

# Northwest Atlantic Fisheries Organization (NAFO)



## Meeting Proceedings of the General Council and Fisheries Commission for 2011/2012

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## **Foreword**

This issue of the Proceedings contains the reports of all meetings of the General Council (GC) and Fisheries Commission (FC) including their subsidiary bodies held in the twelve months preceding the Annual Meeting in September 2012 (between 1 September 2011 and 31 August 2012). This follows a NAFO cycle of meetings starting with an Annual Meeting rather than by calendar year.

This present 2011/2012 issue is comprised of the following sections:

SECTION I contains the Report of the FC Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE), 7 September 2011 (via WebEx).

SECTION II contains the Report of the General Council including its subsidiary body (STACFAD) 33<sup>rd</sup> Annual Meeting, 19-23 September 2011, Halifax, Nova Scotia, Canada.

SECTION III contains the Report of the Fisheries Commission including its subsidiary body (STACTIC), 33<sup>rd</sup> Annual Meeting, 19-23 September 2011, Halifax, Nova Scotia, Canada.

SECTION IV contains the Report of the GC Working Group on the Development of Plans of Action for the Implementation of the Recommendations of the NAFO Performance Review Panel, 20-22 March 2012, Halifax, Nova Scotia, Canada.

SECTION V contains the Report of the Standing Committee on International Control (STACTIC), 2-4 May 2012, Brussels, Belgium.



## Contents

Foreword.....	iii
Map.....	iv
Structure of the Northwest Atlantic Fisheries Organization.....	viii
SECTION I. Report of the Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE), 7 September 2011 (via WebEx).....	1
Annex 1. List of Participants.....	5
Annex 2. Agenda.....	7
Annex 3. FC Request and SC Response .....	8
Annex 4. Exceptional Circumstances Protocol .....	10
SECTION II. Report of the General Council and its Subsidiary Body (STACFAD), 33 <sup>rd</sup> Annual Meeting, 19-23 September 2011, Halifax, Nova Scotia, Canada.....	11
Part I. Report of the General Council .....	13
Annex 1. List of Participants .....	17
Annex 2. Opening Statement by the Chair of General Council, T. Lobach (Norway).....	29
Annex 3. Opening Statement by the Representative of Canada .....	30
Annex 4. Opening Statement by the Representative of the European Union .....	32
Annex 5. Opening Statement by the Representative of the United States of America .....	33
Annex 6. Opening Statement by the Representative of Denmark (in respect of the Faroe Islands and Greenland).....	34
Annex 7. Opening Statement by the Representative of Cuba.....	35
Annex 8. Opening Statement by the Representative of Japan .....	36
Annex 9. Opening Statement by the Representative of the Russian Federation.....	37
Annex 10. Opening Statement by the Representative of Ukraine .....	38
Annex 11. FAO Statement to the 33 <sup>rd</sup> Annual Meeting of NAFO .....	39
Annex 12. Opening Statement by the Ecology Action Centre / Pew Environment Group to the 33 <sup>rd</sup> Annual Meeting of NAFO .....	41
Annex 13. Opening Remarks by the Sierra Club Canada to the 33 <sup>rd</sup> Annual Meeting of NAFO .....	42
Annex 14. Opening Remarks from WWF at the 33 <sup>rd</sup> NAFO Annual Meeting.....	43
Annex 15. Agenda.....	45
Annex 16. General Council Decision regarding the establishment of NAFO General Council Working Group on the Future of NAFO on the development of Plans of Action necessary for the implementation of the Recommendations of the NAFO Performance Review Panel .....	46
Annex 17. 2011 Annual Meeting Press Release.....	52
Part II. Report of the Standing Committee on Finance and Administration (STACFAD).....	58
Annex 1. List of Participants .....	65
Annex 2. Agenda .....	66
Annex 3. Proposal for a NAFO Internship Program .....	67
Annex 4. Non-restricted Sessions: Rule 3 of Rules of Procedure for Observers.....	68
Annex 5. Budget Estimate for 2012 .....	71
Annex 6. Preliminary Calculation of Billing for 2012 .....	74
Annex 7. Preliminary Budget Forecast for 2013 and 2014 .....	75
Annex 8. STACFAD Preliminary responses to PRP Recommendations .....	76

SECTION III.	Report of the Fisheries Commission and its Subsidiary Body (STACTIC), 33 <sup>rd</sup> Annual Meeting, 19-23 September 2011, Halifax, Nova Scotia, Canada .....	79
Part I.	Report of the Fisheries Commission .....	81
Annex 1.	List of Participants .....	90
Annex 2.	Record of Decisions and Actions by the Fisheries Commission.....	102
Annex 3.	Agenda.....	105
Annex 4.	Scientific Council Responses to Questions from the Fisheries Commission ...	107
Annex 5.	Fisheries Commission's Request for Scientific Advice on Management Options in 2013 and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters .....	109
Annex 6.	Interim 3LNO American Plaice Conservation Plan and Rebuilding Strategy ..	115
Annex 7.	Interim 3NO Cod Conservation Plan and Rebuilding Strategy.....	116
Annex 8.	Terms of Reference for the Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies .....	118
Annex 9.	Recommendation from the FC Working Group on Greenland Halibut Management Strategy Evaluation to the Fisheries Commission.....	119
Annex 10.	Quota Table 2012 and Effort Allocation Scheme 2012 .....	120
Annex 11.	Cod in Division 3NO .....	124
Annex 12.	Amendments to NAFO Conservation and Enforcement Measures – Annex I.A, Footnote 21 .....	125
Annex 13.	White Hake in Divisions 3NO .....	126
Annex 14.	Thorny Skate in Division 3LNO.....	127
Annex 15.	Greenland Halibut Management Strategy Evaluation.....	128
Annex 16.	Terms of Reference for the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems .....	130
Annex 17.	Update of Chapter Ibis-Bottom Fisheries in the NAFO Regulatory Area .....	131
Annex 18.	Proposal for a Reassessment of the impacts of NAFO Managed Fisheries on Known or Likely Vulnerable Marine Ecosystems .....	139
Annex 19.	Proposal to amend NCEM Article 15.2 .....	140
Annex 20.	Modifications to Shark Bycatch Reporting.....	141
Annex 21.	NAFO CEM – Annex XX(c) - Product Form Codes.....	142
Annex 22.	Proposal to improve NCEM – Vessel type .....	143
Annex 23.	Amendment to NAFO CEM Annex XIX.....	144
Annex 24.	Communication of catches – Editorial correspondence for CA, OB, RJ and US field codes – NAFO CEM – Annexes X; XXa and XXIIc .....	145
Annex 25.	Communication of catches – Daily declaration of discarded fish within the CAT message; Deletion of the CAX message; Identification of vessels with an observer on board-NAFO CEM-Chapter VII; Annexes X, XXa and XXIIc .....	148
Annex 26.	Communication in case of defective VMS .....	150
Annex 27.	Serious Infringements .....	151
Annex 28.	Annual Compliance Review 2011 (Compliance Report for Calendar Year 2010) .....	152
Annex 29.	Follow-up of editorial redrafting of the NAFO CEM by EDG .....	169
Annex 30.	NAFO Inspectors Web Area.....	170
Annex 31.	International Monitoring, Control, and Surveillance Network .....	173
Part II.	Report of the Standing Committee on International Control (STACTIC) .....	174
Annex 1.	Agenda.....	184
SECTION IV.	Report of the GC Working Group on the development of Plans of Action for the implementation of the Recommendations of the NAFO Performance Review Panel, 20-22 March 2012, Halifax, Nova Scotia, Canada.....	185
Annex 1.	List of Participants.....	189

Annex 2.	Agenda.....	191
Annex 3.	Draft Action Plan for the Implementation of the Performance Review Recommendations Concerning Several NAFO Bodies (as approved by the GCWG).....	192
SECTION V.	Report of the Standing Committee on International Control (STACTIC), 2-4 May 2012, Brussels, Belgium .....	203
Annex 1.	List of Participants .....	214
Annex 2.	Agenda.....	218
Annex 3.	NAFO 2011 Fisheries Profile and Trends.....	219
Annex 4.	EDG presentation.....	226

**Structure of the Northwest Atlantic Fisheries Organization (NAFO)  
(as at 01 August 2012)**

**Contracting Parties**

Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and United States of America (USA).

**President**

Veronika Veits (EU)

**Constituent Bodies**

General Council	Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and USA.	<i>Chair</i> – Veronika Veits (EU) <i>Vice-Chair</i> – Vacant
Scientific Council	Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and USA.	<i>Chair</i> – Carsten Hvingel (Norway) <i>Vice-Chair</i> – Don Stansbury (Canada)
Fisheries Commission	Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EU, France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russia, Ukraine and USA.	<i>Chair</i> – Sylvie Lapointe (Canada) <i>Vice-Chair</i> - Vacant

**Standing Committees**

General Council	Standing Committee on Finance and Administration (STACFAD)	<i>Chair</i> – Deirdre Warner-Kramer (USA) <i>Vice-Chair</i> – Olga Sedykh (Russian Federation)
Scientific Council	Standing Committee on Fishery Science (STACFIS) Standing Committee on Research and Coordination (STACREC) Standing Committee on Publications (STACPUB) Standing Committee on Fisheries Environment (STACFEN)	<i>Chair</i> – Jean-Claude Mahé (EU) <i>Chair</i> – Don Stansbury (Canada) <i>Chair</i> – Margaret Treble (Canada) <i>Chair</i> – Gary Maillet (Canada)
Fisheries Commission	Standing Committee on International Control (STACTIC)	<i>Chair</i> – Gene Martin (USA) <i>Vice-Chair</i> – Stein-Åage Johnsen (Norway)

**Secretariat**

Executive Secretary	Vladimir Shibanov
Deputy Executive Secretary / Senior Finance and Staff Administrator	Stan Goodick
Senior Fisheries Commission Coordinator	Ricardo Federizon
Scientific Council Coordinator	Neil Campbell
Senior Personal Assistant to the Executive Secretary	Bev McLoon
Information Officer	Barb Marshall
Senior Fisheries Information Manager	Cindy Kerr
IT Manager (to 13 July 2012) (from 18 June 2012)	George Campanis
Office Manager	Matthew Kendall
Publications Manager	Lisa Pelzmann
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2 Morris Drive, Dartmouth, Nova Scotia, Canada



**SECTION I**  
(pages 1 to 10)

**Report of the FC Working Group on Greenland Halibut Management  
Strategy Evaluation (WGMSE)  
7 September 2011  
via WebEx teleconference**

Report of the Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE).....	3
1. Opening .....	3
2. Appointment of Rapporteur .....	3
3. Adoption of Agenda.....	3
4. Review of the latest Scientific Advice on Greenland Halibut Management Strategy Evaluation .....	3
5. Development of guidelines on how to address exceptional circumstances as a scientific justification for over-riding the TAC provided by the Harvest Control Rule (HCR) .....	3
6. Recommendations to be forwarded to the Fisheries Commission .....	3
7. Other Business .....	3
8. Adoption of Report .....	4
9. Adjournment .....	4
Annex 1. List of Participants .....	5
Annex 2. Agenda.....	7
Annex 3. FC Request and SC Response.....	8
Annex 4. Exceptional Circumstances Protocol .....	10



## **Report of the FC Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE)**

(FC Doc. 11/8)

**7 September 2011  
via WebEx teleconference**

### **1. Opening**

The Co-Chair, Sylvie Lapointe (Canada) opened the meeting at 1315 UTC on Wednesday, 7 September 2011 and welcomed the participants (Annex1).

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

Ricardo Federizon (NAFO Secretariat) was appointed Rapporteur.

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

The provisional agenda as previously circulated was adopted (Annex 2). The Chair indicated that the Chair's discussion paper, which was previously circulated, would serve as the basis of the development of "Exceptional Circumstances" guidelines, the substantive agenda item of this meeting (item 5).

