the parallel of 60° 45' N (Cape Desolation) and the parallel of 62° 30' N (Paamiut Glacier);

**Division 1FT**

That portion of the subarea lying south of the parallel of 60° 45' N (Cape Desolation).

3(a) **Subarea 2**

That portion of the Convention Area lying to the east of the meridian of 64° 30' W in the area of Hudson Strait, to the south of subarea 0, to the south and west of subarea 1 and to the north of the parallel of 52° 15' N.

3(b) **Subarea 2 is composed of three divisions:**

**Division 2G**

That portion of the subarea lying north of the parallel of 57° 40' N (Cape Mugford);

**Division 2H**

That portion of the subarea lying between the parallel of 55° 20' N (Hopedale) and the parallel of 57° 40' N (Cape Mugford);

**Division 2J**

That portion of the subarea lying south of the parallel of 55° 20' N (Hopedale).

4(a) **Subarea 3**

That portion of the Convention Area lying south of the parallel of 52° 15' N, and to the east of a line extending due north from Cape Bauld on the north coast of Newfoundland to 52° 15' N; to the north of

the parallel of 39° 00' N; and to the east and north of a rhumb line commencing at 39° 00' N 50° 00' W and extending in a northwesterly direction to pass through a point at 43° 30' N 55° 00' W in the direction of a point at 47° 50' N 60° 00' W until it intersects a straight line connecting Cape Ray, 47° 37.0' N 59° 18.0' W on the coast of Newfoundland, with Cape North, 47° 02.0' N 60° 25.0' W on Cape Breton Island; thence in a northeasterly direction along said line to Cape Ray, 47° 37.0' N 59° 18.0' W.

4(b) **Subarea 3 is composed of six divisions:**

**Division 3K**

That portion of the subarea lying north of the parallel of 49° 15' N (Cape Freels, Newfoundland);

**Division 3L**

That portion of the subarea lying between the Newfoundland coast from Cape Freels to Cape St. Mary and a line described as follows: beginning at Cape Freels, thence due east to the meridian of 46° 30' W, thence due south to the parallel of 46° 00' N, thence due west to the meridian of 54° 30' W, thence along a rhumb line to Cape St. Mary, Newfoundland.

**Division 3M**

That portion of the subarea lying south of the parallel of 49° 15' N and east of the meridian of 46° 30' W;

**Division 3N**

That portion of the subarea lying south of the parallel of 46° 00' N and between the meridian of 46° 30' W and the meridian of 51° 00' W;

**Division 3O**

That portion of the subarea lying south of the parallel of 46° 00' N and between the meridian of 51° 00' W and the meridian of 54° 30' W;

**Division 3P**

That portion of the subarea lying south of the Newfoundland coast and west of a line from Cape St. Mary, Newfoundland to a point at 46° 00' N 54° 30' W, thence due south to a limit of the subarea;

**Division 3P is divided into two subdivisions:**

3Pn – Northwestern subdivision – That portion of division 3P lying northwest of a line extending from 47° 30.7' N 57° 43.2' W Newfoundland, approximately southwest to a point at 46° 50.7' N and 58° 49.0' W;

3Ps – Southeastern subdivision – That portion of division 3P lying southeast of the line defined for Subdivision 3Pn.

5(a) **Subarea 4**

That portion of the Convention Area lying north of the parallel of 39° 00' N, to the west of subarea 3, and to the east of a line described as follows:

beginning at the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel, at a point at 44° 46' 35.346" N 66° 54' 11.253" W; thence due south to the parallel of 43° 50' N; thence due west to the meridian of 67° 24' 27.24" W; thence along a geodetic line in a southwesterly direction to a point at 42° 53' 14" N 67° 44' 35" W; thence along a geodetic line in a southeasterly direction to a point at 42° 31' 08" N 67° 28' 05" W; thence along a geodetic line to a point at 42° 20' N 67° 18' 13.15" W;

thence due east to a point in 66° 00' W; thence along a rhumb line in a southeasterly direction to a point at 42° 00' N 65° 40' W and thence due south to the parallel of 39° 00' N.

