

**SECTION II**  
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**Report of the General Council and its Subsidiary Body  
(STACFAD), 31<sup>st</sup> Annual Meeting  
21-25 September 2009  
Bergen, Norway**

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## **PART I**

### **Report of the General Council** (GC Doc. 09/3)

#### **31<sup>st</sup> Annual Meeting, September 21-25, 2009** **Bergen, Norway**

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

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

The NAFO President and GC Chair, Terje Lobach (Norway) introduced Liv Holmfjord, the Norwegian Director General of Fisheries, who made a presentation to all delegates (Annex 1) welcoming them to Bergen (Annex 2). The Chair also welcomed all delegates to his home town of Bergen and made an opening statement to the meeting (Annex 3), followed by statements by Norway, the European Union, Canada, the United States of America, Denmark (in respect of the Faroe Islands and Greenland), Cuba, Japan, the Russian Federation, and Ukraine. (Annexes 4-12)

Opening statements were also made by the Food and Agriculture Organization of the United Nations (FAO), the Pew Environment Group and the World Wildlife Fund (WWF). (Annexes 13-15)

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

Jørgen Hansen (Canada) was appointed as Rapporteur.

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

The agenda was adopted with inclusion of new item 9bis-Performance Assessment (Annex 16) as proposed by the Representative from the United States of America and outlined in GC Working Paper 09/2.

###### **4. Admission of Observers**

The Executive Secretary had invited the following intergovernmental organizations to attend the Meeting in an observer capacity: FAO, CCAMLR, CPPS, ICCAT, ICES, NAMMCO, NASCO, NEAFC, NPAFC, PICES and SEAFO. FAO was represented by Hiromoto Watanabe, NEAFC by Denmark (in respect of the Faroe Islands and Greenland). Furthermore, the following NGOs which had been granted observer status during the year were also present: Pew Environment Group (Matthew Gianni, Kristin von Kistowski and Elsa Lee) and World Wildlife Fund (Robert Rangely, Stacey McCarthy, Nina Jensen and Louize Hill). The Sierra Club of Canada had also been granted observer status but was unable to attend.

###### **5. Publicity**

The meeting agreed that no public statements be made until after the conclusion of the meeting when a Press Release would be prepared by the Interim Executive Secretary in collaboration with the Chairs of the General Council, Fisheries Commission and Scientific Council.

###### **6. Guidance to STACFAD necessary for them to complete their work** (Monday)

In addition to its regular tasks, STACFAD was asked to review the contract for the new Executive Secretary as the last contract had been negotiated in 2006.

## **II. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs** (*Agenda items 7-11*)

### **7. Review of membership of the General Council and Fisheries Commission**

The membership has not changed since 2008 and all twelve Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), the European Union, France (with respect to St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, the Russian Federation, Ukraine, and the United States of America.

### **8. Status of Ratification process resulting from the adoption of the amended Convention**

It was noted that Norway has ratified the amended Convention. The EU congratulated Norway on ratification and stated that they are waiting for a Council decision to ratify the Convention which is currently being translated into the various languages and they expect a smooth ratification process by next November. Canada stated that the amendments to the 1978 NAFO Convention were tabled in the House of Commons on June 12, 2009 and there is a requirement for 21 sitting days to allow Members of Parliament to debate the issue. This period is expected to expire by October 8, 2009. Denmark (in respect of the Faroe Islands and Greenland) stated that the procedure is that the amended Convention must be approved by the respective parliaments of both the Faroe Islands and Greenland, but does not need approval by the Danish Parliament. Procedures are under way in both countries and ratification is expected within a year.

### **9. Request by Scientific Council for modification of the boundaries of Divisions 3M and 3L**

The Chair recalled that this item was introduced last year and deferred to this meeting. The proposal noted that stocks in 3M extend to 3L and it had been recommended to change that portion of 3L to be part of 3M.

Canada raised concern about the boundary change citing possible confusion of catch records as various Contracting Parties have catches in both areas. Canada proposed to consider the boundary change on a stock by stock basis. No consensus was reached and the proposal on modification of the boundaries was not accepted.

### **(9bis) Performance Assessment of NAFO** (*GC Working Paper 09/2*)

The United States of America proposed to establish a Performance Assessment Working Group (PAWG) chaired by the President of General Council suggesting that the final terms of reference be adopted by mail vote and that the work of the Performance Review Panel would start immediately afterwards. Canada submitted an alternate (GC Working Paper 09/4) proposal recommending that the PAWG meet and be tasked to develop a thorough review of the terms of reference/assessments of other RFMOs, to develop a NAFO specific TORs as well as budgetary consideration for a Performance Review Panel and overall assessment process. The PAWG would submit their final report to the General Council for approval. The United States noted its understanding that this proposal allowed sufficient flexibility for the results of the PAWG to be presented for adoption to the General Council intersessionally, if Contracting Parties so decided, so that the performance review could begin as soon as possible.

The Working Paper as presented by Canada was accepted with amendments by the EU recommending that the PAWG meet early in 2010. It was clarified that the PAWG would meet back to back with a STACFAD meeting scheduled to meet in March-April. Denmark (in respect of the Faroe Islands and Greenland) recommended that the Canadian Working Paper be amended by changing item 2 under Proposed Next Steps: "Once established the PAWG will develop the specific TOR and assessment criteria taking into account approaches to performance assessment undertaken by other RFMOs". This amendment was accepted by delegates. (Annex 17)

### **10. Administrative Report**

The Interim Executive Secretary presented an Administrative and Financial report (GC Doc. 09/1) noting that there is only one Contracting Party with any outstanding contributions.

## **Selection of the Executive Secretary**

Heads of Delegation met on Monday, September 21, 2009 and Dr. Vladimir Shibanov of the Russian Federation was offered the position of the Executive Secretary. Delegations congratulated Dr. Shibanov on the appointment.

### **III. Coordination of External Affairs (Agenda items 12-13)**

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

The Interim Executive Secretary reported that since the last Annual Meeting, the Executive Secretary was involved in the following external meetings: FAO Committee on Fisheries (COFI), the second meeting of the Regional Fishery Body Secretariats Network (RSN-2) and the Informal Consultations of States Parties to the United Nations Fish Stocks Agreement. Available reports on these meetings have been posted to the member pages of the NAFO website.

#### **12. International Relations**

At the last Annual Meeting (September 2008), it was agreed to allow for appointment of NAFO members to serve as observers to (or at) other relevant organizations. The Chair reported that a representative from Norway attended the annual meeting of the North Atlantic Marine Mammal Commission (NAMMCO) on behalf of NAFO and a report of that meeting has been circulated by Norway. The Chair asked for a volunteer to attend the South East Atlantic Fisheries Organization (SEAFO) that will meet in 10 days and a representative from Norway volunteered. A representative from Denmark (in respect of the Faroe Islands and Greenland) volunteered to act as NAFO observer at the North East Atlantic Fisheries Commission (NEAFC) annual meeting in London in mid November and a representative from the United States of America volunteered to represent NAFO at the North Pacific Anadromous Fish Commission (NPAFC) in Niigata, Japan during the first week of November 2009.