### **4. Review of the latest Scientific Advice on Greenland Halibut Management Strategy Evaluation**

At the 2010 Annual Meeting, the Fisheries Commission (FC) requested to the Scientific Council (SC) the computation of Greenland halibut TAC in the context of the adopted MSE. It also requested guidance on what constitutes "exceptional circumstances" and guidance on conditions this provision should be applied.

In June 2011, the SC responded to the FC request. The SC Chair, Ricardo Alpoim presented the response. The FC request and the SC response are compiled in FCWG-MSE Working Paper 11/1 (Annex 3).

Recalling that in its advice, SC highlighted that its current evaluation of whether or not the exceptional circumstances provision should be applied was limited to comparisons made with the XSA OMs; it was noted that in order to have a high degree of confidence that the assumptions for the MSE are holding then future assessments should include SCAA OMs.

While SC advice on whether or not the exceptional circumstances provision should be applied was presented, it was noted that this discussion was beyond the mandate of the working group and should be considered by FC at the Annual Meeting.

### **5. Development of guidelines on how to address exceptional circumstances as a scientific justification for over-riding the TAC provided by the Harvest Control Rule (HCR)**

The "Exceptional Circumstances Protocol" was developed (Annex 4).

### **6. Recommendations to be forwarded to the Fisheries Commission**

It was agreed that the Exceptional Circumstances Protocol (Annex 4) would be forwarded to the Fisheries Commission with a recommendation for adoption.

### **7. Other Business**

The SC Chair drew attention to concerns of the Scientific Council at its June 2011 Meeting: "Scientific Council expressed some concerns with the role of Fisheries Commission Working Groups which require scientific input. In

principle Scientific Council supports the increase of dialogue between scientists, managers and fishers, but notes the increased workload this places on scientists and feels that any new science should be peer reviewed by Scientific Council before consideration by managers. If it is felt that Scientific Council lacks the experience to address a particular issue, it is within the remit of Contracting Parties to support the work of Scientific Council by adding additional members with the required skills and knowledge to their delegations.”

The Co-Chair also reminded the working group that in the subsequent WG meetings, only working papers and documents originating from Contracting Parties, that represent the Contracting Parties’ views or peer-reviewed by the Scientific Council would be considered.

#### **8. Adoption of Report**

This report was adopted through correspondence after the meeting.

#### **9. Adjournment**

The meeting was adjourned at 1515 UTC.

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**Annex 2. Agenda**

1. Opening
2. Appointment of Rapporteur
3. Adoption of the Agenda
4. Review of the latest Scientific Advice on Greenland Halibut Management Strategy Evaluation
5. Development of guidelines on how to address exceptional circumstances as a scientific justification for over-riding the TAC provided by the Harvest Control Rule (HCR)
6. Recommendations to be forwarded to the Fisheries Commission
7. Other Business
8. Adoption of Report
9. Adjournment

### Annex 3. FC Request and SC Response (FCWG-MSE Working Paper 11/1)

#### FC Request (item 6 of FC Doc. 10/9 Rev.)

6. *The Fisheries Commission adopted in 2010 an MSE approach for Greenland halibut stock in Subarea 2 + Division 3KLMNO (FC Working Paper 10/7). This approach considers a survey based harvest control rule (HCR) to set a TAC for this stock on an annual basis for the next four year period. The Fisheries Commission requests the Scientific Council to:*

*a) annually monitor and update the survey slope and to compute the TAC according to HCR adopted by the Fisheries Commission according to Annex 1 of FC Working Paper 10/7.*

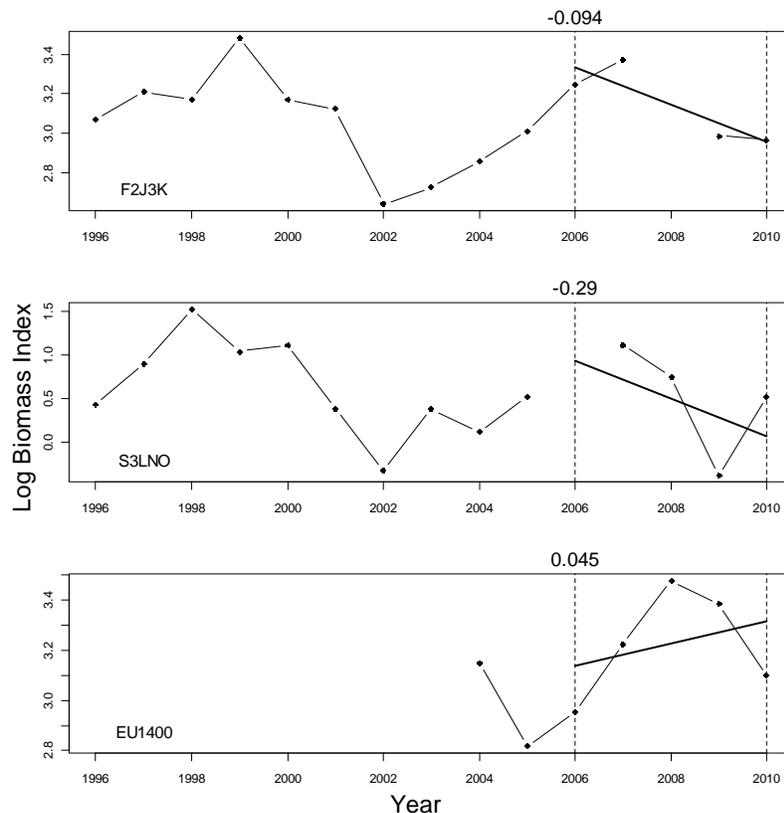
*b) provide guidance on what constitutes “exceptional circumstances”.*

*c) provide advice on whether or not the “exceptional circumstances” provision should be applied.*

#### SC Response (SCS Doc. 11/16, p. 29-31)

*a) annually monitor and update the survey slope and to compute the TAC according to HCR adopted by the Fisheries Commission according to Annex 1 of FC Working Paper 10/7.*

Survey slopes were computed over the most recent five years (2006-2010) and are illustrated below. The data series included in the HCR computation are the Canadian Autumn Div. 2J3K index (“F2J3K”), the Canadian Spring Div. 3LNO index (“S3LNO”), and the EU Flemish Cap index covering depths from 0-1400m (“EU1400”). Averaging the individual survey slopes yields  $slope = -0.1130$ . Therefore,  $17185 * [1 + 2 * (-0.1130)] = 13\,301$  t. However, as this change exceeds 5%, the HCR constraint is activated and  $TAC_{2012} = 0.95 * 17185 = 16\,326$  t.



b) *provide guidance on what constitutes “exceptional circumstances”.*

The HCR adopted by Fisheries Commission was tested during September 2010 under a suite of operating models (conditioned using XSA or SCAA) and found to be robust. Exceptional circumstances may generally be defined as any event or observation which is outside of the range of possibilities included within the MSE.

Some examples which could constitute exceptional circumstances in the Greenland halibut application may include catches outside the range tested in the MSE, or, differences between simulated and observed surveys.

c) *provide advice on whether or not the “exceptional circumstances” provision should be applied.*

At present, Scientific Council does not have the distributions of simulated survey indices, fishing mortality or biomass available to determine if the present status of resource is consistent with all operating models (OMs) on which the HCR was tested.

Comparisons were made between updated assessment results and XSA OMs; and the 2011 age 5-9 biomass from the updated XSA assessment is within the 5<sup>th</sup> and 95<sup>th</sup> percentiles of simulated biomass for all XSA OMs. Given that exceptional circumstances have yet to be defined, determination of whether or not they are occurring is not possible. Further, extensive analysis by Scientific Council and/or decisions by Fisheries Commission may be required to determine whether or not the degree of differences between MSE assumptions/results and ongoing data collection are “exceptional enough” to warrant ignoring the HCR generated TAC in favour of other measures.

Specific to the Greenland halibut application, Scientific Council noted:

**Catch over-run.** The assumed catches in 2010 applied in all simulation testing during WGMSE were based on the TAC over-runs over the period 2004-2009 and ranged from 19.5 Kt to 23.2 Kt, with a median simulated catch 2010 of 20.7 Kt. However, the STACFIS estimate of catch for 2010 is 26.2 Kt, which is 26% higher than the median catch applied in simulation testing. Scientific Council notes that the estimated catch for 2010 exceeds the range included in WGMSE evaluations, and the degree of difference between MSE assumptions and current catch estimates may constitute an Exceptional Circumstance.

In addition, WGMSE evaluations assumed that in all years subsequent to 2010, removals would exactly equal the TAC generated from the HCR. That is, there is no allowance for TAC over-runs. Continued catch over-runs would increase the probability that updated assessments will differ from the distribution of results from the set of OMs considered during WGMSE.

**Differences between simulated and observed surveys.** If the observed surveys in the coming years fall outside the range of simulated surveys in the MSE, this may constitute an Exceptional Circumstance.

## **Annex 4. Exceptional Circumstances Protocol**

(FCWG-MSE Working Paper 11/2, Revised)

### **1. Background:**

Fisheries Commission (FC) adopted in 2010 a new Management Strategy (MS) for the Greenland halibut stock in Subarea 2 + Divisions 3KLMNO. This MS is applied annually to automatically adjust the TAC based on the recent trend in the survey biomass.

*Exceptional Circumstances* provisions are intended to respond to an event or observation which is outside of the range of possibilities considered within the MSE. In such cases, Fisheries Commission may have reason to override the TAC provided by the MS and/ or also require the MS to be reviewed/ revised. To this effect, Scientific Council (SC) will annually monitor the situation and provide advice to Fisheries Commission on whether or not 'exceptional circumstances' may be occurring.

### **2. Exceptional Circumstances**

Some examples, identified by the Scientific Council, which could constitute exceptional circumstances in the Greenland halibut application may include catches in excess of the range tested or observed surveys outside the range simulated. The range of catches and the survey indices are the only information that allow a direct comparison of observed data with modeled results. These should therefore be considered at a primary level. Other indicators should be considered at a secondary level of importance.

- Data Gaps - Incomplete/Missing survey data or termination of a survey time series;
- Biological Parameters - Biological inputs which differ from the range of possibilities included within the MSE (e.g. natural mortality);
- Recruitment - Estimated recruitments in the assessment no longer appear to be consistent with the range of recruitments considered in the MSE, where the same model is used for the estimation as used in the MSE; and /or
- Fishing Mortality - Estimates of fishing mortality that are outside the range of values generated in the MSE, where the same model is used for the estimation as used in the MSE; and/or
- Exploitable Biomass - Estimates of Exploitable Biomass that are outside the range of values generated in the MSE, where the same model is used for the estimation as used in the MSE.

Ongoing Scientific Council analysis related to this stock may also identify other situations which warrant consideration as exceptional circumstances.

The 90% probability intervals obtained from the projection from the MSE process should be considered as a reference.

Advice provided by Scientific Council which suggests the occurrence of exceptional circumstances should be based on compelling evidence and should include sufficient detail to allow FC to take an informed decision on implementation of the MS and possible next steps.

### **3. Implementation/ Next Steps**

When SC advice indicates that exceptional circumstances may be occurring, FC will consider a range of responses/ possible courses of action taking into account the degree and type of circumstance noted. In order, those that would be considered are as follows:

1. Review the information, but maintain the MS as the management tool; additional research/monitoring may be recommended to determine if the signal detected warrants moving to step 2;
2. Advance the review period (currently 2014), and potentially revise the MS, but implement the MS outputs;
3. Set a catch limit that departs from the MS, and revise the MS.

