

**SECTION IV**  
(pages 175 to 187)

**Report of the Fisheries Commission  
Inersessional Meeting  
16 November 2009  
London, UK**

Report of the Fisheries Commission Inersessional Meeting.....	177
1. Opening by the Chair .....	177
2. Appointment of Rapporteur .....	177
3. Adoption of Agenda.....	177
4. Presentation of Scientific Advice on Division 3M Shrimp from the SC Shrimp Assessment Meeting, 21-29 October 2009 .....	177
5. Management and Technical Measures for Shrimp in Division 3M, 2010.....	178
6. Other Matters .....	179
7. Adoption of Report .....	179
8. Adjournment .....	179
Annex 1. List of Participants .....	180
Annex 2. Agenda.....	184
Annex 3. Proposal to Reduce by 50% the Allocated Fishing Days for 3M Shrimp.....	185
Annex 4. Effort Allocation Scheme for Shrimp Fishery in the NAFO Regulatory Area Div. 3M, 2010 .....	186
Annex 5. Request to the Scientific Council for Scientific Advice on Future Management of 3M Shrimp .....	187



## Report of the Fisheries Commission Intersessional Meeting (FC Doc. 09/24)

**16 November 2009  
London, UK**

### **1. Opening by the Chair, Kate Sanderson (Denmark, in respect of the Faroe Islands and Greenland)**

The Chair, Kate Sanderson (Denmark, in respect of the Faroe Islands and Greenland), opened the meeting at 9:30 a.m. on Monday, 16 November 2009 and welcomed the delegates to the NEAFC Headquarters in London, UK. Representatives from all Contracting Parties, except Japan and the Republic of Korea, were present (Annex 1).

### **2. Appointment of Rapporteur**

Ricardo Federizon (NAFO Secretariat) was appointed as Rapporteur.

### **3. Adoption of Agenda**

The provisional agenda previously circulated was adopted (Annex 2).

### **4. Presentation of Scientific Advice on Division 3M Shrimp from the SC Shrimp Assessment Meeting, 21-29 October 2009**

At the 2009 Fisheries Commission Annual Meeting in Bergen, Norway, the Scientific Council (SC) Chair presented the updated SC advice on shrimp in Division 3M, recommending that the fishing mortality on this stock be set as close to zero as possible for 2010. This update represented a drastic change of the SC advice formulated at the 2008 Joint NAFO/ICES *Pandalus* Assessment Group Meeting, which recommended that for 2010 the exploitation level on this stock should not exceed the exploitation levels that have occurred since 2005.

In view of the change of advice, the Fisheries Commission requested the Scientific Council to re-evaluate its advice as new information (e.g. summer survey results) would be available for the Scientific Council at its next scheduled meeting. In addition, the Fisheries Commission requested the Scientific Council to analyze the temporal distribution of shrimp catches in relation to the stock-size changes (item 11 of FC Doc 09/17).

In October 2009, the Scientific Council addressed the request in the Joint NAFO/ICES *Pandalus* Assessment Group Meeting held in Dartmouth, Nova Scotia. The Scientific Council's response on the request is documented in SCS Doc 09/28.

Ricardo Alpoim, the Scientific Council Chair, presented the summary of the response on shrimp in Division 3M:

“The stock is now below  $B_{lim}$  i.e. has now entered the collapse zone defined by the NAFO Precautionary Approach framework, and recruitment prospects remain poor. To be consistent with the precautionary approach, fishing mortality should be kept as close to zero as possible when a stock is in the collapse zone. Therefore, Scientific Council reiterates its September 2009 recommendation for 2010 that the fishing mortality be set as close to zero as possible. Scientific Council recommends that fishing mortality in 2011 be set close to zero as possible.”

On the question: *In considering the possible contribution of fishery catches to changes in stock size of 3M shrimp, it is noted that catches are summed by calendar year, but the surveys are executed in the summer. Is the temporal distribution of shrimp catches through the year well enough known to allow partial contribution of year's catches to stock-size changes to be calculated? On average, what fraction of the year's catches is taken before the execution of the survey?*

“In order to assess a possible relation between the fishery catches in the months prior to the survey (January to May) and the stock size estimated in that year survey, a linear regression was carried out with the catch data by month available from the NAFO Statlant 21B. ... Regression analysis showed that there was no relationship between the amount of catch taken prior to the survey in a year and the biomass index in the EU survey in that same year.

The fraction of the annual catch taken during January to May of each year (the period prior to the EU survey) was calculated. On average 32% of the year's catch is taken prior to the execution of the EU survey."