### **IV. Finance (Agenda items 14-15)**

#### **13. Report of STACFAD at the Annual Meeting**

The STACFAD Chair, Bob Steinbock (Canada), presented the STACFAD Report (Part II of this Report). He thanked other STACFAD and Secretariat members for all their work and also noted that all NAFO Contracting Parties except one had submitted their outstanding contributions. The Secretariat had been notified that this outstanding contribution was expected to be submitted shortly. After years of facing cash flow difficulties due to significant levels of outstanding contributions, it was noted that the current financial situation for NAFO has much improved and returned to normal levels.

STACFAD noted that the Senior Publications Manager, Barry Crawford, will be retiring in 2010 after serving NAFO for over 35 years. The Committee extended their sincere gratitude to Mr. Crawford for his devotion and commitment to NAFO over this period.

#### **14. Adoption of the Budget and STACFAD recommendations for 2010**

STACFAD made the following recommendations to the General Council:

- (1) that the 2008 Auditors' Report be adopted;
- (2) that the amount maintained in the accumulated surplus account be set at \$325,000 of which \$200,000 would be sufficient to finance operations during the first three months of 2010, and of which \$125,000 would be available for use in emergency situations;

- (3) that NAFO adopt the Headquarters Agreement (see STACFAD Report, Annex 3) to be signed with the Government of Canada;
- (4) that an intersessional Working Group meeting of experts be held in 2010 to amend the current Rules of Procedure and to address other elements of an administrative nature related to the entry into force of the amended Convention;
- (5) that General Council adopt the revised rules of procedure related to observers as set out in Annex 4 of the STACFAD Report;
- (6) that the budget for 2010 of \$1,782,000 be adopted;
- (7) that General Council re-appoint the three nominees to the Staff Committee (Bill Brodie, Bob Steinbock, Deirdre Warner-Kramer);
- (8) that the Heads of Delegation consider the draft contract for the incoming Executive Secretary.
- (9) that Staff Rule 9.6 (dealing with separation from service) be modified (see STACFAD Report, item 15);
- (10) that the dates of the 2012 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	12 – 21 September 2012
General Council	17 – 21 September 2012
Fisheries Commission	17 – 21 September 2012

General Council adopted all recommendations presented by STACFAD. Canada expressed appreciation to STACFAD for their work. As well, Canada complimented the NAFO Secretariat for their work throughout the year and also complimented all Contracting Parties for submitting the required funds for the financial stability of NAFO.

#### **V. Closing Procedure** (*Agenda items 16-20*)

##### **15. Election of Chair**

Mr. Terje Lobach (Norway) was re-elected for a term of two years.

##### **16. Time and Place of Next Annual Meeting**

The next annual meeting will be held 20-24 September 2010 in Halifax, Nova Scotia, Canada.

##### **17. Other Business**

The Representative of the EU on behalf of all the delegates thanked Stan Goodick for taking on the duties as the Interim Executive Secretary.

##### **18. Press Release**

It was agreed that the Interim Executive Secretary and the NAFO President finalize the Press Release from this meeting (Annex 18) and circulate it to the press. The Chairs of Fisheries Commission and Scientific Council were also invited to give their input for inclusion in the Press Release.

##### **19. Adjournment**

The meeting was adjourned on Friday, 25 September 2009 at 1330 hours.

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## **Annex 2. Opening Address by the Norwegian Director General of Fisheries, Liv Holmfjord, to the 31<sup>st</sup> NAFO Annual Meeting**

Distinguished delegates, ladies and gentlemen,

It is a pleasure for me to welcome you all to this year's annual NAFO meeting here in Bergen, the gateway to the Norwegian fjords. Founded almost 1000 years ago, fish and fish trade have been crucial to the development of Bergen. It became a commercial and shipping town of European significance, and was during the middle ages the largest Nordic town. It also became the natural geographical and economic centre for the maritime empire known as the Might of Norway. Trading from the north with import of grain and export of fish laid the foundation for growth during centuries, dominated by the Hanseatic merchants, who established one of their four most important trading stations in Bergen; the German Office on the Wharf. If you walk along the wharf today, you'll see many of the buildings from that era.

Today Bergen is a modern city, with many additional pillars for development and growth. But fish is still important to Bergen. The Directorate of Fisheries, the Institute of Marine Research, and National Institute of Nutrition and Seafood Research are all located here, while at the University of Bergen it is possible to conduct studies in various aspects of marine research.

Norway is a strong supporter of bilateral, regional and global cooperation to address challenges in managing marine living resources. As the vast majority of the Norwegian fishing concerns fish stocks shared with other countries, international cooperation in the management of these fish stocks is crucial. A comprehensive network of bi- and multilateral agreements has been agreed with neighbouring countries to provide for the management of shared and straddling fish stocks. The most important ones are the agreements with Russia and the EU. Norway is also party to several regional fisheries management organisations, among them NAFO.

Although the number of Norwegian fishing vessels operating in the NAFO area has decreased significantly over the recent years, Norway considers active participation within the organisation of vital importance. Norway is committed in contributing to rebuilding NAFO stocks, and is also a strong supporter of harmonised actions between regional fisheries management organisations, in particular between NAFO and NEAFC; actions such as coordinated efforts to combat IUU fishing.

Last year, Norway adopted a new Marine Resources Act. It represents a significant modernization of the current legislation, and like the new NAFO Convention, it builds on modern principles concerning management of marine living resources. Thus implementation of principles like application of the precautionary approach, the ecosystem-based approach, optimum utilization and effective control of harvesting goes hand in hand at the national level and at the regional level in the Northwest Atlantic.

I see that you have a full agenda also at this years meeting, which will keep you busy during the week. But hopefully you will also have some spare time to visit some of the attractions Bergen has to offer. Thus I wish you every success with NAFO annual 2009, and welcome you to explore the city of Bergen.

Thank you.

### **Annex 3. Opening Statement by the Chair of General Council – Terje Lobach (Norway)**

Distinguished delegates, ladies and gentlemen,

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

First of all, I would like to welcome you all to my hometown Bergen, and I wish to thank the Interim Executive Secretary, the secretariat and colleagues at the Directorate of Fisheries for their excellent work in coordinating and arranging this meeting.

Despite considerable efforts taken by NAFO in recent years, many stocks continue to be at very low levels. But there are also a few promising signs, and the improved status of some of the stocks is encouraging.

Through the NAFO Reform process a completely new convention has been adopted, taking into account modern principles concerning management of living marine resources. But ratification seems slow, and I would urge all Contracting Parties to speed up the internal processes. Significant progress has been, through the NAFO Reform process, also made in improved conservation measures and actions taken to ensure that these measures are implemented and complied with. NAFO has also recognized the need for a good and strong science base as fundamental for proper management of marine living resources.

Although it is recognized that NAFO has taken a series of important steps in recent years, I have observed that we, at this juncture is requested to discuss whether a full fledged Performance Review should be initiated. In this regard, I note that most of the other RFMOs have undertaken such reviews, and that SEAFO has agreed to do so before the 2010 annual meeting.

The importance of coordinated port State measures has been recognised by the international community, and Members of FAO agreed in the last week of August on the global, binding agreement. This is a milestone in the fight of IUU fishing, and I understand that NAFO has to consider the impact this Agreement may have on the system of port State measures, which was adopted at the last Annual Meeting.

Protection of ocean habitats and deep sea biodiversity has become an important item on the international agenda. I am pleased to note that NAFO last year adopted a comprehensive framework in response to the calls from the United Nations General Assembly to address bottom fishing and vulnerable marine ecosystems. These responses were last week assessed in New York, with some positive results. Although NAFO now has a set of regulations in place, there are still much to be done, both in the Scientific Council and the Fisheries Commission, to refine the details of this important framework.