**SECTION II**  
(pages 11 to 77)

**Report of the General Council and its Subsidiary Body  
(STACFAD), 33<sup>rd</sup> Annual Meeting  
19-23 September 2011  
Halifax, Nova Scotia, Canada**

PART I.	Report of the General Council .....	13
	I. Opening Procedure .....	13
	II. Supervision and Coordination of Organizational, Administrative and Other Internal Affairs .....	14
	III. Coordination of External Affairs .....	14
	IV. Finance .....	15
	V. Closing Procedure .....	16
	Annex 1. List of Participants .....	17
	Annex 2. Opening Statement by the Chair of General Council, T. Lobach (Norway) .....	29
	Annex 3. Opening Statement by the Representative of Canada .....	30
	Annex 4. Opening Statement by the Representative of the European Union .....	32
	Annex 5. Opening Statement by the Representative of the United States of America .....	33
	Annex 6. Opening Statement by the Representative of Denmark (in respect of the Faroe Islands and Greenland) .....	34
	Annex 7. Opening Statement by the Representative of Cuba .....	35
	Annex 8. Opening Statement by the Representative of Japan .....	36
	Annex 9. Opening Statement by the Representative of the Russian Federation .....	37
	Annex 10. Opening Statement by the Representative of Ukraine .....	38
	Annex 11. FAO Statement to the 33 <sup>rd</sup> Annual Meeting of NAFO .....	39
	Annex 12. Opening Statement by the Ecology Action Centre / Pew Environment Group to the 33 <sup>rd</sup> Annual Meeting of NAFO .....	41
	Annex 13. Opening Remarks by the Sierra Club Canada to the 33 <sup>rd</sup> Annual Meeting of NAFO .....	42
	Annex 14. Opening Remarks from WWF at the 33 <sup>rd</sup> NAFO Annual Meeting .....	43
	Annex 15. Agenda .....	45
	Annex 16. General Council Decision regarding the establishment of NAFO General Council Working Group on the Future of NAFO on the development of Plans of Action necessary for the implementation of the Recommendations of the NAFO Performance Review Panel .....	46
	Annex 17. 2011 Annual Meeting Press Release .....	52
Part II.	Report of the Standing Committee on Finance and Administration (STACFAD) .....	58
	1. Opening by the Chair, Deirdre Warner-Kramer (USA) .....	58
	2. Appointment of Rapporteur .....	58
	3. Adoption of Agenda .....	58
	4. Auditors' Report for 2010 .....	58
	5. Administrative and Activity Report by Secretariat .....	59
	6. Financial Statements for 2011 .....	59
	7. Review of Accumulated Surplus and Contingency Funds .....	60
	8. Personnel Matters .....	60
	9. Internship Program .....	61
	10. Rules of Procedure .....	61
	11. Budget Estimate for 2012 .....	61

12. Budget Forecast for 2013 and 2014.....	63
13. Adoption of 2012 Staff Committee Appointees .....	63
14. Time and Place of 2012 - 2014 Annual Meetings .....	63
15. Other Matters.....	64
16. Adjournment.....	64
Annex 1. List of Participants .....	65
Annex 2. Agenda.....	66
Annex 3. Proposal for a NAFO Internship Program .....	67
Annex 4. Non-restricted Sessions: Rule 3 of Rules of Procedure for Observers.....	68
Annex 5. Budget Estimate for 2012 .....	71
Annex 6. Preliminary Calculation of Billing for 2012 .....	74
Annex 7. Preliminary Budget Forecast for 2013 and 2014 .....	75
Annex 8. STACFAD Preliminary Responses to PRP Recommendations .....	76

## **PART I**

### **Report of the General Council** (GC Doc. 11/3)

#### **33<sup>rd</sup> Annual Meeting, September 19-23, 2011** **Halifax, Nova Scotia, Canada**

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

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

The 33<sup>rd</sup> Annual Meeting of NAFO was convened on 19 September 2011 at 0900 hrs at the Westin Hotel, Halifax, NS, Canada, with 180 delegates present from all twelve NAFO Contracting Parties (Annex 1). The NAFO President and GC Chair, Terje Lobach (Norway) welcomed all delegates to the meeting. Statements followed by Canada, the European Union, the United States of America, Denmark (in respect of the Faroe Islands and Greenland), Cuba, Japan, the Russian Federation, Ukraine and Republic of Korea. (Annexes 2-10).

Opening statements were also made by the observer from the FAO and NGO observers from the Ecology Action Centre (EAC)/Pew Environmental Group, the Atlantic Chapter of Sierra Club Canada, and the World Wildlife Fund (WWF) (Annexes 11-14).

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

Vladimir Shibanov, the NAFO Executive Secretary, was appointed as Rapporteur.

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

The agenda was adopted as circulated (Annex 15).

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

In accordance with the Rules for Observers and in advance of the meeting, the Executive Secretary had invited the following intergovernmental organizations to attend: FAO, CCAMLR, CPPS, ICCAT, ICES, NAMMCO, NASCO, NEAFC, NPAFC, PICES, SEAFO. FAO was present, EU observed on behalf of CCAMLR, Denmark (in respect of the Faroe Islands and Greenland) on behalf of NEAFC and Norway on behalf of NAMMCO. Furthermore, the following NGOs which had been granted observer status were also present: the Ecology Action Centre (EAC), the Atlantic Chapter of the Sierra Club of Canada (SCC), the Pew Environment Group and the World Wildlife Fund (WWF).

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

The meeting agreed that no public statements would be made until after the conclusion of the meeting when a Press Release would be prepared by the 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 items of agenda General Council recommended to investigate the Recommendations addressed by the NAFO Performance Review Panel relevant to STACFAD only.

## **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. All twelve NAFO Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), the European Union, France (in respect of St Pierre and 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**

To date Norway, Canada and EU have completed the ratification process. Other Contracting Parties reported on progress made in their internal processes. In light of the recommendations made by the Performance Review Panel, Contracting Parties were encouraged to ratify the Amended Convention as soon as possible.

### **9. Status of the NAFO Headquarters Agreement**

Canada reported that its domestic approval process for the Headquarters Agreement is proceeding, and NAFO will be informed of any developments.

### **10. NAFO Performance Review**

The Report of the NAFO Performance Review Panel was presented by Dr Denzil Miller, Panel Member in absence of the Panel Chair. Contracting Parties thanked the Panel for their comprehensive report. The NAFO Secretariat was thanked for their administrative and information support given to the Panel. The list of recommendations was compiled in GC WP 11/2 (Rev). It was decided to divide the recommendations into two groups. Panel recommendations that pertained to individual NAFO Constituent Bodies were forwarded to the Bodies for their review during this meeting. A General Council Working Group on the future of NAFO on the development of plans of action necessary for the implementation of the recommendations of the NAFO Performance Review Panel was established. This Working Group will investigate the second group of recommendations that involve policy issues and more than one Constituent Body. The Working Group Terms of Reference, composition, chair, timing and venue were adopted (GC WP 11/11, Rev. + GC WP 11/8, Rev.) (Annex 16).

### **11. Administrative Report**

The Executive Secretary presented the Administrative and Financial Report (GC Doc. 11/1 (Rev)). The Report was accepted with no comments.

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

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

The Executive Secretary presented a report on his recent activity at the UN Workshop on the implementation of UNGA Resolutions 61/105 and 64/72 during 15-16 September 2011 on sustainable fisheries, addressing the impacts of bottom fishing on VMEs and long-term sustainability of deep-sea fish stocks. This matter was referred to the Fisheries Commission.

The following meetings were attended by various members of the NAFO Secretariat (GC Doc. 11/1, Revised):

- PECCOE of NEAFC (October 2010 and May 2011)
- Advisory Group on Data Communications (AGDC) of NEAFC (October 2010 and May 2010)
- PICES Annual Meeting (October 2010)
- FAO By-catch technical consultations (December 2010)

- COFI (January - February 2011)
- RSN (February 2011)
- International Fisheries Commissions Pension Society (IFCPS) (April 2011)
- vTrack User Group Meeting (May 2011)
- 5th International Symposium on GIS/Spatial Analyses in Fishery and Aquatic Sciences (August 2011)

### **13. International Relations**

Reports by the following nominated NAFO observers were presented: Norway from the annual meetings of the South East Atlantic Fishery Organisation (SEAFO) and the North Atlantic Marine Mammal Commission (NAMMCO), Denmark (in respect of Faroe Islands and Greenland) from the annual meeting of the North East Atlantic Fisheries Commission (NEAFC) and the United States of America from the annual meeting of the North Pacific Anadromous Fish Commission (NPAFC). These Contracting Parties all agreed to continue to observe the next meetings on behalf of NAFO.

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

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

The STACFAD Chair, Deirdre Warner-Kramer (USA), presented the STACFAD Report (Part II of this Report). She noted particular items dealt with this week which included the adoption of the budget for 2012, the Auditor's Report for 2010, personnel matters, the formalization of a NAFO Internship Program, discussions on the accessibility by observers to attend NAFO meetings, the increase to the unfunded status of the NAFO pension plan requiring additional payments and reviewing the future action plan to deal with the NAFO Performance Review Panel recommendations relating to finance and administrations issues.

### **15. Adoption of the Budget and STACFAD recommendations for 2012**

Based on recommendations by STACFAD, the General Council:

- (1) adopted the 2010 Auditors' Report;
- (2) appointed WBLI Chartered Accountants to audit NAFO's records for the 2011, 2012 and 2013 fiscal periods;
- (3) agreed that the amount maintained in the accumulated surplus account be set at \$285,000 of which \$200,000 would be sufficient to finance operations during the first three months of 2012, and of which \$85,000 would be a contingency fund available for use in emergency situations;
- (4) agreed the NAFO Internship Program be established as outlined in the STACFAD Report (Annex 3) effective January 2012, with corresponding funds to be included in the 2012 budget and following years;
- (5) adopted the budget for 2012 of \$1,875,000 (STACFAD Report, Annex 5);
- (6) appointed the three nominees, Bill Brodie, Estelle Couture and Deirdre Warner-Kramer, to serve as Staff Committee members for September 2011-2012;
- (7) agreed that the Secretariat, in consultation with the Chairs of the NAFO bodies, Contracting Parties and outside experts as appropriate, conduct an overall analysis of the Secretariat's structure and needs to ensure that it can continue to meet its growing workload into the future. The analysis should review the staff structure, position descriptions, performance management systems, training and skills development programs, office space needs, and any other relevant issues. The results of this analysis and any resulting proposals should be reported annually by the Secretariat to STACFAD for its consideration; and,
- (8) agreed further that this work be considered by any body established by General Council to devise action plans and timetables for implementation of the other recommendations of the Performance Review Panel.

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

**16. Election of Chair**

Veronika Veits (EU) was elected as the General Council Chair for a term of two years. It was noted that the Vice-Chair position is now vacant.

**17. Time and Place of Next Annual Meeting**

The Russian Federation kindly offered to host the next annual Meeting during 17-21 September in 2012 in St. Petersburg. The invitation was gratefully accepted. The dates for future annual meetings were decided to be 23-27 September 2013 and 22-26 September 2014. These meeting will take place in Halifax, NS, Canada unless an invitation is received by a Contracting Party.

**18. Other Business**

There were no other matters raised under this item.

**19. Press Release**

It was agreed that the Executive Secretary and the NAFO President finalize the Press Release from this meeting (Annex 17) 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.

**20. Adjournment**

The Chair thanked the participants for their cooperation over the last four years of his tenure and thanked the Secretariat for their support.

The Chair was thanked on behalf of all Contracting Parties for his excellent, efficient and impartial work on advancing the work of this Organization, particularly in regards to the Convention reform and the Performance Assessment.

The meeting was adjourned on Friday, 23 September 2011 at 1600 hours.

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## **Annex 2. 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 once again welcome you all back to Halifax, and I wish to thank the Executive Secretary and his staff for their excellent work in coordinating and arranging this meeting.

NAFO has in recent years taken numerous steps to rebuild fish stocks, and this year we'll have additional discussions on conservation plans and rebuilding strategies, management strategy evaluation. NAFO has recognized the need for a good and strong science base as fundamental for proper management of marine living resources. Management could further benefit from the newly adopted FAO International Guidelines on Bycatch Management and Reduction of Discards. Despite considerable management effort, the status of many fish stocks continues to be on very low levels. But there are also some promising signs, and the spawning biomass increase for some of the stocks is of course very encouraging.