5(b) **Subarea 4 is composed of six divisions:**

**Division 4R**

That portion of the subarea lying between the coast of Newfoundland from Cape Bauld to Cape Ray and a line described as follows: beginning at Cape Bauld, thence due north to the parallel of 52° 15' N, thence due west to the Labrador coast, thence along the Labrador coast to the terminus of the Labrador-Quebec boundary, thence along a rhumb line in a southwesterly direction to a point at 49° 25' N 60° 00' W, thence due south to a point at 47° 50' N 60° 00' W, thence along a rhumb line in a southeasterly direction to the point at which the boundary of subarea 3 intersects the straight line joining Cape North, Nova Scotia with

Cape Ray, Newfoundland, thence to Cape Ray, Newfoundland;

**Division 4S**

That portion of the subarea lying between the south coast of Quebec from the terminus of the Labrador-Quebec boundary to Pte. des Monts and a line described as follows: beginning at Pte. des Monts, thence due east to a point at 49° 25' N 64° 40' W, thence along a rhumb line in an east-southeasterly direction to a point at 47° 50' N 60° 00' W, thence due north to a point at 49° 25' N 60° 00' W, thence along a rhumb line in a northeasterly direction to the terminus of the Labrador-Quebec boundary;

**Division 4T**

That portion of the subarea lying between the coasts of Nova Scotia, New Brunswick and Quebec from Cape North to Pte. des Monts and a line described as follows: beginning at Pte. des Monts, thence due east to a point at 49° 25' N 64° 40' W, thence along a rhumb line in a southeasterly direction to a point at 47° 50' N 60° 00' W, thence along a rhumb line in a southerly direction to Cape North, Nova Scotia;

**Division 4V**

That portion of the subarea lying between the coast of Nova Scotia between Cape North and Fourchu and a line described as follows: beginning at Fourchu, thence along a rhumb line in an easterly direction to a point at 45° 40' N 60° 00' W, thence due south along the meridian of 60° 00' W to the parallel of 44° 10' N, thence due east to the meridian of 59° 00' W, thence due south to the parallel of 39° 00' N, thence due east to a point where the boundary between subareas 3 and 4 meets the parallel of 39° 00' N, thence along the boundary between subareas 3 and 4 and a line continuing in a northwesterly direction to a point at 47° 50' N 60° 00' W, and thence along a rhumb line in a southerly direction to Cape North, Nova Scotia;

**Division 4V is divided into two subdivisions:**

4Vn – Northern subdivision – That portion of division 4V lying north of the parallel of 45° 40' N;

4Vs – Southern subdivision – That portion of division 4V lying south of the parallel of 45° 40' N.

**Division 4W**

That portion of the subarea lying between the coast of Nova Scotia from Halifax to Fourchu and a line described as follows: beginning at Fourchu, thence along a rhumb line in an easterly direction to a point at 45° 40' N 60° 00' W, thence due south along the meridian of 60° 00' W to the parallel of 44° 10' N, thence due east to the meridian of 59° 00' W, thence due south to the parallel of 39° 00' N, thence due west to the meridian of 63° 20' W, thence due north to a point on that meridian at 44° 20' N, thence along a rhumb line in a northwesterly direction to Halifax, Nova Scotia;

**Division 4X**

That portion of the subarea lying between the western boundary of subarea 4 and the coasts of New Brunswick and Nova Scotia from the terminus of the boundary between New Brunswick and Maine to Halifax, and a line described as follows: beginning at Halifax, thence along a rhumb line in a southeasterly direction to a point at 44° 20' N 63° 20' W, thence due south to the parallel of 39° 00' N, and thence due west to the meridian of 65° 40' W.

6(a) **Subarea 5**

That portion of the Convention Area lying to the west of the western boundary of subarea 4, to the north of the parallel of 39° 00' N, and to the east of the meridian of 71° 40' W.

6(b) **Subarea 5 is composed of two divisions:**

**Division 5Y**

That portion of the subarea lying between the coasts of Maine, New Hampshire and Massachusetts from the border between Maine and New Brunswick to 70° 00' W on Cape Cod (at approximately 42° N) and a line described as follows: beginning at a point on Cape Cod at 70° W (at approximately 42° N), thence due north to 42° 20' N, thence due east to 67° 18' 13.15" W at the boundary of subareas 4 and 5, and thence along that boundary to the boundary of Canada and the United States;

**Division 5Z**

That portion of the subarea lying to the south and east of division 5Y.

**Division 5Z** is divided into two subdivisions: an eastern subdivision and a western subdivision defined as follows:

5Ze – Eastern subdivision – That portion of division 5Z lying east of the meridian of 70° 00' W;

5Zw – Western subdivision – That portion of division 5Z lying west of the meridian of 70° 00' W.

7(a) **Subarea 6**

That part of the Convention Area bounded by a line beginning at a point on the coast of Rhode Island at 71° 40' W, thence due south to 39° 00' N, thence due east to 42° 00' W, thence due south to 35° 00' N, thence due west to the coast of North America, thence northwards along the coast of North America to the point on Rhode Island at 71° 40' W.