Later today heads of delegations will meet to interview and decide on the new Executive Secretary of our organisation. There is a shortlist of four candidates, all of them with good qualifications to take up this very important position. I am really eager on the outcome of our deliberations tonight.

Close cooperation and collaboration are essential to achieving our common goals of stock recovery, conservation and sustainable use of marine living resources. I am confident that together we will manage to meet these challenges.

Thank you. I would now like to open for statements by Contracting Parties, followed by possible statements by others.

#### **Annex 4. Opening Statement by the Representative of Norway**

Distinguished delegates, dear colleagues

The Agenda of this years' annual NAFO meeting consists of several topics which need careful attention and deliberations. From the Norwegian side we are looking forward to contributing to find mutually acceptable solutions to the many challenges that we are facing.

Sustainable management of fish stocks depends to a large extent on international co-operation. RFMOs like NAFO are essential in this work. In fact regional implementation of the principles we have agreed to at global level is a vital tool in the development of sustainable fisheries. It is therefore of utmost importance that we succeed in our follow-up of the relevant international instruments.

We have already come long way in many areas. We have set up port state measures and I would in this connection express our satisfaction that a global instrument now has been established which needs to be taken into account. With regard to bottom fishing we have started a difficult process when it comes to vulnerable marine ecosystems. We are encouraged by the progress made last week by the ad hoc Working Group of Fishery Managers and scientists. We look forward to a constructive follow-up during this annual meeting.

I would also mention that we have made institutional progress. We have adapted a revised convention which gives us the necessary framework for implementing all relevant international instruments. It is our hope that this revised convention very soon will enter into force.

Finally I would take this opportunity, on behalf of Vidar Ulriksen, State Secretary of the Norwegian Ministry of Fisheries and Coastal Affairs, to invite you all to a reception tomorrow, Tuesday, 22 September at 19.30 hours. This event will take place in Håkon's Hall which is a five minute walk from this hotel. We hope to see you all there.

Thank you.

## **Annex 5. Opening Statement by the Representative of the European Union**

Thank you Chairman and good morning to all of you.

It is an honour for me to head the European Union delegation in this annual meeting. My delegation and myself are ready to work constructively with all Contracting Parties in order to achieve the best possible result while ensuring the protection of the fisheries stocks, the vulnerable marine ecosystems and the development of sustainable fishing activities.

It is also a pleasure for me to come back to Bergen and meet again my good Norwegian friends with whom we enhanced together some years ago our bilateral cooperation in fisheries.

I take also this opportunity to warmly thank the Norwegian authorities for hosting this annual meeting in this beautiful Hanseatic town of Bergen.

Chairman, this week is important for all of us and especially for our Organisation and its credibility. Therefore we need to tackle important challenges directly and I know by experience that some of them will require lengthy and difficult discussions. But as we all know this is part of any negotiation process: there are difficult and less difficult issues.

This year Chairman we are going also to proceed with the selection of our new Executive Secretary after the resignation of Dr. Johanne Fischer to whom we would like to convey our best wishes in her new function. The candidate to be selected should have inter alia a very good command of administrative matters and fisheries issues as the Executive Secretary is primarily the administrative keystone of our Organisation and our external representative.

During this week we should take decisions on key fisheries stocks. Without entering into details at this stage we need to recognise that in the report of the Scientific Council there are some positive developments or signals compared to the gloomy perspective of recent years. This improvement is the direct result of difficult and painful management decisions which have been adopted by our Organisation and also the result of a fully-fledged control system which some other RFMOs may envy.

The consideration of the Greenland halibut stock is probably one the most important matters facing NAFO this year. This discussion should lead us to take the most appropriate decision bearing in mind the significant actions and effort reductions taken under the rebuilding plan since 2004 and the recommendations of the Scientific Council. We recognise that other stocks such as Cod 3M and the redfish 3LNO have improved and could be considered as candidates for the reopening of these fisheries.

Another issue which is very important and critical this year, is the treatment of the VMEs because of the assessment exercise on the UNGA Resolution 61/105. A process which started in New York last week and which will go on until mid November. For the European Union this is a very important issue and a process in which we are ready to take our responsibilities and contribute at this meeting here to take new decisions which go beyond what has been regularly achieved since 2007 on VMEs in NAFO. The message we received from the Working Group of fisheries managers and scientists which met last week is very encouraging and their recommendations regarding the closure of area of significant aggregations of corals and sponges needs to be supported by the Fisheries Commission. I take the opportunity to welcome and underline the positive and constructive approach employed by this Working Group.

Before concluding Mr. Chairman I would like to urge all Contracting Parties to proceed with their own respective ratification procedures of the amended NAFO Convention in order to have the Lisbon Convention enter into force as early as possible.

Finally Chairman we look forward to work with all Parties around the table with a view to continue the useful and productive work we have carried out in the past and which has contributed to making NAFO a more effective and reliable organisation.

## Annex 6. Opening Statement by the Representative of Canada

Mr. Chairman, Distinguished Representatives, Ladies and Gentlemen:

I wish to thank Norway for hosting this annual meeting and for the excellent organization and arrangements.

It is a pleasure for Canada to participate in this 31<sup>st</sup> annual meeting of NAFO in the beautiful city of Bergen. This venue is both timely and appropriate given Norway's fisheries and environmental leadership in so many areas. Norway demonstrated this leadership recently - being the first NAFO member to ratify the amendments to the 1978 NAFO Convention.

NAFO has made significant progress over the last few years, moving from words to action in embracing change, transforming the Organization and responding to the conservation challenges before us. We have seen significant improvements in compliance in the NAFO Regulatory Area and in the coordinated responses by Contracting Parties to address infringements.

NAFO's progress can be attributed to the increasing collaboration and cooperation among Contracting Parties to improve NAFO. In recent years, NAFO has taken significant steps towards protecting Vulnerable Marine Ecosystems to respond to the requirements of the United Nations General Assembly Resolution 61/105.

This fall, the United Nations General Assembly will review the progress to date by States and Regional Fisheries Management Organizations on the decisions taken to protect VMEs since the Resolution was adopted in 2006. NAFO has demonstrated leadership in recent years with the adoption of measures to close seamounts, to close portions of Division 3O to directed fishing to establish a Coral Protection Zone and the adoption in 2008 of a comprehensive program of measures. NAFO has the opportunity to take further steps this week to protect significant coral and sponge concentrations. We have recommendations to consider in both of these areas from the Ad Hoc Working Group of Fishery Managers and Scientists.

Canada would like to commend the ongoing collaborative research initiatives by Contracting Parties to verify the locations of vulnerable marine ecosystems in the NAFO Regulatory Area. In particular, I would commend the work that is being undertaken by the Spanish research vessel *Miguel Oliver* which includes the participation of scientists from several countries. I also would note the work undertaken by the Canadian research vessel *Hudson*. *These initiatives* will help us to focus and strengthen our measures to protect these sensitive areas.

Canada is also encouraged by the continuing signs of recovery of some of the NAFO-managed stocks as reported by Scientific Council. We must be careful not to lose sight of our ultimate goal of conserving the NAFO managed stocks for future generations. We strongly believe that any consideration of reopening stocks that have been under moratoria should be undertaken only in the context of proper and effective controls to ensure stock conservation and continued stock rebuilding.