A comprehensive round of questions from Contracting Parties centered on the analytical models (or the lack of them) used in the assessment, the relationship between CPUE and biomass trends, and probable causes of stock decline other than fishing. The SC Chair elaborated on these issues based on the document SCS Doc 09/28.

### 5. Management and Technical Measures for Shrimp in Division 3M, 2010

There were diverging views among Contracting Parties as to how existing management measures for 3M shrimp should best be adapted with respect to the latest SC advice. The representative of the European Union (EU) expressed concern about the weakness of the SC advice in light of the fact that no analytical assessment model was used in the latest SC formulation of shrimp advice. It was pointed out that the SC had also advised that factors other than the fishery had a bearing on the state of the stock, and it was noted that a fishery for cod in 3M would begin in 2010. Thus the EU would find it difficult to support the drastic recommendation of a reduction of fishing mortality to zero, i.e. a moratorium. This view was shared by Cuba, Denmark (in respect of the Faroe Islands and Greenland), and the Russian Federation.

On the other hand, some Contracting Parties, including Canada, Iceland, Norway and USA, were of the view that the Fisheries Commission should be mindful of the precautionary approach, which has been a hallmark in NAFO, in its decision making and that any management decision should be within the framework of the Scientific Council recommendation. With four years of low recruitment and increased predation of cod, the Fisheries Commission should proceed in a cautious manner. A rollover, i.e. an adoption of the 2009 management scheme for 2010, would be disastrous as it takes little time to decimate the stock and would be contrary to the precautionary approach to fisheries management.

Attempts to reach consensus through bilateral and multilateral consultations among Contracting Parties did not succeed. The decision for management measures in 2010 was reached through a voting procedure in accordance with Article XIV of the NAFO Convention. Two proposals were brought forward for consideration:

1) **No directed fishery for the years 2010 and 2011, as proposed by Canada.** Canada, Iceland, Norway and the USA voted in favour of this proposal (contained in FC Working Paper 09/31). Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), the Russian Federation, and Ukraine voted against it. With a majority vote opposing this proposal, it was thus rejected.

2) **An interim measure for 2010 of a 50% reduction of the fishing effort allocation from the current allocation with a condition that additional measures would be adopted for 2011 if the Scientific Council advice indicates that the stock is still in the collapse zone, as proposed by the EU.** The proposal is contained in FC Working 09/32 (Annex 3). Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), the Russian Federation, and Ukraine voted in favour of the proposal. Canada, Iceland, Norway and the USA voted against it. With a majority in favour, this proposal was **adopted**.

The table of Effort Allocation Scheme for Shrimp Fishery in the NAFO Regulatory Area Division 3M, 2010 based on the adopted proposal is presented in Annex 4.

Iceland maintained its position against the effort allocation scheme applied to this stock. Iceland indicated that in accordance with Article XII it would file a formal objection to the adopted measures and set a unilateral quota in accordance with the reduction adopted. The Fisheries Commission noted Iceland's reservation.

The Chair and the Secretariat brought to the attention of the Fisheries Commission the provisions of the NAFO Convention for the commencement date of an adopted proposal becoming a binding measure. According to these provisions, and given Iceland's stated intention to lodge an objection, the measures would not become formally binding, pursuant to Article XII, until after 1 January 2010. It was agreed that the Contracting Parties would commit to implementing the measures on 1 January 2010.

Conscious of the effort to reach agreed management measures based on the best available science, and the challenges associated with possible adjustments of the current Effort Allocation Scheme, the Fisheries Commission requested the Scientific Council to explore other possible mechanisms to assist in achieving the objective of sustainable management of the 3M shrimp stock, including specifying additional requirements for scientific data

reporting. The Fisheries Commission also requested the Scientific Council to explore the viability and usefulness of a second annual scientific survey in the spring season. Details of the request were contained in FC WP 09/33 which was **adopted** (Annex 5).

As suggested by USA, the Chair would inform Japan and the Republic of Korea, which did not send representatives to this meeting, about the decisions reached at this meeting.

#### **6. Other Matters**

The Chair informed the Fisheries Commission of the communication from the Scientific Council Chair, which drew attention to the issue of the timing of the formulation of scientific advice on shrimp stocks. With the current schedule of the SC meetings (when advice is formulated) and of the FC meetings (when management measures are decided), shrimp advice is developed fourteen months ahead of the management year in question. The Scientific Council was not, however, proposing a change in its present schedule. The Chair suggested that, if so desired by Contracting Parties, this issue might be further discussed at subsequent FC meetings.