7(b) **Subarea 6 is composed of eight divisions:**

**Division 6A**

That portion of the subarea lying to the north of the parallel of 39° 00' N and to the west of subarea 5;

**Division 6B**

That portion of the subarea lying to the west of 70° 00' W, to the south of the parallel of 39° 00' N, and to the north and west of a line running westward along the parallel of 37° 00' N to 76° 00' W and thence due south to Cape Henry, Virginia;

**Division 6C**

That portion of the subarea lying to the west of 70° 00' W and to the south of subdivision 6B;

**Division 6D**

That portion of the subarea lying to the east of divisions 6B and 6C and to the west of 65° 00' W;

**Division 6E**

That portion of the subarea lying to the east of division 6D and to the west of 60° 00' W;

**Division 6F**

That portion of the subarea lying to the east of division 6E and to the west of 55° 00' W;

**Division 6G**

That portion of the subarea lying to the east of division 6F and to the west of 50° 00' W;

**Division 6H**

That portion of the subarea lying to the east of division 6G and to the west of 42° 00' W.

## Annex II to the Convention – Rules concerning the *ad hoc* panel procedure pursuant to Article XV

1. The Executive Secretary shall establish and maintain a list of experts who are willing and able to serve as panellists. Each Contracting Party shall be entitled to nominate up to five experts whose competence in the legal, scientific or technical aspects of fisheries covered by the Convention is established. The nominating Contracting Party shall provide information on relevant qualifications and experience of each of its nominees.
2. The Contracting Parties to the dispute shall notify the Executive Secretary of their intention to submit a dispute to an *ad hoc* panel. The notification shall be accompanied by a full description of the subject matter of the dispute as well as the grounds invoked by each Party. The Executive Secretary shall promptly transmit a copy of the notification to all Contracting Parties.
3. Where another Contracting Party wishes to become Party to a dispute, it may join the process of constituting a *ad hoc* panel, unless the original Parties to the dispute disagree. The Contracting Party wishing to become a party to the dispute should notify this intention within 15 days after having received the notification referred to in paragraph 2.
4. No sooner than 30 days and no later than 45 days after the notification referred to in paragraph 2, the Contracting Parties to the dispute shall notify the Executive Secretary of the constitution of the *ad hoc* panel, including the names of the panellists and the time schedule for its work. Unless the Parties agree otherwise, the following shall apply:
  - a) the *ad hoc* panel shall consist of three members;
  - b) the Contracting Parties to the dispute shall each select one panellist and agree on the third panellist;
  - c) the third panellist shall chair the *ad hoc* panel;
  - d) the third panellist shall not be a national of either Contracting Party to the dispute and shall not be of the same nationality as either of the first two panellists; and
  - e) in case of a dispute between more than two Contracting Parties, Contracting Parties to the dispute which are of the same interest shall select one panellist jointly. If the Parties to the dispute can not agree on the nomination of the third panellist, the President of the International Tribunal of the Law of the Sea shall make the appointment, unless the Contracting Parties to the dispute agree that the appointment be made by another person or a third state.

The Executive Secretary shall promptly transmit a copy of the notification to all Contracting Parties.
5. Any Contracting Party, which is not a Party to the dispute, may attend all hearings of the *ad hoc* panel, make written and oral submissions to the *ad hoc* panel and receive the submissions of each Party to the dispute.
6. At the request of a Contracting Party to the dispute, or on its own initiative, the *ad hoc* panel may seek information and technical advice from any person or body that it deems appropriate, provided that the Parties to the dispute so agree.
7. Unless the Contracting Parties to the dispute otherwise agree, the *ad hoc* panel shall, within 90 days from the constitution of the *ad hoc* panel, make its report and recommendations referred to in Article XV paragraph 4 of the Convention. The report and recommendations shall be confined to the subject matter of the dispute and state the reasons on which they are based. The report and recommendations shall be communicated promptly, through the Executive Secretary, to all Contracting Parties.
8. The *ad hoc* panel shall aim at reaching a consensus in its conclusions. If this is not possible the *ad hoc* panel shall reach its conclusions by a majority of its members, who may not abstain from voting.
9. The *ad hoc* panel may adopt any rules of procedure, which it deems necessary to accelerate the proceedings.
10. Costs of the *ad hoc* panel shall be borne by the Contracting Parties to the dispute in equal parts.
11. In relation to the *ad hoc* panel established pursuant to Article XIV paragraphs 7 and 8, the Parties shall be deemed to be the Commission and the objecting Contracting Party and the provisions of this Annex shall apply, with the exceptions of paragraphs 3 and 4 (e)."