I would like to emphasize that in our deliberations this week we are mindful of the importance of continuing to be guided by the precautionary approach in the re-opening and management of fish stocks; the need to ensure responsible harvesting practices by all members' fleets; and the value to us all of accurate, reliable, credible and transparent reporting of catch, as it is the foundation for sound science, management and policy as well as increasingly a prerequisite for access to markets.

I am confident that NAFO will continue to demonstrate to the international community that it is an effective management body and a leader among RFMOs in undertaking its responsibilities to protect vulnerable marine ecosystems and to conserve and manage fisheries sustainably for generations to come.

Thank you.

## **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 here in beautiful Bergen, Norway for the 31st NAFO Annual Meeting. We thank the Government and People of Norway for their excellent meeting arrangements and warm hospitality. We look forward to an interesting and productive week.

The United States would like to take this opportunity to communicate our thoughts regarding the work before us. First, we would like to express strong support for continuing efforts by NAFO Contracting Parties to address the impacts of bottom fishing on vulnerable marine ecosystems (VMEs). We intend to improve and update the current NAFO procedures to ensure that these ecosystems survive, as they play an integral role the health of the fisheries on which we all rely. We were pleased to participate late last week in the meeting of the Ad Hoc Working Group of Fishery Managers and Scientists on VMEs and look forward to a constructive follow-up dialogue – and action – during the annual meeting. In support of this effort, we have distributed several U.S. proposals designed to improve the effectiveness of existing conservation and enforcement measures on VMEs. It is our hope that Contracting Parties will support these proposals in the Fisheries Commission.

Additionally, the United States will seek a new General Council agenda item to consider development of a process leading to a NAFO performance assessment. Such an assessment has been widely supported and implemented in the majority of the world's RFMOs and it is time that NAFO undertakes this important activity. The United States has circulated a proposal that is based on procedures already developed and implemented by a number of these RFMOs. It is our hope that Contracting Parties share our feeling that this should be a high priority for our organization.

Relative to conservation and management of NAFO fisheries and associated stocks, the United States looks forward to continuing discussions that will further ensure that conservation and management measures for NAFO-managed stocks, including Greenland halibut, are consistent with scientific advice. We also remain concerned about the status of elasmobranchs. We note that ICCAT, consistent with the request of this organization, adopted a measure for targeted porbeagle fisheries and will consider the need for additional action this year, based on the results of the 2009 ICCAT-ICES porbeagle stock assessment. NAFO should closely monitor this matter and, if appropriate, may wish to seek additional joint work with ICCAT.

We thank you for your attention and look forward to a successful meeting.

**Annex 8. Opening Statement by the Representative of Denmark  
(in respect of the Faroe Islands and Greenland)**

Mr. Chairman, Distinguished Delegates, Observers, Ladies and Gentlemen

Greenland and the Faroe Islands are most pleased to be participating in the 31<sup>st</sup> Annual Meeting of NAFO. Our delegation would first of all like to convey our sincere appreciation to Norway for their hospitality in hosting this meeting. We are happy to be here in beautiful Bergen with its lovely waterfront and with a view to the historical Haakon's Hall.

Our delegation notes with satisfaction positive trends in some stock assessments in the NAFO Convention Area. We believe that this is a clear signal that our management measures for the stocks in questions have by and large been balanced and precautionary enough to allow stock development, even though this development can at times seem to be a very slow process. We continue to encourage and support the difficult and important task of taking into consideration both the biological advice and the interests of the fishing industry so as to ensure optimum and responsible use of our valuable marine resources. Hopefully this can also include the careful reopening of some fisheries still currently under moratoria.

As we noted last year, the Faroe Islands and Greenland are pleased with the progress we have made to design and implement measures to prevent significant adverse impacts of bottom fisheries on vulnerable marine ecosystems. These measures are fully in line with the relevant provisions of UNGA 61/105. They have been reported to the UN, and are reflected in the UN Secretary General's report to this year's General Assembly on actions taken by States and RFMOs pursuant to paragraphs 83 to 90 of UNGA 61/105. We assume that the UN in its fisheries resolution this year, which is being drafted in New York at the moment, will take due note of the comprehensive steps taken over the last 2 years in our North Atlantic RFMOs, NAFO and NEAFC.

Our delegation is of the view that we should now focus our efforts on finalising the necessary fine-tuning of technical and procedural elements in the bottom fishing provisions. In general we must allow ourselves the chance to gain some practical experience from the implementation of the provisions, and not continue to amend the basic framework nor introduce any unnecessary further requirements on our fishing fleets.

Mr. Chairman, we would like to take this opportunity to thank the Secretariat for the preparation of this meeting and in particular to thank Stan Goodick for his efforts as Interim Executive Secretary since May.

Finally, Mr. Chairman Greenland and the Faroe Islands can once again assure you that we look forward to working constructively with all delegations during this year's meeting, so we can collectively contribute to a successful outcome of this 31<sup>st</sup> Annual Meeting of NAFO.

Thank you.



### **Annex 9. Opening Statement by the Representative of Cuba**

Good morning everybody.

The Cuban delegation wants to thank the Government of Norway and specifically the authorities of Bergen for hosting this 31<sup>st</sup> Annual Meeting of NAFO and for giving us the wonderful opportunity to visit this beautiful and historical city.

As every year we have ahead of us a very busy week with a lot of work and discussions on important issues, but we are sure that at the end we will be satisfied because the decisions we take will lead to the better work, the strengthening and the international recognition of the North Atlantic Fishery Organization.

Thank you.

## **Annex 10. Opening Statement by the Representative of Japan**

Mr. Chairman, distinguished delegates and observers,

It is a pleasure for us from Japan to be joining our colleagues once again in this beautiful and historic city of Bergen for the 31<sup>st</sup> NAFO annual meeting. We wish to thank the Government of Norway for hosting this important meeting.

Since the annual meeting last year, the organization has made a remarkable progress under the new principle of the Convention to achieve our common goal of stock recovery, conservation and sustainable use of marine living resources as well as protection of vulnerable marine ecosystems.

Although there still remain several outstanding issues, including ones of particular importance to our delegation, we hope the decisions taken this week will lead to a workable solution based on the best possible scientific advice.

We do hope NAFO, known as one of the world's leading RFMOs, will continue to play a significant role in securing sustainable and responsible fisheries management in Northwest Atlantic.

Finally, we look forward to working with all our colleagues here for successful result of this meeting.

Thank you, Mr. Chairman.

## **Annex 11. Opening Statement by the Representative of the Russian Federation**

Mr. Chairman, distinguished delegates, Ladies and Gentlemen,

First of all I would like to express my deep gratitude to our colleagues from the NAFO Secretariat and the Norwegian Ministry of Fisheries and Coastal Affairs for an excellent arrangement of the thirty-first Annual Meeting of Northwest Atlantic Fisheries Organization (NAFO) at such a wonderful and pleasant venue.

On behalf of the Federal Agency for Fisheries of the Russian Federation, I would like to greet all the participants and wish us every success in our work.

Northwest Atlantic Fisheries Organization is considered by the international fisheries community to be one of the most respected intergovernmental bodies in fisheries management and research activities.