Protection of ocean habitats and deep sea biodiversity has become an important item on the international agenda. NAFO has put a lot of effort into addressing issues related to vulnerable marine ecosystems, both from a scientific and management angle. NAFO has, based on current scientific knowledge adopted a comprehensive framework in response to the calls from the United Nations General Assembly to address bottom fishing and vulnerable marine ecosystems. A summary of the actions taken by NAFO in response to these calls, was given by the Executive Secretary in New York last week at the UNGA Workshop to discuss the resolutions addressing the impact of fishing on vulnerable marine ecosystems and long-term sustainability of deep-sea fish stocks, and I would like to use this opportunity to thank him for an excellent contribution to that workshop. Although NAFO now has a set of regulations in place, there are still work to be done, both in the Scientific Council and the Fisheries Commission, to refine the details of this important framework. In this regard the Executive Secretary will give a brief later this morning from the UNGA Workshop.

Significant progress has also been made in improved actions to be taken to ensure that conservation and management measures are implemented and complied with. NAFO has been in the lead combating IUU fishing. The importance of coordinated port State measures has been recognised by the international community as a cost-effective way of fighting IUU fishing, and the FAO agreement from 2009 is a milestone in this regard. Consequently NAFO should consider the impact that agreement may have on its system of port State measures.

Four years ago a new convention was adopted, incorporating modern principles concerning management of living marine resources. This new legal framework has been acclaimed by the Performance Review Panel. But ratifications are very slow and only 3 ratifications have been deposited. WE still have a long way to go as 9 ratifications are required for the amended Convention to come into force. I reminded all Contracting Parties earlier this year about their obligations, and we'll hear later in this meeting about their respective internal processes.

In response to several calls from the international community, a NAFO Performance Review has now been undertaken, and a comprehensive report has been prepared by the panel. The report will be presented late today, and then we'll have to decide how to respond to the panel's assessments and recommendations.

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 3. Opening Statement by the Representative of Canada**

Mr. President, distinguished delegates, observers, ladies and gentlemen. On behalf of Canada, it is a great pleasure to offer you a warm Atlantic Canadian welcome to Halifax for the 33rd Annual Meeting of the Northwest Atlantic Fisheries Organization.

It's a pleasure for the Canadian delegation to participate at this annual meeting in Halifax. I want to commend the Secretariat for selecting this venue and the excellent arrangements that have been made.

Halifax is the capital of a province where the fishery has long been a cornerstone of everyday life.

Throughout Nova Scotia, and the Atlantic region as a whole, our economy and our communities were founded on the wealth of the fishery. Our prosperity is still directly linked to its abundance.

Canadian harvesters have made sacrifices to rebuild our fish stocks, but we also know that we cannot do it alone. Rebuilding our stocks means ensuring sustainability both inside and outside Canada's 200-mile limit.

This is why NAFO is so important.

NAFO's governing principles have been modernized and enforcement measures are developed and implemented in a co-operative manner.

Recent patrol missions have paired our own enforcement personnel with representatives of the United States, Russia and the European Union and we have collaborated with French officials on in-port inspections. We are open to more of those types of missions with other NAFO partners.

There remains work to be done, but the significant improvements in monitoring, control and surveillance have resulted in a decline in serious infractions in the regulatory area.

We are pleased to see that substantial progress has been made on the conservation and protection of vulnerable marine ecosystems. NAFO made important progress in identifying vulnerable marine ecosystems in the NAFO Regulatory Area and in taking action to protect them.

We have already implemented several important measures, including ground-breaking deep-sea research through the NIERIDA program to better understand our ecosystems. NAFO has made significant progress in moving from words to action, in reforming the Organization to ensure that together we can responsibly address the conservation challenges before us.

While significant progress has been achieved, we must recognize that there are a number of outstanding issues that require further cooperation.

We must now commit to a responsible path forward to ensure the rebuilding of key stocks, including 3NO cod, 3LNO American plaice and 2+3KLMNO Greenland halibut. We need to take action to reduce bycatch in all NAFO-managed fisheries, especially bycatch of moratorium species. We need to adhere to a precautionary approach for NAFO-managed stocks, and in particular those fisheries that have established reference levels.

Canada is encouraged by the continuing signs of recovery of important groundfish stocks. Contracting Parties that made enormous sacrifices can now look forward to the possibility of re-engaging in their traditional fisheries. However, it is critical that we treat these fisheries with a renewed sense of stewardship and conservation. To do this, effective and cautionary controls must be implemented to allow these stocks to continue their recovery.

One of the highlights of this year's meeting will be consideration of the final report of the NAFO Performance Review Panel.

The performance review has taken over a year to complete, and offers us a comprehensive look at NAFO's strengths, weaknesses, challenges and successes.

Canada believes the review accurately reflects the history of this organization and we support the panel recommendations. At this years meeting we need to decide how to put these recommendations into action.

To Canada, NAFO is an essential institution that has to work and work well. Our fishers and coastal communities depend on healthy and sustainable fisheries in the Northwest Atlantic for their economic future. Our collective commitment to putting conservation as the number one priority in managing fisheries resources is a tremendous step.

In closing, let us mark the occasion of this 33rd annual meeting of NAFO by rededicating ourselves to the future of our precious fisheries and oceans resources, and the future of those who rely on them.  
I wish you a successful and productive meeting.

Thank you.

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

Mr Chair, Distinguished Delegates, Observers, Ladies and Gentlemen,

It is an honour and a pleasure for me to head for the first time the delegation of the European Union at this Annual Meeting in beautiful Halifax and I would like to thank the NAFO Secretariat for their excellent preparation of this meeting.

This year, like most years, we are facing issues that are crucial for the performance of NAFO as a regional fisheries management organisation, and key to its success and its ability to execute and carry out its mandate.

Our record of the past year is heartening. At the last Annual Meeting in September 2010, NAFO adopted a range of management measures for its stocks as well as agreed provisions aimed at protecting Vulnerable Marine Ecosystems strictly in line with scientific advice. This has made NAFO a frontrunner amongst RFMOs for the protection of the VMEs and implementation of UNGA Resolutions 61/105 and 64/72. NAFO also made a ground-breaking decision regarding one of its most important stocks, Greenland halibut, by adopting a new management procedure that was refined and finalised just a few weeks ago.

In the course of the past year, NAFO has undergone the process of Performance Review. The work of the review panel has materialised in a comprehensive report which we have before us. The EU is convinced that this document will be instrumental in addressing any shortcomings in the performance of the Organisation in the months and years to come and we are very keen on getting this work started as soon as possible.

Thanks to the efforts of various Working Groups of NAFO Fishery Managers and Scientists this year, the Organisation will be able to take concrete steps for the rebuilding of two of its important stocks – American Plaice in Divisions 3LNO and cod in Divisions 3NO. On the basis of the preparatory work of the respective Working Group we should also be able to make further progress in relation to the protection of Vulnerable Marine Ecosystems.

The report of the Scientific Council includes both encouraging and worrying signs for a range of stocks. The EU hopes that NAFO will continue the path of taking responsible management decisions for conservation and sustainable use of NAFO resources in line with scientific advice.

The EU delegation looks forward to working with all Parties around the table in order to achieve the best possible result for NAFO stocks and ecosystems.

Thank you.

## **Annex 5. 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 be back in beautiful Halifax, Nova Scotia, once again for the 33rd NAFO Annual Meeting. We look forward to an interesting and productive week and would like to take this opportunity to communicate our thoughts regarding the work before us.

First, we would like to express our appreciation for the efforts undertaken by those involved in the NAFO Performance Assessment. We are pleased with the quality and thoroughness of this work and fully support the recommendations of the Assessment Panel. Now we must decide how to best use this information. Along these lines, the United States would strongly support the development of an implementation plan at this meeting. We believe such a plan should both identify Panel recommendations that could be implemented immediately and also describe a process for prioritization and implementation in the longer term.

In terms of other work undertaken during the recent intersessional period, the United States was pleased with the progress made in both the Greenland Halibut Management Strategy Evaluation Working Group (relative to exceptional circumstances) and the Conservation Plans and Rebuilding Strategies Working Group. We remain concerned about the status of the Greenland halibut resource and it is our hope that issues relating to overages in this fishery can be resolved in the near term. We look forward to further progress on these issues at this meeting.

The United States was also pleased to participate in the discussions of the Working Group of Fishery Managers and Scientists (WGFMS) on VMEs. During the Working Group meeting, the United States raised a number of substantive issues that we would like to discuss in greater detail this week. First, we feel strongly that NAFO should set a timetable for assessment (or reassessment) of all of its fisheries relative to their impacts on VMEs. Second, NAFO should take appropriate steps to increase available fishery-dependant data for use in assessments. Finally, based on recent discussions within the SC, there is a need to greatly reduce the encounter clause threshold for sponges. We would also note that there appears to be a lack of consensus among Parties regarding the how and when scientific information and advice should be considered by this Working Group. In our opinion, this question must be resolved in a way that ensures that the Working Group –which was purposely designed to include both NAFO fisheries managers and scientists -- is empowered to develop integrated, scientifically based management recommendations for consideration by the Fisheries Commission. If necessary, the WG terms of reference should be modified to allow this to happen.

Finally, the United States would again like to state our opinion that conservation and management measures for all NAFO-managed stocks should be consistent with scientific advice and the precautionary approach. As we have noted in the past, we remain particularly concerned regarding the TAC set for NAFO thorny skate in excess of scientific advice. However, skates are not the only NAFO stock in this situation --and we would urge Parties to agree on appropriate action to address this problem.

I thank you all for your attention and look forward to working with you.

**Annex 6. 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 pleased to be back in beautiful Halifax for the second consecutive year for the 33<sup>rd</sup> Annual Meeting of NAFO.

The Performance Review Panel has now successfully completed its work and submitted a comprehensive report, including a large number of recommendations. We look forward to discussing here this week how we can best organise our efforts to take the necessary action on these recommendations. The aim is of course for the performance review to guide us in continuing to improve the efficiency and effectiveness of fisheries conservation and management in NAFO

We would like to thank the Performance Review Panel warmly for the hard work they have all put into this task.

We have noted with satisfaction that the advice from the Scientific Council for cod in Division 3M in 2012 is similar to last year's advice. Our delegation recognises that last year's increase or almost doubling of the TAC did not result in adverse impacts on the stock. Certainly, this demonstrates that the precautionary approach that we have adopted is succeeding in practice, and we hope to see similar positive trends for other stocks in the Convention area in the coming years.

With respect to shrimp we are concerned about the declining trend of the stocks in both Divisions 3L and 3M. We need appropriate measures in place in order to rebuild these stocks, but we are also aware that factors other than fisheries may have even greater significance for the rapid changes we see in these shrimp stocks.

The important work of protecting vulnerable marine ecosystems in the Northwest Atlantic is an area in which NAFO can be proud of its achievements to date. This progress was noted by the North Atlantic Fisheries Ministers at their annual Conference this year, which was hosted in Tórshavn by the Faroese Fisheries Minister to coincide with World Oceans Day on the 8<sup>th</sup> of June. I would like to refer to you to the joint Communique from that meeting which will be circulated as an information document.

Our delegation hopes that the progress to address UN resolutions on sustainable fisheries will be duly acknowledged in all relevant contexts. In addition to improving measures to minimise the impacts of fisheries on the marine ecosystem, we must also keep a strong focus on the vital role of sustainable fisheries in providing healthy food and economic development.

Mr Chairman, our delegation would like to take this opportunity to convey our sincere appreciation and warm thanks to the Secretariat for once again having prepared this annual meeting so well.

Finally Mr Chairman, the Faroe Islands and Greenland can assure you that we are looking forward to working constructively with all delegations in the week ahead of us to bring the many issues on our agenda to a successful conclusion.

Thank you.

## **Annex 7. Opening Statement by the Representative of Cuba**

Good morning everybody.

Mr. President, distinguish delegates and observers.