#### **7. Adoption of Report**

This report was adopted through correspondence after the meeting.

#### **8. Adjournment**

The Chair expressed her appreciation of the delegates' efforts and hard work in attempting to reach a consensus, but was disappointed that a consensus on the management measures for shrimp in Division 3M was not achieved at this meeting. The meeting was adjourned at 11:40 P.M.

The Chair of the Standing Committee on International Control (STACTIC), Mads Trolle Nedergaard (DFG) presented the results of STACTIC May 2009 intersessional meeting (FC Doc 09/3). He outlined the issues of bycatches, transfer of fishing possibilities from shared quota allocations, and NAFO Conservation and Enforcement Measures Editorial Review being brought forward to the Fisheries Commission for clarification and the pending proposals which would be further discussed in this meeting. Regarding the issues mentioned above, STACTIC was instructed to deliberate further on these and report back to the Fisheries Commission (see item 15.1 – 15.3).

The recommendations from the intersessional meeting would be forwarded to the Fisheries Commission together with the recommendations from this Annual Meeting (see item 15).

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## **Annex 2. Agenda**

1. Opening by the Chair, Kate Sanderson (Denmark in respect of the Faroe Islands and Greenland)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Presentation of Scientific Advice on Division 3M Shrimp from the SC Shrimp Assessment Meeting, 21-29 October 2009
5. Management and Technical Measures for Shrimp in Division 3M, 2010
6. Other Matters
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8. Adjournment

**Annex 3. Proposal to Reduce by 50% the Allocated Fishing Days for 3M Shrimp**  
(FC WP 09/32 **now** FC Doc. 09/22)

Proposal

As an interim measure for 2010, Fisheries Commission agrees to reduce by 50% the allocated fishing days for 3M shrimp.

Fisheries Commission has agreed to adopt additional measures for 2011, conditional on Scientific Council advice indicating that shrimp 3M stock is still in the collapse zone.

**Annex 4. Effort Allocation Scheme for Shrimp Fishery in the  
NAFO Regulatory Area Div. 3M, 2010**

<b>CONTRACTING PARTY</b>	<b>NUMBER OF FISHING DAYS</b>	<b>NUMBER OF VESSELS</b>
<b>Canada</b>	228	16
<b>Cuba</b>	50	1
<b>Denmark</b>		
Faroe Islands	803	8
Greenland	258	14
<b>European Union</b>	1646 <sup>1</sup>	33 <sup>1</sup>
<b>France (in respect of St Pierre et Miquelon)</b>	50	1
<b>Iceland</b>	N/A	N/A
<b>Japan</b>	50	1
<b>Korea</b>	50	1
<b>Norway</b>	992	32
<b>Russia</b>	1050	N/A
<b>Ukraine</b>	50	1
<b>USA</b>	50	1

<sup>1</sup> Including fishing entitlements transferred from Poland (50 fishing days with one vessel), Estonia (834 fishing days with 8 vessels), Latvia (245 fishing days with 4 vessels) and Lithuania (290 fishing days with 7 vessels) following their accession to the European Union.

**Annex 5. Request to the Scientific Council for Scientific Advice on  
Future Management of 3M Shrimp**  
(FC WP 09/33, Rev. ~~now~~ FC Doc. 09/23)

Request to the Scientific Council for Scientific Advice on Future Management of 3M Shrimp, from the intersessional meeting of the NAFO Fisheries Commission in London, 16. November 2009:

The Fisheries Commission, at its intersessional meeting, noted that whereas the Scientific Council in its advice to the Fisheries Commission contained in Report of the Scientific Council Meeting, 21 – 29 October 2009 reiterated its September 2009 recommendation for 2010 and 2011 that the fishing mortality be set as close to zero as possible, the current Effort Allocation Scheme for 3M Shrimp Fishery allows for a high effort in the fishery.

Conscious of the efforts to reach agreed management measures based on the best available science, and challenges contained to reach consensus on the scope of possible adjustments of the current Effort Allocation Scheme or any specific quota allocation, the Fisheries Commission requests the Scientific Council to explore other possible mechanisms to assist in achieving the objective of sustainable management of the 3M shrimp, including but not limited to further seasonal or spatial closure of the fishery, gear modification, any additional requirements for scientific data reporting needed from the fisheries, or any other conservation or technical measure appropriate to achieving the objective.

The Fisheries Commission further requests the Scientific Council to explore the viability and usefulness of a second annual scientific survey in the spring season.

The Fisheries Commission requests the Scientific Council to consider these issues and report back to the Fisheries Commission at the Annual Meeting of NAFO in 2010.