Federal Agency for Fisheries of the Russian Federation and all Russian fishermen highly respect such a unique international forum as Northwest Atlantic Fisheries Organization. This year marks thirty years since the establishment of NAFO. And, if we take into account the fact that NAFO became a successor to the International Commission of the Northwest Atlantic Fisheries (ICNAF), founded back in 1949, this year is the sixtieth anniversary of the distinguished organization.

We recognize the importance of the work carried out by NAFO to ensure sustainable exploitation, efficient management and long-time conservation of living marine resources in the Northwest Atlantic. I am aware that the Parties will endeavour to achieve those objectives and implement the decisions taken by NAFO.

The Northwest Atlantic continues to be one of the most important fisheries areas for the Russian Federation and for all of us. We are deeply interested in sustainable fisheries in this area based on the rational and scientifically-based management. That is why we are greatly satisfied that a number of stocks are recovering due the proper management regime conducted by NAFO.

I hope that successful and fruitful work of this meeting will allow us to elaborate general approaches and principles to resolve outstanding issues in fisheries.

Thank you for your attention.

## **Annex 12. Opening Statement by the Representative of Ukraine**

Distinguished delegates!  
Ladies and Gentlemen!

On behalf of Ukrainian delegation, I am very glad to greet you at the 31<sup>st</sup> annual NAFO meeting. We are looking forward for fruitful cooperation within the meeting framework and would like to assure you of our readiness to support and promote all reasonable proposals of Contracting Parties and NAFO bodies. We are deeply convinced that we have all opportunities to take part in negotiations as a productive partner in view of achieving rational and sustainable exploitation of fishery resources in NAFO Regulatory Area.

Thank you.

**Annex 13. FAO Statement to the 31<sup>st</sup> Annual Meeting  
of the Northwest Atlantic Fisheries Organization (NAFO)**

Hiromoto Watanabe  
Fishery Liaison Officer  
FAO Fisheries and Aquaculture Department

Bergen, Norway  
21 September 2009

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

Regional Fishery Bodies (RFBs) including Regional Fisheries Management Organizations (RFMOs) play a unique role in facilitating international cooperation for the conservation and management of fish stocks. RFBs 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 RFBs 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 in March 2007 discussed RFBs related matter, as a stand-alone Agenda item for the first time in the history of COFI. Many Members requested that FAO continue supporting RFBs. In the Twenty-eighth Session of COFI (COFI 28) in March 2009, under several substantial agenda items, in particular such as Progress in the Implementation of the Code and International Plans of Action (Item 4), Management of deep-sea fisheries in the high seas (Item 7) and Combating IUU fishing (Item 8), the important role of RFBs were also repeatedly underscored. Immediately after the session of COFI, the Second Meeting of Regional Fishery Body Secretariats Network (RSN 2) was held in Rome and reconfirmed the significant role of and expectation for RFBs to play in global and regional fisheries governance.

There has been a couple of remarkable progress recently made in global fisheries governance. The International Guidelines for the Management of Deep-sea Fisheries in the High Seas were agreed upon on 29 August 2008. This new international instrument is the first of its kind in terms of integrating fisheries management and conservation requirements. RFBs are again highly expected as driving force to implement the Guidelines and NAFO is recognized as one of the leading RFBs in this context, which leads me to keenly observe discussion to be made under the relevant agenda item here.

Many distinguished delegates will be also 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 (IUU) Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat IUU Fishing. A Technical Consultation on Port State Measures continued its endeavour since June 2008 and the final resumed session was just held in late August and concluded the discussion on the draft text. Implementation of the instrument will depend highly on cooperation and collaboration with and among RFBs.

I would also like to report that the Development of a Comprehensive Global Record of Fishing Vessels is also ongoing and a Technical Consultation is expected to be organized in 2010. For this particular matter, cooperation and collaboration with RFBs is also essential. As part of the COFI approved programme of work and in preparation for the Technical Consultation, several Global Record pilot projects are in the planning stages, including one involving the tuna RFMOs and another involving NEAFC. The pilot project is on the agenda of the upcoming PECCOE meeting at NEAFC. The IMO, Lloyd's and Equasis are also expected to be partners in these pilots. A brief note on the nature and progress of this initiative is also available as a separate note for those interested.

I also wish to touch upon the issue on climate changes and fisheries. FAO organized an Expert Workshop on Climate Change Implications for Fisheries and Aquaculture from 7 to 9 April 2008 and presented a technical

background document for the High-Level Conference on World Food Security: the Challenges of Climate Change and Bioenergy held in Rome from 3 to 5 June 2008. During the last session of COFI many members agreed that improvement in the management of fisheries and aquaculture would increase their resilience and adaptability to climate change. While the matter is quite complex and broad in its scope, I recognize that NAFO has already taken this matter into account and have great interest in any further observation to be presented in this week. A policy flyer on this matter is also available separately for those interested.

In this highly internationalized fisheries arena, it is now almost impossible for FAO to work on global and regional or even national fisheries issues without cooperation and collaboration with RFBs. Therefore, I would like to reaffirm FAO's strong expectation and commitment to work with RFBs continuously and in a collaborative manner.

NAFO is one of the world's leading RFBs, having a long history and much experience in the sustainable management of fisheries in the Northwest Atlantic Ocean. In particular, its proactive and precautionary approach to protect vulnerable marine ecosystems is highly appreciated. FAO also highly recognizes the Organization as one of the RFBs that initiated the reforming process at the earliest stage in order to strengthen its function and performance. Therefore, it is highly expected that NAFO, under a new Executive Secretary expected to be selected within this week, will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management.

In conclusion, I would like to convey 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.

#### **Annex 14. Opening Statement to the 31<sup>st</sup> Session of NAFO by the Pew Environment Group**

We appreciate the opportunity to attend the Annual Meeting of NAFO and participate in the meeting as observers. We would like to begin with the issue of IUU fishing. Over the past year, the Pew Environment Group has undertaken research to assess the effectiveness of the implementation of port State measures in relation to vessels listed on IUU vessel lists maintained by eight RFMOs. A Pew research team has tracked the port visits globally of vessels on IUU vessel lists between January 2004 and March 2009 using information contained in publicly available databases. This information indicated altogether 413 port visits to ports in 72 countries by 55 vessels during the period of time the vessels were on the RFMO IUU vessel lists. Of these, 144 port visits were made by vessels from December 2006 while they were listed on NAFO's IUU vessel list. Almost one-third (45) of these visits were to ports of Contracting Parties; the remainder to ports of non-contracting parties. Pew considers that 33 of these port visits could constitute potential violations of NAFO CEMs. In addition, Pew has reviewed and updated the information on RFMO IUU vessel lists, which is included in the information we put on the observers' information table and attached as an annex to Pew's opening statement.

We would like to thank the Secretariat for giving us the opportunity to distribute information on Pew's Port State Performance research at this meeting. We have sent information on this research with NAFO specific research results and questions to the Chair and the Secretariat last week and we would appreciate that the research and the questions raised in the Pew information be considered by Contracting Parties and by the meeting of STACTIC this week under the agenda items 5b, 6 and 7 of the STACTIC meeting.