On behalf of the Republic of Cuba and the Cuban delegation to this 33<sup>rd</sup> Annual Meeting of the Northwest Atlantic Fisheries Organization, let us express our gratitude to the Canadian authorities for the opportunity to meet once again in this beautiful city of Halifax.

The Organization has made significant progress in ensuring that all together, compromise ourselves in addressing the conservation challenges before us, but still we have a lot of work ahead.

The adoption of the amended Convention constitutes the first step to achieve more credibility of the Organization among the other Regional Fisheries Organizations. Cuba is making real efforts to complete the process of ratification before the end of the year and urge Contracting Parties to do the same as a sign of their commitment to the Organization.

This year we will again face and discuss important matters resulting from the work of NAFO Performance Review Panel and working Groups of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies, Greenland Halibut Management Strategy Evaluation and Vulnerable Marine Ecosystems.

The Cuban delegation looks forward to work with all Contracting Parties in an understanding atmosphere to achieve the common goal which is the recovery of stocks, the conservation and sustainable use of the marine resources in the Convention Area for the sake of future generations.

Thank you very much.

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

Mr. Chairman, distinguished delegates, Ladies and Gentlemen,

I would like, first of all, to express my sincere appreciation to the Government of Canada for hosting the 33rd Annual Meeting of NAFO and to the Chair of the Commission, Mr. Terje Lobach, Executive Secretary Dr. Vladimir Shibanov and his staff for coordinating and arranging this meeting.

I would also like to thank you all, on behalf of the Government and people of Japan, for the condolences conveyed and assistance extended to the victims of the earthquake and subsequent tsunami which hit the Northeast coastal area, one of the key areas of fishing industry of Japan March this year.

A fishing company which was planning to send its vessel to NAFO area this year was among those hit hardest in the region. The company lost several employees and its processing factory was destroyed and therefore it had no choice but to abandon its plan to engage in fishing activities in the convention area this year.

However we are pleased to note that the people in the region are making strenuous efforts to recover from the unprecedented devastation and the company in question is determined to come back to the Convention area early part of next year so that Japan will be able to work with Contracting Parties of NAFO, which, I am sure everyone around the table will agree, has been and continues to be playing a leading role among the RFMOs in the conservation and reasonable utilization of marine living resources.

Lastly, Mr. Chairman, I am looking forward to working with you and all the colleagues for the success of this meeting.

Thank you.

## **Annex 9. Opening Statement by the Representative of the Russian Federation**

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

It is a pleasure for the delegation of the Russian Federation to be here in Halifax, Nova Scotia, for the 33<sup>rd</sup> NAFO Annual Meeting.

Let me express our gratitude to Canada for its hospitality as the hosting country and convey special thanks to the NAFO Secretariat led by Dr. Vladimir Shibanov, the Executive Secretary, for professional performance in the intersessional period and the excellent arrangements provided for organizing of this Annual Meeting.

On behalf of the Russian fishermen I am pleased to greet all the participants of this meeting.

NAFO activities in the period from the last annual meeting are marked by a number of important events. First of all, in line with the UN General Assembly Resolutions and following to the decision of the 32<sup>nd</sup> NAFO Annual Meeting, the Performance Review of the Organization was undertaken. It was an honour and pleasure for the Russian side to have its representative as the internal expert of the Performance Review Panel. The panel has fulfilled a very important task on reviewing and assessment of NAFO performance during the period from adoption of the 1978 Convention until present days.

In the final report of the Panel it is noted that NAFO has proved to be one of the most efficient and effective global fisheries organizations which can be commended for its achievements in application of precautionary and ecosystem approaches, strengthening of monitoring, control and surveillance scheme, effective management of stocks, by-catch reducing measures, multi-year stocks protection plans, enhanced transparency of the Organization and other activities.

The final Report of the Performance Review Panel not only highlights the successes and achievements of NAFO, but also draws attention to the challenges or issues of concern in the performance of the Organization, which should be addressed by the Contracting Parties. We hope that in the coming days we will discuss the recommendations developed by the Performance Review Panel and agree on the most adequate and effective decisions in this regard.

Mr.Chair, in 2007 the Parties adopted the Amendment to the 1978 Convention. To enhance effectiveness of the Organization performance it is very important that the strengthened NAFO Convention comes into force as soon early as possible. We believe that Contracting Parties have made considerable progress in carrying out the procedures necessary for ratification of the new Convention by their authorities.

Dear delegates, the North West Atlantic remains one of the most productive global fishing grounds important both to coastal communities and international fisheries. Russian fishermen show increasing interest in exploitation of fishery resources of this region and this is why NAFO's work is so important to us.

It is worth noting that while significant progress has been achieved, there are a number of outstanding issues related to sustainable management and conservation of fish stocks, scientific research and protection of living marine resources under NAFO purview, solving of which require further multilateral cooperation.

With this in mind we are fully prepared and look forward to working with all Contracting Parties in the week ahead of us in a constructive way to find the best solutions to the matters on our agenda, thus proving the leading role of NAFO in contemporary sustainable fisheries management.

We look forward to an interesting and productive week, and wish every success to our meeting.

Thank you.

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

Mr. Chairman, distinguished delegates, observers,  
Ladies and Gentlemen,

On behalf of the Ukrainian delegation, let me express our gratitude to Canada for its hospitality as the hosting country and the NAFO Secretariat for its professional work and excellent organization of the 33rd NAFO Annual Meeting in the marvelous city of Halifax.

The Organization together with the other regional organizations on fisheries management contributes a lot not only to ensure responsible use of aquatic living resources but also to stock replacement. Not many RFMO managed to achieve such impressive results as NAFO did in respect of cod. I believe this experience should be extended as the one that really proves the possibility for responsible fishing in principle, herewith regulated on the level of organization with multiple members.

I would like also to dwell on such a sore subject as methodology of determination (allocation) of catch quotas between certain members of organizations. Most of them take into account so called historical experience. In our opinion, giving high priority to this factor leads to reasonable questions concerning justice from both fishermen and governmental structures. Thus, those who ask refer to the provisions of Agreement on implementation of the United Nations Convention on Law of the Sea of 10 December 1982, relating conservation of straddling fish stocks and highly migratory fish stocks and its management (known as the Agreement on straddling stocks), under which the states, that are not members of the organization, are called to registration of such membership, and on the other hand organizations are encouraged to cooperate with such states. Currently, the prevalence of exclusively historical approach, interests of relatively new members of organizations actually are not taken into consideration. This does not allow the fishermen of these countries to perform more or less profitable fishing.

I think, we should continue the discussion on this subject considering the changing status of some stocks of the regulation zone and changes in Ukrainian policy aimed at the modernization of Ukrainian fleet.

I hope for productive work during the session and wish all of you courage and cheerfulness, so that our fishermen do not reproach us with our decisions' adoption.

Thank you.

**Annex 11. FAO Statement to the 33<sup>rd</sup> Annual Meeting  
of the Northwest Atlantic Fisheries Organization (NAFO)  
19-23 September 2011, Halifax, NS, Canada**

*Matthew Camilleri  
Fishery Liaison Officer  
Fisheries and Aquaculture Department  
Food and Agriculture Organization of the United Nations (FAO)  
Rome, Italy*

It is FAO's pleasure to be present at the 33<sup>rd</sup> Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) and would like to thank the Secretariat for having extended its invitation to the Organization. FAO cherishes the relationship it has developed over the years with NAFO and looks forward to further strengthening collaboration in the promotion and implementation of responsible fisheries management and conservation of living marine resources and ecosystems.

FAO will follow your deliberations over the next few days with interest and is particularly keen to hear about the results of the completed Performance Review for NAFO which will surely pave the way for its reinforcement, placing it in a better position to face the demanding challenges of fisheries management, conservation, enforcement and control in the coming years. FAO notes with satisfaction that a good number of management and technical measures for fish stocks in the Regulatory Area and those straddling national fishing limits will be discussed along with more general conservation plans and management strategies. The special focus on Vulnerable Marine Ecosystems, climate change and the International Guidelines on By-catch Management and Reduction of Discards is also extremely appreciated by FAO.

Earlier this year, the FAO Committee on Fisheries (COFI) held its twenty-ninth session and registered a record number of participants. The Committee acknowledged that progress was being made in the implementation of the 1995 FAO Code of Conduct for Responsible Fisheries (Code of Conduct) and its instruments, including through the significant efforts of Regional Fisheries Bodies which generally recognize that the Code of Conduct provides a comprehensive set of principles upon which they could elaborate their own management strategies. However, in view of the continued threats posed to sustainable fisheries and the maintenance of productive and healthy ecosystems by Illegal, Unreported and Unregulated (IUU) Fishing and fleet overcapacity, COFI called for further initiatives to promote the implementation of the FAO International Plans of Action and stressed the importance of monitoring, control and surveillance, including vessel monitoring systems, to improve fisheries conservation and management. In this regard, the Committee also emphasized the importance of the coming into force, as soon as possible, of the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing which is considered to be a key, potent and cost-effective tool to combat IUU fishing. FAO is encouraged by the fact that several of its Members have commenced, and some concluded, internal procedures for the ratification, acceptance, approval or accession to this Agreement<sup>1</sup>. Within the context of Article 21 of the Agreement, FAO has already initiated steps for capacity development programmes in developing countries to combat IUU fishing through port State measures.

Additionally, in relation to IUU fishing, a Technical Consultation on Flag State Performance was held in May 2011 with the main aim of drafting criteria to assess flag state performance with respect to their compliance with their duties under international law to achieve sustainable fisheries and in combating IUU fishing. A second Technical Consultation is scheduled to take place in March 2012 in order to complete the exercise and produce a complete set of criteria for onward submission to COFI for endorsement. Moreover, during its last session, COFI reiterated its support for the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record) as another useful tool to combat IUU Fishing and proposed that FAO continues to work on the matter, on the basis of the results of the Technical Consultation on the Global Record held in November 2010, in consultation with, *inter alia*, Regional Fisheries Management Organizations (RFMOs).

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<sup>1</sup> 23 Signatures (including European Union), 1 Ratification, 1 Approval (European Union) and 2 Accessions (as at 14<sup>th</sup> September 2011).

FAO is striving to raise the profile of the fisheries and aquaculture sector in international fora and programmes dealing with climate change impacts, adaptation and mitigation, including in the preparations for the seventeenth Conference of the Parties of the United Nations Framework Convention on Climate Change (UNFCCC). FAO's programme for fisheries, aquaculture and climate change is expanding, with the valuable collaboration of other international partners, and focuses on supporting its Members to respond and adapt to the impacts of climate change on fisheries and aquaculture and to benefit from any emerging opportunities. As recommended by COFI, this programme is executed in harmony and compliance with the Code of Conduct and the implementation of the Ecosystem Approach to Fisheries (EAF) and the Ecosystem Approach to Aquaculture (EAA).

FAO continues to play a central role in the integration of fisheries development and management, biodiversity conservation and environmental protection, in collaboration with other international organizations, non-governmental and inter-governmental organizations, as well as Regional Fisheries Bodies. It promotes the EAF as the most appropriate framework to apply this integration and considers activities related to the establishment of MPAs, restocking programmes, protection of fish refugia, impact assessments, together with the implementation of the FAO guidelines on deep sea fisheries as highly relevant biodiversity conservation tools.

As mentioned earlier, FAO is pleased to see that NAFO will be reviewing the International Guidelines on Bycatch Management and Reduction of Discards which were endorsed at COFI's 29th Session. As you are aware, the Guidelines have been drawn up to assist States and RFMOs to effectively manage bycatch and reduce discards as called for by the Code of Conduct and the EAF. Large quantities of unwanted species are caught, and often unreported, annually by fisheries throughout the globe and millions of tonnes, including commercially important species, are discarded; these practices pose a serious threat to sustainable fisheries. We believe that NAFO has the capacity to act as a role model in the implementation of these guidelines and to develop management plans to minimize the capture and mortality of unwanted species and sizes, reduce discards and improve reporting of any bycatch and discard quantities which may persist.