Currently Pew's research is open for public review and input at [www.portstateperformance.org](http://www.portstateperformance.org) until the end of 2009. Pew intends to finalize the research and publish a report on the results in early 2010. To be sure we incorporate the best available information for the final report, we would appreciate any information from the Secretariat of NAFO and/or Contracting Parties which contradicts, verifies or supplements the information we have obtained from the publicly available databases. We would also be interested to know whether and which of the port visits identified by the research as a potential violation of NAFO's CEMs would be considered by STACTIC to be a violation of NAFO's CEMs and what, if any, recommendations STACTIC would have to improve the effective implementation of NAFO's port State measures.

We look forward to discussing our research findings and to cooperating with NAFO on strengthening the implementation of port State measures to prevent, deter and eliminate IUU fishing. In this regard we would also note that the Port State Agreement to prevent, deter and eliminate IUU fishing will be adopted later this year by the UN FAO Conference and we would urge all NAFO Contracting Parties to ratify the Agreement as a matter of priority.

We would now like to speak to the issue of deep-sea fisheries and the protection of vulnerable marine ecosystems (VME) on behalf of the Deep Sea Conservation Coalition (DSCC) of which the Pew Environment Group is a member. NAFO must take measures to much more effectively implement UN General Assembly (UN GA) resolution 61/105 to protect VMEs. Last week the UN GA reviewed the implementation of the 2006 UN GA resolution and recognized that substantial improvement was needed in relation to conducting impact assessments, area closures to protect VMEs, and move-on rules and encounter protocols.

From the DSCC's point of view, impact assessments must be conducted by flag States, consistent with the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas and become standard operational procedure for the management of high seas bottom fisheries in the NAFO region. There are major weaknesses in the NAFO VME move-on rule, in particular the threshold levels are far too high. We recognize the progress that has been made by NAFO in closing several seamount areas and the 3'O' area closure to bottom fishing over the past several years. However, much more needs to be done to close areas to protect corals, sponges and other VME related areas in the Grand Banks and Flemish Cap areas, including the use of biogeographic information in making determinations of where VMES are likely to occur.

The United Nations General Assembly will again take up the issue of the implementation of resolution 61/105 in November. The outcome of this meeting will be subject to scrutiny by the UNGA. In addition, NGOs and many interested scientists will also be paying close attention to the decisions made by NAFO this week. Finally, we

would note that the UN GA resolution calls on States ‘individually’ and through RFMOs to take measures consistent with the resolution to protect vulnerable marine ecosystems. In our view, flag States are under an obligation to implement the resolution even where and RFMO does not adopt or implement measures fully consistent with the resolution. In this regard, we would strongly encourage NAFO Contracting Parties to take unilateral action to regulate their flagged vessels if NAFO fails to adopt measures to fully implement the UN GA resolution.

Thank you

Kristin von Kistowski, Advisor to the International Ocean Governance Program  
Elsa Lee, Associate, International Ocean Governance Program  
Matthew Gianni, Political and Policy Advisor, Deep Sea Conservation Coalition



**Annex 15. Opening Remarks from WWF at the 31<sup>st</sup> NAFO Annual Meeting  
By Robert Rangeley, Vice-President, WWF-Canada, Atlantic Region**

- WWF would like to thank our Norwegian hosts and NAFO for welcoming us here in Bergen for the 31<sup>st</sup> Annual Meeting.
- WWF has attended a number of these meetings, including myself and Stacey McCarthy from Canada here this week. I'm also pleased to introduce my colleagues Nina Jensen from WWF-Norway and Louize Hill from WWF-Scotland.
- WWF participates as an observer because we continue to be concerned about the state of the Northwest Atlantic ecosystem and we are pleased to be able to contribute to NAFO's goals in efforts to restore and maintain ecosystem health, rebuilt stocks, and strengthen sustainable fisheries.
- WWF's believes it is important to state our conservation measures of success based on NAFO's goals and commitments at the outset of the meeting which are available on the back table.
- This year WWF will focus on minimizing cod bycatch on the southern Grand Banks and **protecting vulnerable marine ecosystems**, such as coldwater coral forests or sponge reefs, from the impacts of bottom fishing.

**With regards to cod:**

- NAFO took an important step two years ago by adopting a southern Grand Bank Cod Recovery Strategy that included a 3NO bycatch reduction target of 40% for 2008.
- Unfortunately, the bycatch target of 420 tonnes was grossly exceeded by over 500 tonnes.
- Clearly, certain contracting parties are not doing enough to reduced bycatch, which has been excessive since the moratorium in 1994 and has prevented recovery.
- Voluntary measures did not work in 2008 and Fisheries Commission indicated that additional measures may be necessary if the target was not met.
- WWF believes that only by adopting mandatory bycatch limits, and undertaking the necessary research on spatial and temporal patterns of fish distributions will NAFO ever succeed in rebuilding the 3NO cod stock.
- WWF has commissioned a study demonstrating the value of such research as applied on the Grand Banks within the Canadian EEZ. We have shared this with Scientific Council.
- We have also completed an analysis of the economic value of cod recovery.
- NAFO has committed to implementing ecosystem-based approaches and precautionary quotas and need look no further than its host country, Norway, for a demonstration of the benefits of these efforts for cod recovery.
- AND, it is possible to reduce cod bycatch on the Grand Banks to acceptable levels that may promote recovery as Canada has demonstrated in its yellowtail flounder fishery.

**With regards to Vulnerable Marine Ecosystem Protection:**

- WWF recognizes some of the important steps NAFO has taken in recent years toward implementing the 2006 United Nations General Assembly (UNGA) Resolution on Sustainable Fisheries (61/105).
- With strong policy in place and new data on VME areas mapped, WWF looks forward to the implementation of meaningful protection for VMEs. Success will be measured against the following suite of management measures:

- 1. The closure of all of NAFO's known candidate vulnerable marine ecosystems (VME) in locations where bottom fishing is likely to result in significant adverse impacts.**
- 2. Mandatory scientific observer coverage for exploratory fishing areas.**
- 3. Reducing the current encounter thresholds for corals and sponges in line with the latest Scientific Council findings.**
- 4. Maintaining VME encounter provisions for coral and sponges in line with new scientific advice.**

Finally,

WWF would like to invite all attendees to this NAFO Annual Meeting to visit us in the Forstuen Room (just next to the lobby) anytime this week to discuss these and other fishery conservation issues further.

Thank-you

## **Annex 16. Agenda**

### **I. Opening Procedure**

1. Opening by the Chair, Terje Lobach (Norway)
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. Status of ratification process resulting from the adoption of the amended Convention
9. Request by the Scientific Council for modification of the boundaries of Divisions 3M and 3L
- 9bis. Performance Assessment
10. Administration Report
11. Selection of the Executive Secretary

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

12. Report of Executive Secretary on external meetings
13. International Relations

### **IV. Finance**

14. Report of STACFAD at the Annual Meeting
15. Adoption of the Budget and STACFAD recommendations for 2010

### **V. Closing Procedure**

16. Election of Chair
17. Time and Place of Next Annual Meeting
18. Other Business
19. Press Release
20. Adjournment

## **Annex 17. Performance Review Considerations**

(GC Working Paper 09/4, Revised - Adopted)

### **Background**

The US has proposed creating a Performance Assessment Working Group (PAWG) that would undertake a performance review to identify the strengths and weaknesses in NAFO, as urged by the United Nations General Assembly in its resolution 63/112 on Sustainable Fisheries for Regional Fishery Management Organizations (RFMOs).

The PAWG would be led by the Chair of the General Council, include the NAFO Executive Secretary, and membership open to all CPs. The role of PAWG would include the development of terms of reference (TORs) detailing the chairmanship and composition of a Panel (including a process for appointing internal and external members if supported by PAWG), assessment criteria and administrative procedures.

While the US is proposing that the final terms of reference be adopted by mail vote and that the work of the Performance Review Panel would start immediately afterwards, it is suggested that the PAWG would report to General Council at the 2010 Annual Meeting before any assessment activities occur.

The PAWG would have an expanded mandate to include a review of the terms of reference/assessments of other RFMOs, to develop a NAFO-specific TORs, as well as budgetary considerations for a Performance Review Panel and the overall assessment process.

A comprehensive package would be presented to the General Council for decision by Contracting Parties at the 2010 NAFO Annual Meeting. Subsequently, the General Council would approve the TORs and budget requirements to allow a Review Panel to commence the assessment process.

### **Explanatory Notes**

#### **1. Timing**

While performance reviews are generally looking at past practices, NAFO is in a unique situation of undertaking its review at the time of amending its Convention. It is possible that the 75% majority position to amend the Convention will not occur until late 2011, and therefore it will be important that the review not compromise the current ratification process.

#### **2. Criteria**

PAWG should develop the detailed criteria following a thorough review of performance assessments completed by other RFMOs.

The PAWG should consider the functions and mandate of NAFO when developing TORs and assessment criteria such as:

- a) the (unamended) NAFO Convention;
- b) the criteria of other RFMO Performance Reviews (NEAFC, ICCAT, CCAMLR), and other criteria from UNSFA and FAO;
- c) relevant criteria developed through the Kobe I and II processes; and,
- d) guidance provided by the "Recommended Best Practices for Regional Fisheries Management Organizations" (aka the "model RFMO" developed by Chatham House).

In developing criteria, ecosystem-based fisheries aspects should be included in the terms of reference, including implementation of 2006 UNGA Resolution in relation to VMEs.

#### **3. Composition of the Panel**

PAWG would recommend the composition of the Review Panel based on the best practices of other RFMOs. Among the considerations would be the use of external experts. For example, ICCAT used only external experts

while NEAFC used a mix of both internal and external experts. The recommendation from PAWG would be presented to the General Council for final approval.

#### **4. Administrative Procedures**

Paramount to any administrative procedures is the need for transparency. This would include making the results of any Performance Reviews public and easily available on the NAFO website.

A key issue would be public access to any report because Review Panels are independent, and the report is their product. In ICCAT the report was released simultaneously to the public and to ICCAT members, which posed challenges to the Parties in responding to media calls. In CCAMLR, the report was submitted to Parties first and in the draft South Pacific RFMO treaty, the review is made public only after it is submitted to the Commission. Another issue for PAWG to consider is the access by observers.

#### **5. Budget Considerations**

PAWG must consider budgetary requirements when developing the TORs, especially if membership in the Review Panel is from outside contracting parties. Also, the actual costs involved in completing an assessment would be part of the package presented to General Council.

#### **Proposed Next Steps**

1. Establish in early 2010 a Performance Assessment Working Group (PAWG) open to all CPs and chaired by the Chair of the NAFO General Council. The PAWG will also include the NAFO Executive Secretary.
2. Once established the PAWG will develop the specific TOR and the assessment criteria taking into account approaches to performance assessments undertaken by other RFMOs.
3. PAWG would determine the composition of the Review Panel and prepare appropriate budgets related to the operation of the Panel and the actual assessment.
4. Presentation of the TOR, budget, and Review Panel composition to the General Council for approval.

## **Annex 18. 2009 Annual Meeting Press Release**

### **NAFO Flemish Cap Cod is Back**

#### **FOR IMMEDIATE RELEASE**

**BERGEN, NORWAY** - The Northwest Atlantic Fisheries Organization (NAFO) held its 31<sup>st</sup> Annual Meeting from the 21<sup>st</sup> to the 25<sup>th</sup> of September, 2009. The Norwegian Directorate of Fisheries hosted the meeting in Bergen, Norway. The meeting focused on the establishment of stock management measures and continuing to protect vulnerable marine ecosystems (VMEs).

#### **NAFO stocks open after a decade**

Two stocks previously under moratoria for more than 10 years have been reopened for directed fishing. Atlantic cod on the Flemish Cap (Div. 3M) and Redfish in Div. 3LN will be harvested once again by the international fleets. Quotas for these stocks have been allocated using pre-moratoria values.

NAFO Members remain committed to reduce by-catch to contribute to the rebuilding of Div. 3NO cod and other stocks.

#### **NAFO closes additional areas**

To further protect sensitive marine areas in the international waters of the Northwest Atlantic several areas near the Flemish Cap and Nose of the Grand Banks have been closed. This action reconfirms NAFO's commitment to protect vulnerable marine habitats and species. Twelve significant coral and sponge locations and five seamount areas are now closed to bottom fishing. NAFO will notify United Nations General Assembly that advances made at this meeting implies that fishing in the NAFO Regulatory Area will not cause significant adverse impacts to VMEs.

#### **NAFO defines its fishing footprint**

In order to respond to UN calls, NAFO officially mapped areas in the NAFO Regulatory Area where bottom fishing has historically occurred. This "footprint" distinguishes between existing and new fishing areas. An encounter protocol will apply and Contracting Parties will complete assessments of their bottom fisheries for known or anticipated impacts on VMEs.

#### **NAFO bolsters its vessel monitoring**

NAFO continues to modernize the way it monitors the fisheries. Additional information to that being presently collected will be submitted automatically through the vessel monitoring system. These improvements will greatly improve traceability of the fishing vessels.

#### **NAFO agreed on a performance review process**

NAFO Contracting Parties have agreed to hold a working group meeting next year to develop terms of reference, assessment criteria and composition of a panel to review the Organization. The Working Group will report to the General Council.

#### **New NAFO Executive Secretary**

A new Executive Secretary has been appointed. Vladimir Shibanov from the Russian Federation will take up the post early in 2010 in Dartmouth, NS, Canada. Dr Shibanov has had many years of experience in NAFO through his involvement in Scientific Council and Fisheries Commission.

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

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### Backgrounder

The 31<sup>st</sup> NAFO Annual Meeting was hosted by the Norwegian Directorate of Fisheries and the Director General, Liv Holmefjord welcomed the 175 delegates to Bergen, Norway. The three bodies of NAFO, General Council (chaired by Terje Lobach, Norway), Scientific Council (chaired by Don Power, Canada) and Fisheries Commission (chaired by Vladimir Shibanov, Russian Federation) and their subsidiary bodies met for one week at the Radisson SAS Royal Hotel, Bryggen. The NAFO member countries came together to deliberate on management measures and scientific assessment regarding the international fisheries of the Northwest Atlantic. The meeting was also attended by observers from the Food and Agriculture Organization (FAO); the World Wildlife Fund (WWF) and the Pew Environment Group.

The Fisheries Commission agreed on management measures for the 21 fish stocks managed by NAFO. The advice on the status of fish stocks and the ecosystem given by the Scientific Council to the Organization and Coastal States was mainly elaborated at its main meeting in June. While many stocks remain at low levels there were signs of improvement in some stocks. Two stocks previously under moratoria have been reopened. Directed fishing has been re-established for the first time in over ten years for Atlantic cod in Division 3M and Redfish in Divisions 3LN. The Total Allowable Catch (TAC) for cod is set at 5,500 tons with a number of precautionary measures established to limit by-catches for this stock in other fisheries, and the TAC for redfish was set at 3,500 tons.