In conclusion, FAO would like to express its appreciation for the sterling work being carried out by NAFO and its commitment to enhance the sound management of responsible fishing activities and the conservation of fisheries resources and ecosystems in the Region. We wish you a fruitful meeting and we look forward to welcoming you at the 30<sup>th</sup> Session of COFI and the fourth meeting of the Regional Fishery Body Secretariats Network in July 2012.

**Annex 12. Opening Statement by the Ecology Action Centre /  
Pew Environment Group to the NAFO 33<sup>rd</sup> Annual Meeting  
Halifax Nova Scotia, September 19<sup>th</sup>, 2011**

Mister Chairman, Distinguished Delegates, Fellow Observers, welcome to Halifax.

On behalf of the Ecology Action Centre and the Pew Environment Group we appreciate the opportunity to once again attend NAFO as observers.

Our primary concern is the mitigation of fishing impacts on the marine ecosystem for which NAFO has competence. 2011 is an important year for the deep-sea as the UNGA will review the progress taken over the past five years to implement UNGA resolutions 61/105 and 64/72.

It was noted last week at the UN Review Workshop that efforts to implement these resolutions have resulted in a regime shift in RFMOs. We commend NAFO and its Contracting Parties for progress to date – including closing 18 areas to fishing activity and conducting significant research to further identify VME areas.

We expect NAFO to continue these closures, and to alter their boundaries as further scientific information becomes available. We also encourage NAFO to adopt more stringent encounter thresholds to reflect scientific advice of between 30-50kgs for sponges. We expect similar scientific simulations for other VME species groups, and as well as an examination of other VMEs not currently protected through management measures. NAFO often provides a precedent for other RFMOs in this regard, and as such has an impact on conservation measures in other areas of the high seas.

Full implementation of the resolutions includes the submission of assessments of individual bottom fishing activities in order for bottom fishing activities to proceed. We remind NAFO Contracting Parties that any assessments that have been completed, even if they are viewed as data poor, must be made public as per paragraph 84 of the UNGA 61/105.

We understand the capacity challenges involved and believe that these capacity challenges can be partially dealt with by having clear protocols and data management and sharing systems for both assessments and encounters.

On the issue of deep-sea species, we urge NAFO to adopt precautionary measures for species that are caught, but for which NAFO does not have current TACs. The example of the decline of grenadiers, which have never been managed, is one that should not be repeated. NAFO needs to ensure that non-target species are managed through appropriate measures.

We encourage NAFO to continue its trajectory – to rebuild straddling stocks and protect marine diversity in areas beyond national jurisdiction. We support the timely implementation of the recommendations from the NAFO performance review as well as the ask of WWF for NAFO to take a leading role in coordinating workshops to identify Ecologically and Biologically Significant Areas, as part of obligations to the Convention on Biodiversity.

We look forward to this week's meeting and seeing progress on our specific recommendations.

Thank you.

Susanna Fuller on behalf of the EAC and PEW

**Annex 13. Opening Remarks by the Sierra Club Canada to the 33<sup>rd</sup> Annual Meeting  
of the Northwest Atlantic Fisheries Organization (NAFO)  
September 19, 2011, Halifax, Canada**

Hello my name is Fred Winsor and I am Conservation Chair of Sierra Club Canada Atlantic.

Thank you all very much for attending. I hope we have a productive meeting. Every year we are invited to make submissions. This year is no exception. In that context we propose that the existing Marine Protected Area located near the South-west Slope of the Grand Bank be expanded to include the Vulnerable Marine Ecosystems near them and the groundfish spawning grounds bordering on the 90 metre contour line. This Marine Protected Area would extend from the zone managed by France, across the ocean shelf managed by Canada and into the NAFO zone. We understand this would provide protection for recovery of ocean habitat and commercial species. It would offer a safe stable place where all species can recover. Copies of this submission will be available later today.

Thank You.

## **Annex 14. Opening Remarks from WWF at the 33<sup>rd</sup> NAFO Annual Meeting September 19, 2011, Halifax, Canada**

**Dr. Bettina Saier**  
**Director Oceans, World Wildlife Fund Canada**  
**Representing WWF (global)**

The World Wildlife Fund would like to thank our Canadian hosts and NAFO for welcoming us here in Halifax. We have participated in NAFO annual and scientific council meetings for the past six years because we are committed to the vision of a rebuilt Grand Banks ecosystem and its valuable fisheries.

We are also committed to helping NAFO achieve its objective: the long-term conservation and sustainable use of fishery resources while safeguarding the marine ecosystems in which these resources are found. This is in accordance with the new amendment to the NAFO convention that will hopefully be ratified soon by all contracting parties.

At this Annual Meeting, the World Wildlife Fund will measure NAFO success through addressing four priorities:

### **Priority 1: Southern Grand Banks cod**

NAFO took an important step last year in creating a new scientist-management working group with terms of reference that are in line with best practices for a rebuilding strategy.

The strategy is exactly what WWF has been advocating for cod recovery.

To allow further stock growth, NAFO should approve the following during the 2011 annual meeting:

**1.1 Adopt the Interim 3NO Cod Conservation Plan** and Rebuilding Strategy contingent on the development of 3NO bycatch mitigation measures by no later than the 2012 Annual Meeting.

**1.2 Amend Article 12 (1) (b)** of the Conservation and Enforcement Measures, so that in cases where a ban on fishing is in force, bycatch of the species concerned **shall** not exceed 625 kg or **2.5 %**, whichever is the **lowest** for 3NO cod.

**1.3 Maintain the Fishery Commission working group** through 2014 to allow for further updates and development of the Interim 3NO Cod Conservation Plan and Rebuilding Strategy, including the development of a mathematically explicit harvest control rule.

**1.4 Ensure that bycatch requirements for all fisheries** are consistent with the newly adopted **FAO International Guidelines** on Bycatch Management and Reduction of Discards. 2

### **Priority 2: Vulnerable Marine Ecosystems (VMEs) and Ecologically or Biologically Significant Areas (EBSAs)**

The World Wildlife Fund applauds steps NAFO has taken in recent years towards meeting the United Nations General Assembly (UNGA) Resolutions on Sustainable Fisheries (61/105 and 64/72).

In order to maintain progress and meet commitments, NAFO should:

**2.1 Establish a new process** for reporting and reviewing **all** possible VME encounters (e.g. through the development of reporting guidelines). The proposed reporting and review system should be applied regardless of whether or not bycatch levels meet the thresholds indicated in the encounter protocols for corals and sponges, **and** should encompass **all** possible VMEs (as classified by NAFO's Conservation and Enforcement Measures, Art. 1 bis paragraph 5 and paragraph 42 of the FAO Guidelines), which might include, but are not restricted to corals and sponges.

2.2 Amend Articles 37 and 38 of NAFO's Conservation and Enforcement Measures to **include as a serious infringement: "bottom fishing without prior submission to the Fisheries Commission of impact assessments** in compliance with NAFO's requirements on impact assessments under Article 4 bis paragraph 2.

2.3 Develop and adopt a **multi-year standardized impact assessment schedule** to fulfil the need for re-assessments in case no VMEs are found in the first instance, as provided for by the FAO Guidelines.

2.4 **Reduce the Encounter protocol threshold for sponges fished with bottom trawl gear from 800kg to 30-50 per tow**, as suggested by the NAFO Working Group on Ecosystem Approach on Fisheries Management, and **request this working group to review the encounter threshold for corals**.

2.5 **Renew all the 11 Coral and Sponge Protection Zone closures and extend the lower boundary of Area 5 (Northeast Flemish Cap) closure to the 2500m contour**.

2.6 **Co-organize a scientific regional workshop to identify EBSAs**, as requested by the 10th Conference of the Parties to the Convention on Biological Diversity.

### **Priority 3: NAFO's performance**

In order to meet its commitment to improving performance, NAFO should:

3.1 Establish a process (e.g. create a working group) for **addressing and prioritizing the recommendations from the 2011 Performance Assessment Review**.

3.2 **By 2016, conduct a transparent and independent review** of the implementation of the 2011 Performance Assessment's recommendations, as well as of NAFO's performance in light of applicable international policy and legal frameworks.

### **Priority 4: Transparency**

Last, by not least, NAFO should

**Adopt a more transparent decision-making process** by providing rationale for all adopted measures, particularly when those are not entirely consistent with scientific advice.

In closing I would like to invite you to our Panda Room to further discuss our conservation approach and to attend the Census of Marine Life Presentation by Professor Ron O'Dor co-hosted by WWF, the Ecology Action Center and PEW Environment Group on Wednesday at 6:30 PM at the Westin's Mezzanine.

In July of this year, a study by Ken Frank and co-authors was published in Nature magazine. It showed that Atlantic cod off Nova Scotia is recovering from the dramatic collapse two decades ago, and that the ecosystem is recovering with them. Even though the two ecosystems are not identical by any means, this is a good indicator for the future of fisheries on the Grand Banks.

## **Annex 15. 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. Status of NAFO Headquarters Agreement
10. NAFO Performance Review – Panel Report (Monday)
11. Administrative Report

### **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 2012

### **V. Closing Procedure**

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

**Annex 16. General Council Decision regarding the establishment of NAFO General Council Working Group on the Future of NAFO on the development of Plans of Action necessary for the implementation of the Recommendations of the NAFO Performance Review Panel**  
(GC WP 11/11 Rev. and GC WP 11/8 Rev. now GC Doc. 11/2)

1. Terms of Reference

A General Council Working Group is established to address the recommendations in the context in which they were made by the Performance Review Panel as outlined in Annex 1 to this document.

These recommendations shall be prioritized and Plans of Action and solutions be formulated.

The Working Group shall designate which recommendations can be addressed immediately and for which Plans of Action can be established in the short, medium and long-term. The Working Group shall also recommend concrete courses of action to implement the recommendations of the Performance Review Panel in particular for the areas identified as priority.

2. Composition and Chairing of the Working Group

The Working Group shall be composed of representatives of Contracting Parties and shall be chaired by the President. Chairs of the Fisheries Commission and Scientific Council shall serve as resource persons to the Working Group.

3. Timing and Venue of the Meeting

The meeting shall take place in late March of 2012 as appropriate at the NAFO Headquarters in Dartmouth, NS, Canada. The use of electronic means should be considered for the completion of its work if necessary.

4. Administration

The Secretariat shall provide the administrative and information support to the Working Group.

5. Report

The report from the Working Group shall be provided to the Secretariat for distribution to Contracting Parties at least 45 days before the 2012 Annual Meeting. The report shall be presented by the Chair at that meeting.