NAFO continues to take steps to protect vulnerable marine ecosystems by establishing coral and sponge protection zones in addition to closures already made in previous years. As well, protocols have been devised to minimize catches of these species. It is recognized that there are numerous international scientific research efforts underway to enhance the knowledge on benthic habitat, communities and species in the NAFO Regulatory Area, particularly the Spanish-led international survey in 2009-2010.

This year NAFO mapped areas in the international waters of the Northwest Atlantic where bottom fishing has occurred, in accordance with guidelines adopted by FAO. It is expected that the NAFO fishing “footprint” will be reviewed regularly.

The Port State Control adopted last year measures have improved the compliance by vessels fishing in the international waters. A total of 245 at-sea inspections conducted in 2008 resulted in only 5 infringements was minimal. Fishing vessels operating in the NAFO Regulatory Area continue to be monitored by VMS but will be subject to more frequent reporting procedures. These improvements, among other things, allow the inspection services to more accurately determine the locations of fishing vessels.

Fishing in the NRA will be subject to more frequent monitoring and reporting.

The 32nd Annual Meeting of the Organization will be held in Canada The table of NAFO TACs and quotas agreed at this session is attached.

### Meetings

Prior to the Annual Meeting, the following NAFO meetings were held during 2009: (1) Working Group of Fishery Managers and Scientists on VMEs (19-20 March); (2) Standing Committee on International Control (5-7 May); (3) Scientific Council *ad hoc* Working Group on Assessment Methods for SA 2 + Div. 3KLMNO Greenland Halibut (1-3 June); (4) Scientific Council Regular Meeting (Dartmouth, Canada, 4-18 June); (5) *Ad Hoc* Working Group of Fisheries Managers and Scientists (17-18 September).

The meeting was attended by over 175 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 Interim Executive Secretary

25 September 2009, Bergen, Norway

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

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2010 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 Division/Contracting Party	Cod			Redfish				American plaice		Yellowtail 3LNO		
	3L	3M	% of 3M Cod TAC	3NO	3LN	% of 3LN Redfish TAC	3M	3O	Sub-Area 2 and Div. 1F+3K		3LNO	3M
Canada		44	0.80	0	1491	42.60	500	6000	385 <sup>2,4</sup>	0	0	16575 <sup>5</sup>
Cuba		204	3.70	-	343	9.80	1750		385 <sup>2,4</sup>	-	-	-
Denmark (Faroe Islands and Greenland)		1229	22.35	-	-		69 <sup>19</sup>		9627 <sup>2,3</sup>	-	-	-
European Union		3136 <sup>25</sup>	57.03	0 <sup>11</sup>	638 <sup>25</sup>	18.23	7813 <sup>12</sup>	7000	9627 <sup>2,3</sup> 2503 <sup>2,15</sup>	0	0 <sup>11</sup>	-
France (St. Pierre et Miquelon)		-		-	-		69 <sup>19</sup>		385 <sup>2,4</sup>	-	-	340 <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		509	9.25	-	-		-		9627 <sup>2,3</sup>	-	-	-
Russia		356	6.47	0	1007	28.77	9137	6500	9627 <sup>2,3</sup>	-	0	-
Ukraine								150	385 <sup>2,4</sup>			
United States of America		-		-	-		69 <sup>19</sup>		385 <sup>2,4</sup>	-	-	-
Others		22	0.40	0	21	0.60	124	100	-	0	0	85 <sup>5</sup>
<b>TOTAL ALLOWABLE CATCH</b>	<sup>*9</sup>	<b>5500<sup>23</sup></b>	<b>100.0</b>	<sup>*9</sup>	<b>3500<sup>24</sup></b>	<b>100.0</b>	<b>10000<sup>8</sup></b>	<b>20000</b>	<b>12516</b>	<sup>*21,16</sup>	<sup>*9,16</sup>	<b>17000<sup>21,22</sup></b>



Species	Witch		White hake	Capelin	Skates	Greenland halibut	Squid (Illex) <sup>1</sup>		Shrimp	
	3L	3NO					Sub-areas 3+4	3L	3NO	
Canada		0	1765	0	2000	1778	N.S. <sup>6</sup>	24990		
Cuba		-		0		-	510	334		
Denmark (Faroe Islands and Greenland)		-		-		206	-	334		
European Union		0 <sup>11</sup>	3529	0 <sup>11</sup>	7556	6951 <sup>18</sup>	N.S. <sup>6</sup> 611 <sup>13</sup>	1670 <sup>14</sup>		
France (St. Pierre et Miquelon)		-		-		194	453	334		
Iceland		-		-		-	-	334		
Japan		-		0		1215	510	334		
Korea		-		-		-	453	334		
Norway		-		0		-	-	334		
Russia		0	353	0	2000	1512	749	334		
Ukraine						-		334		
United States of America		-		-		-	453	334		
Others		0	353	-	444	0 <sup>7</sup>	794	0		
TOTAL ALLOWABLE CATCH	<sup>*9</sup>	<sup>*16,9</sup>	6000	<sup>*20,9</sup>	12000	11856	34000 <sup>16</sup>	30000		<sup>*9</sup>

\* Ban on fishing in force.

- 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.
- 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.
- 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.
- Quota to be shared by vessels from Canada, Cuba, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.
- Contracting Parties shall inform the Executive Secretary before 01 December 2009 of the measures to be taken to ensure that total catches do not exceed the levels indicated.
- 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 1,300 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. Not more than 5000 tons may be fished before 01 July 2010. 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 12, 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 2010 as compared to 2009, 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 334 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 30,000 tonnes, following their accession to the European Union
15. Allocation of 2,234 tonnes for Lithuania and 269 tonnes to Latvia following their accession to the European Union.
16. Applicable to 2010 and 2011.
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 until at least 2012.
21. In lieu of Article 12.1 (a) and (b) of the CEM, the following by-catch provisions for American plaice only in the 3LNO yellowtail fishery shall apply: Contracting Parties fishing for yellowtail flounder allocated under the NAFO allocation table will be restricted to an overall Am. plaice by-catch harvest limit equal to 13% of their total yellowtail fishery as calculated in accordance with Article 12.1 (c). For 2010, the by-catch percentage will increase to 15% unless a Scientific Council projection indicates that this rate is likely to undermine stock recovery or cause an unreasonable delay in reaching  $B_{lim}$ , in which case the increase may be subject to a reassessment by the Fisheries Commission.
22. Following the NAFO annual meeting and prior to January 1 of the succeeding year, at the request of the USA, Canada will transfer 1000 tonnes of its 3LNO yellowtail quota to the USA.
23. The allocation key of this stock is based on the 1998 Quota Table. In 1999, a moratorium on cod in Division 3M was declared.
24. The allocation key of this stock is based on the 1997 Quota Table. In 1998, a moratorium on redfish in Division 3LN was declared.
25. Including fishing entitlements of 61 tons each for Estonia, Latvia, and Lithuania 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) and allocation of 209 tons for Poland following their accession to the European Union.
26. Including fishing entitlements of 173 tonnes each for Estonia, Latvia, and Lithuania 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) following their accession to the European Union.