PA Report Chapter/Numbers	Recommendations for more than 1 body	NAFO body responsible				
		GC	FC	SC	SECR	CPs
Chapter 3, 3.2.5	Urges NAFO to consider policy measures to bolster its commitment to ensuring the compatibility of measures adopted for the conservation and management of straddling stocks within the Convention Area. Consideration should also be given to clarifying the respective responsibilities of the coastal State and the Fisheries Commission in coordinating their respective measures and actions, so as to ensure that compatibility.		✓			✓
Chapter 6, 6.4	Notes that the provisions addressed in Part VII of the UNFSA have not been taken into account in the 2007 NAFO Amended Convention. While recognizing that this has not been an issue for NAFO, NAFO should, as appropriate, take into account the special requirements of developing States, in accordance with relevant international instruments, including UNFSA. It is suggested that the General Council may wish to further reflect on the matter.	✓				
<b>DATA</b>						
Chapter 6, 6.3	Encourages NAFO to continue developing, strengthening and enhancing cooperation with other RFMOs and international organizations where appropriate.	✓				
Chapter 4	Notes that high priority should be given to encouraging the timely submission of data essential for stock assessment purposes. The PRP therefore urges Contracting Parties to ensure the accuracy of the data and information collected and the timeliness their submission to NAFO. In this regard, the potential introduction of sanctions for data submission infringements, including the denial or reduction of fishing opportunities until outstanding data submissions are supplied, should be considered.	✓				✓
Chapter 4	Careful consideration should be given to developing and consolidating NAFO fishery resources data-access and utilization rules. These should take into consideration intellectual property rights related to scientific analyses as well as industrial confidentiality provisions to be attached to certain categories of data (e.g. detailed fishing location).		✓	✓	✓	
Chapter 4	Encourages NAFO to continue to address the data requirements attached to implementation of UNGA Resolution 61/105, with some urgency. All efforts should be expended to encourage the timely submission of marine living resources information to expedite the comprehensive collection of essential data to improve knowledge of the benthos, and benthic environment, in the NAFO Convention Area as a whole.			✓		✓
<b>MANAGEMENT</b>						
Chapter 4, 4.2.2	Suggests that NAFO consider enhancing its application of risk-based assessment approaches (e.g. the <i>Greenland Halibut Management Strategy Evaluation</i> and <i>Kobe Matrix</i> ) when evaluating management strategies.		✓	✓		

PA Report Chapter/Numbers	Recommendations for more than 1 body	NAFO body responsible				
		GC	FC	SC	SECR	CPs
Chapter 4, 4.2.3	Encourages NAFO to consolidate its policy to address ecosystem management considerations, including by compiling the information necessary for evaluating trends in the status of dependent, related and associated species specifically. A consolidated list of bycatch species, for instance, should be included in the NCEM to assist monitoring of bycatch during directed fishing.		✓	✓		
Chapter 4, 4.3	Recommends that NAFO consider augmenting its efforts to implement a more EAF friendly management approach as well as to embrace the PAF more widely. If bycatch continues to be a problem, then NAFO ecosystem-based management and its EAF may fall short of best practice.		✓	✓		
Chapter 4, 4.3	Strongly encourages the development, and consolidation, of the Scientific Council's <i>EAF Roadmap</i> . It also encourages NAFO as a whole to give strategic consideration as to how the <i>Roadmap</i> may assume a more holistic focus so that it addresses ecosystem components more widely, not just those for harvested, or associated, species alone. In these terms, NAFO should focus on the sustainable use of the entire ecosystem for which it is responsible rather than just fishery-target species.		✓	✓		
Chapter 4, 3, and 4.6.2	Endorses NAFO's continuing execution of its customary (target species-directed) management requirements and assessments for the stocks that it manages. It should also strive to address new challenges associated with further development of the EAF (Section 4.3) and increased formalization of the PAF (Section 4.6.2) etc. The use of standardized, well-understood and scientifically robust approaches must continue while the needs of fishery-directed and broader ecosystem management should remain balanced.		✓	✓		
Chapter 4, 4.6.3	Encourages NAFO to review the Exploratory Fisheries Protocol with a view to developing a strategic framework for conservation and management measures for all potential new and exploratory fisheries. In this respect, NAFO may wish to take account of the way in which CCAMLR has approached the issue in terms of developing a unified regulatory framework.		✓	✓		
Chapter 4, 4.6.6	Encourages NAFO to broaden consideration of MSE-type approaches to managing other fisheries for which it is responsible.		✓	✓		
Chapter 4, 4.6.4	Recognizes that a NAFO strategic imperative should be to articulate a specific plan aimed at developing ways to conserve biodiversity. NAFO, in general, and the Scientific Council in particular, are also encouraged to formally determine the potential effects that areas closed to fishing are likely to exert in terms of affecting fishing, protecting habitats and conserving biodiversity in the <i>NAFO Convention Area</i> .		✓	✓		
Chapter 4, 4.6.4	Encourages NAFO to consider whether activities other than fishing in the <i>NAFO Convention Area</i> may impact the stocks and fisheries for which NAFO is responsible as well as biodiversity in the <i>NAFO Regulatory Area</i> . Such activities might include oil exploration, shipping and recreational activities.		✓	✓		

PA Report Chapter/Numbers	Recommendations for more than 1 body	NAFO body responsible				
		GC	FC	SC	SECR	CPs
Chapter 4, 4.7	Urges the Fisheries Commission to further consider how the management of fishing, particularly of excess capacity, may augment stock sustainability and the meeting of the Convention's objectives.		✓	✓		
Chapter 4, 4.6.5	Urges NAFO to deal with lost or abandoned fishing gear in a more consistent manner. It should also consider efforts to introduce management measures to deal more widely with environmental protection issues (e.g. pollution, discarding of packaging bands etc.) likely to arise from fishing activities in the NAFO Convention Area.		✓	✓		
<b>SCIENTIFIC ADVICE</b>						
Chapter 4, 4.4.1	Recommends that the Fisheries Commission and the Scientific Council promptly resolve any discrepancies between STATLANT 21A catch estimates and those of STACFIS, if possible, or at least provide some guidance on how they arise, including underlying assumptions made and/or consequences anticipated.		✓	✓		✓
Chapter 4, 4.5	Consideration should be given on how dialogue between the Scientific Council and the Fisheries Commission could be strengthened, while still maintaining the intended 'philosophical' separation between them. The content of any such dialogue should be considered in terms of providing both groups with the best information available so that decisions, or actions, are based on interpretable, unambiguous and informed understanding. The detailed recommendations in Section X outline two possible areas to be considered in the interests of improving the use of the Scientific Council's advice by the Fisheries Commission. These include: Tabular presentation of key management decisions to be taken rather than decisions being obscured in other documentation. This would serve as a 'targetted framework' and could extend the use of standardized management procedures by providing more risk-based, or risk-determined scientific advice. Developing consolidated descriptions of the scientific approaches models and underlying assumptions used by the Scientific Council. This could be in the form of a users' manual outlining, with attached lay explanations, the various assessment being undertaken. Suggests that NAFO as a whole may wish to reflect on the use, and allocation, of its scientific capacity from time-to-time, although the burden of scientific input appears to be shared by all NAFO Contracting Parties in proportion to their respective fishery activities.		✓	✓		✓
Chapter 4, 4.5			✓	✓		✓
<b>COMPLIANCE AND ENFORCEMENT</b>						
Chapter 5, 5.1	Notes that there is a need to further address the issues of equitable sharing between Contracting Parties of inspection coverage (and/or related costs - as was suggested at the		✓			✓

PA Report Chapter/Numbers	Recommendations for more than 1 body	NAFO body responsible				
		GC	FC	SC	SECR	CPs
	2003 Annual Meeting), as well as the timeliness and quality of data submitted by Contracting Parties. There is also a need to address the timely and effective follow-up of infringements.					
<b>Chapter 5, 5.2</b>	Recommends further harmonization of relevant NAFO rules with applicable provisions of the FAO Port States Measures Agreement. Considering that NEAFC is currently undertaking similar work, the PRP suggests that the NEAFC experience in this regard be taken into account by NAFO. To the extent possible, NAFO should also cooperate with other RFMOs to enhance the efficiency of its Port State Measures.	✓	✓			
<b>Chapter 5, 5.1</b>	Urges that the quality and timeliness of Contracting Party infringement follow-up reporting be improved so that Contracting Parties better meet their obligations under the Convention and NCEM. In this respect, the situation where reports are only available for 12 out of 88 citations between 2006 and 2010 is not only unsatisfactory, but should be urgently addressed.		✓			✓
<b>Chapter 5, 5.5</b>	Encourages NAFO to continue to cooperate with other RFMOs in the establishment and dissemination of the NAFO IUU fishing vessel list.	✓	✓			
<b>Chapter 5, 5.5</b>	Encourages Contracting Parties to further consider possible improvements to NAFO trade or market-related measures, in accordance with the requirements of international law. In the PRP's view this is crucial for the prevention, deterrence and elimination of IUU fishing in the NAFO Regulatory Area. To the extent possible, NAFO efforts for trade related measures should take into consideration similar measures being implemented elsewhere.		✓			✓
<b>INTERNATIONAL COOPERATION</b>						
<b>Chapter 6, 6.3</b>	Encourages NAFO to continue developing cooperative relationships with other RFMO/As and International Organizations, as appropriate, to achieve its objectives and facilitate its work.	✓	✓	✓	✓	✓
<b>FINANCIAL AND ADMINISTRATIVE ISSUES</b>						
<b>Chapter 7, 7.1</b>	Urges NAFO to apply the provision contained in Article XVI of the 1978 Convention, whereby a Contracting Party which has not paid its contributions for two consecutive years, shall not enjoy the right of casting votes and presenting objections until it has fulfilled its obligations.	✓				✓
<b>Chapter 7, 7.1</b>	Notes that although reimbursement of the budget surplus in one year to the following year's contributions is in keeping with many other international organizations, consideration should be given to withholding any reimbursement of budget surplus amounts to Contracting Parties which are in arrears of their full contributions.	✓				✓

PA Report Chapter/Numbers	Recommendations for more than 1 body	NAFO body responsible				
		GC	FC	SC	SECR	CPs
Chapter 7, 7.5	Highlights the point that, reports should be as succinct as possible and confined to matters of substance only to improve documentation of meeting outcomes. Technical details can be provided in appendices and as far as possible reports should represent a distillation of collective views, unless otherwise decided for controversial/high priority subjects. Executive summaries of key conclusions and decisions should be provided if possible.	✓	✓	✓	✓	✓
<b>OTHER RECOMMENDATIONS</b>						
Chapter 4, 4.4.1	The PRP noted the potential utility of VMS information in verifying stock assessment input data. It suggested that this potential should be further investigated and, in particular, possible rules should be considered to govern the use of VMS data. Such rules would be in the interests of reaching a common understanding on how and why VMS data should be used as well as on avoiding overly-restrictive usage conditions.		✓			
Chapter 4, 4.4.3	From the information available, the PRP noted that it was largely unable to determine to what extent Contracting Parties directly share fishing and research vessel data. However, the manner in which such data are used by the Scientific Council for assessment purposes strongly suggests close cooperation and significant sharing/ exchanging of such data by the NAFO body corporate.			✓		✓
Chapter 4, 4.6.4	NAFO's efforts to address potential threats to biodiversity in the <i>Convention Area</i> are largely linked to the management of relevant fisheries and their likely impacts. In this respect, NAFO has not articulated any specific plans aimed at developing ways to conserve biodiversity. The PRP sees the development of such plans as a strategic imperative for NAFO.		✓			
Chapter 4, 4.6.4	The PRP notes that NAFO has not yet attempted to formally determine the potential effects that areas closed to fishing are likely to exert in terms of affecting fishing, protecting habitats and conserving biodiversity in the <i>Convention Area</i> . NAFO in general, and the Scientific Council in particular, are encouraged to consider such matters.		✓			
Chapter 4, 4.6.4	The PRP encourages NAFO to consider whether activities other than fishing in the <i>Convention Area</i> may impact the stocks and fisheries for which NAFO is responsible as well as biodiversity in the <i>NAFO Regulatory Area</i> . Such activities might include oil exploration, shipping and recreational activities.		✓			

## **Annex 17. 2011 Annual Meeting Press Release**

### **NAFO Performing Well**

FOR IMMEDIATE RELEASE: Halifax, NS, Canada, 23 September 2011

An independent review by an international panel of experts assessed the performance of Northwest Atlantic Fisheries Organization (NAFO) and their findings and recommendations were presented at NAFO Annual Meeting in Halifax this week. NAFO has been commended for its performance, particularly in recent years with the introduction of the Precautionary Approach, Ecosystem Approach to Fisheries Management and protection of vulnerable marine ecosystems (VMEs).

The Panel's recommendation for further improvements to the effectiveness of NAFO as a Regional Fisheries Management Organization (RFMO) will be addressed in a working group which will formulate Plans of Action for the short-, medium- and long-term.

At this week's annual meeting of NAFO a range of conservation and fisheries management measures were adopted for twenty commercial fish stocks managed by NAFO in international waters and straddling national fishing limits based on the precautionary approach. Moratoria were continued for eight stocks and TACS established for all others. TACs have been reduced for five NAFO stocks.

To ensure the implementation of effective measures to prevent significant adverse impacts of bottom trawl activities on vulnerable marine ecosystems in the NAFO Regulatory Area based on the best available scientific information, closures of 18 areas to bottom fishing including seamounts and coral and sponge protected areas and review dates have been extended to 2014. The NAFO Scientific Council continues its work to improve knowledge on marine ecosystem in the Northwest Atlantic.

NAFO has refined Conservation Plans and Stock Rebuilding Strategies (CPRS) for protected and recovering fish stocks, Cod Div. 3NO and American plaice Div. 3LNO, based on collaborative work between fishery managers and scientists. Witch flounder in Div. 3NO will be reviewed with a potential to develop a rebuilding plan in the coming year. Under CPRS bycatch issues, which take into consideration interactions between species, will be addressed.

NAFO has implemented an agreed management strategy for fishing on Greenland halibut stocks. This strategy is based on abundance trends in surveys carried out by several Contracting Parties and aims to promote the sustainable exploitation of the resource while removing the year-to-year uncertainty from the fishery.

NAFO continues the implementation of modernizing its information and data sharing platform by developing a new secure Inspector's website and digitizing all NAFO archives and documents.

A NAFO Internship program has been established to give an opportunity for early-career individuals or students from NAFO members countries to gain experience with an international organization.

This year an election of Chairs took place. General Council will be Chaired by Veronika Veits (EU), Fisheries Commission by Sylvie Lapointe (Canada) and Scientific Council by Carsten Hvingel (Norway).

Dr. Vladimir Shibanov, NAFO Executive Secretary

- 30 -

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

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Northwest Atlantic Fisheries Organization

2011 Annual Meeting Press Release

23 September 2011

## Background

NAFO is an international intergovernmental fisheries science and management body that manages the fishery in the international portion of the Northwest Atlantic. The 33<sup>rd</sup> Annual Meeting was held during 19-23 September 2011 at the Westin Hotel Nova Scotian, Halifax, NS, Canada and was attended by 180 delegates from all 12 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, Russian Federation, Ukraine and United States of America. The three bodies of NAFO, General Council (chaired by Terje Lobach, Norway), Fisheries Commission (chaired by Kate Sanderson, Denmark (in respect of Faroe Islands and Greenland) and Scientific Council (chaired by Ricardo Alpoim, EU-Portugal) and their subsidiary bodies met over the course of week to deliberate on management measures and scientific assessment regarding the international fisheries of the Northwest Atlantic. The scientific advice was presented. The meeting was also attended by observers from the United Nations Food and Agriculture Organization (FAO), the Northeast Atlantic Fisheries Commission (NEAFC), North Atlantic Marine Mammal Commission (NAMMCO), and Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR), the World Wildlife Fund (WWF), the Ecology Action Centre (EAC), the Sierra Club of Canada (SCC) and Pew Environment Group.

The NAFO Performance Review Panel was established with external and internal experts. The external panel members were experts in the fields of fisheries management (Dr. Fábio Hazin, Brazil), fisheries science (Prof. Denzil Miller, Australia), and the law of the sea (Mr. Milton Haughton, Belize). The internal experts were nominated by NAFO Contracted Parties as follows: Canada (James Baird), Denmark (in respect of Faroe Islands and Greenland) (Einar Lemche), the European Union (John Spencer) and the Russian Federation (Olga Sedykh). In addition, the Chair of STACTIC (Gene Martin, USA) acted as an information resource for the Panel. The Panel assessed the performance of NAFO against the objectives set out in the NAFO Convention and other relevant international legal instruments addressing the conservation and management of marine living resources and made recommendations on how NAFO can further improve. Positive outcomes were noted by the Panel. Some recommendations made by the Panel were addressed during the meeting and an internal Working Group has been established by NAFO to develop Plans of Action necessary for the implementation of the other recommendations of the Panel.

Contracting Parties that had not yet ratified the amended NAFO Convention were encouraged to continue their efforts to do so in their respective governments.

The Fisheries Commission agreed on management measures for the 20 fish, shrimp and invertebrate stocks managed by NAFO. The scientific advice was elaborated at meetings held since the last Annual Meeting. Scientific Council fully assessed the status of ten stocks and monitored the status of other fish stocks. Ongoing growth of some stocks poses challenges to managers and scientists, with the continuing recovery of cod on the Flemish Cap being reflected in declines in species on which cod prey, such as redfish and shrimps. Other stocks continue on their long road to recovery, for example although American plaice remain under moratorium, they show promising signs for the future, with indications of improved recruitment being seen in the surveys. Scientific advice was also provided to Coastal States based on their specific requests.

Moratoria are continued for eight NAFO stocks and TACs have been reduced for five stocks. Amendments to the NAFO Conservation and Enforcement Measures were reviewed to enhance organization and structure and clarify existing NAFO Measures.

Conservation Plans and Rebuilding Strategies (CPRS) for important resources within the NAFO Convention Area, including cod in Div. 3NO and American plaice in Div. 3LNO were confirmed in 2011. The plans set out objectives, identify reference points, define re-opening criteria and establish Harvest Control Rules. In 2012 witch flounder in Div. 3NO will be added. Greenland halibut in SA 2+3 will continue to be managed using a management strategy that takes into account trends in survey abundance to determine the direction and size in any quota change. Changes are constrained to 5% per year to ensure stability in the fishery.

The closures of Orphan Knoll, Corner Seamounts, Newfoundland Seamounts, New England Seamounts and Fogo Seamounts (1 and 2), the large coral protection zone in Div. 3O and the eleven areas of higher sponge and coral concentrations near the Flemish Cap and the Flemish Pass will remain closed until 2014. One zone on the Flemish Cap has been expanded. The closed areas will be reviewed in 2014 based on the best available scientific information by the Fisheries Commission. NAFO will take into account the guidance provided by the FAO in the framework of the Code of Conduct for Responsible Fisheries and any other internationally agreed standards, as appropriate.

NAFO continues to address the protection of VMEs from significant adverse impacts of bottom fishing. In order to provide the best basis for deciding on appropriate measures to protect VMEs, the NAFO Scientific Council continues its work to improve knowledge on marine ecosystem in the Northwest Atlantic.

Commitment by EU and Canada remains for the NEREIDA programme. Further processing of specimens and samples and data analyses are ongoing.

The Fisheries Commission conducts an annual compliance review and this year noted that the same level of inspections is taking place but there are fewer infringements than in the past. Improvements to the analysis of compliance made this report more comprehensive.

NAFO is in the process of developing a data sharing platform for NAFO Fishery Inspectors to access fisheries data in a centralized location on the NAFO Website. The vessel monitoring system continues to provide real-time fisheries information.

The NAFO Secretariat completed a project aimed at digitizing all NAFO meeting documentation and publications back to 1979. The majority of this material is now available on the NAFO web-pages. This project will continue with the digitization of all ICNAF's documentation (NAFO's predecessor).

Elections for most of the bodies were held this year. The General Council Chair will be Veronika Veits (EU). The Fisheries Commission Chair will be Sylvie Lapointe (Canada). For Scientific Council the Chair will be Carsten Hvingel (Norway); Chair of the Standing Committee on Fisheries Science (STACFIS) will be Jean-Claude Mahé (EU-France); Chair of the Standing Committee on Publications (STACPUB) remains Margaret Treble (Canada); Chair of the Standing Committee on Research Coordination (STACREC) and Vice-Chair of Scientific Council will be Don Stansbury (Canada); and Chair of the Standing Committee on Fisheries Environment (STACFEN) remains Gary Maillet (Canada).

The 34<sup>th</sup> Annual Meeting will be held in St. Petersburg, Russian Federation 17-21 September 2012.

### **Meetings**

Prior to the Annual Meeting, the following NAFO meetings were held: (1) Scientific Council and NAFO/ICES (NIPAG) Meeting on Shrimp Assessment, Copenhagen, Denmark, 20 – 27 October 2010; (2) Scientific Council Working Group on Ecosystem Approach to Fisheries Management (WGEAFM), Dartmouth, NS, Canada, 1-10 December 2010; (3) NAFO Performance Review Panel (First Meeting), Dartmouth, NS, Canada, 28 February-4 March, 2011; (4) Joint NAFO/ICES Working Group on Deep-water Ecology (WGDEC), Copenhagen, Denmark, 28 February - 4 March 2011; (5) Scientific Council Working Group on Reproductive Potential, Aberdeen, Scotland, 12-14 April, 2011; (6) STACTIC Intersessional Meeting, London, UK, 9-10 May 2011; (7) Fisheries Commission Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies (WGFMS-CPRS), by WebEx, 7 April 2011; (8) NAFO Performance Review Panel (Second Meeting), Dartmouth, NS, Canada, 31 May - 3 June, 2011; (9) Scientific Council and its Standing Committees (June Meeting), Braunschweig, Germany, 3-16 June 2011; (10) Fisheries Commission Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies (WGFMS-CPRS), Halifax, NS, Canada 26-28 June 2011; (11) Fisheries Commission Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems(WGFMS-VME), Halifax, NS, Canada, 29-30 June 2011; (12) Joint NAFO/ICES WG on Harp and Hooded Seals (WGHARP), Aberdeen, Scotland, 15-19 August, 2011; (13) FC Working Group of Fishery Managers and Scientists on Management Strategy Evaluations (WGFMS-MSE), by WebEx, 7 September 2011; (14) ) Scientific Council and STACFIS for update on shrimp advice, by Sharepoint and WebEx, 1-12 September 2011.

The table of NAFO TACs and quotas agreed at the 33<sup>rd</sup> Annual Meeting is attached.

Dr Vladimir Shibanov

NAFO Executive Secretary - 23 September 2011, Halifax, NS, Canada

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**QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2012 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		74	0.80	0	2556	42.60	500	6000	0 <sup>2,4</sup>	0	0	16575 <sup>5</sup>
Cuba		343	3.70	-	588	9.80	1750		0 <sup>2,4</sup>	-	-	-
Denmark (Faroe Islands and Greenland)		2074	22.35	-	-		69 <sup>19</sup>		0 <sup>2,3</sup>	-	-	-
European Union		5292 <sup>25</sup>	57.03	0 <sup>11</sup>	1094 <sup>26</sup>	18.23	7813 <sup>12</sup>	7000	0 <sup>2,3</sup> 0 <sup>2,15</sup>	0	0 <sup>11</sup>	-
France (St. Pierre et Miquelon)		-		-	-		69 <sup>19</sup>		0 <sup>2,4</sup>	-	-	340 <sup>5</sup>
Iceland		-		-	-		-		0 <sup>2,3</sup>	-	-	-
Japan		-		-	-		400	150	0 <sup>2,4</sup>	-	-	-
Korea		-		-	-		69 <sup>19</sup>	100	0 <sup>2,4</sup>	-	-	-
Norway		859	9.25	-	-		-		0 <sup>2,3</sup>	-	-	-
Russian Federation		601	6.47	0	1726	28.77	9137	6500	0 <sup>2,3</sup>	-	0	-
Ukraine								150	0 <sup>2,4</sup>			
United States of America		-		-	-		69 <sup>19</sup>		0 <sup>2,4</sup>	-	-	-
Others		37	0.40	0	36	0.60	124	100	-	0	0	85 <sup>5</sup>
<b>TOTAL ALLOWABLE CATCH</b>	<sup>*9</sup>	9280 <sup>23</sup>	100.0	<sup>*9,20</sup>	6000 <sup>24</sup>	100.0	6500 <sup>8,16</sup>	20000	0 <sup>10,17</sup>	<sup>*16,21</sup>	<sup>*9,29</sup>	17000 <sup>21,22</sup>

Species	Witch		White hake	Capelin	Skates	Greenland halibut	Squid (Illex) <sup>1</sup>		Shrimp	
	3L	3NO					Sub-areas 3+4	3L	3NO	
Canada		0	1470	0	1417	1814	N.S. <sup>6</sup>	10000		
Cuba		-		0		-	510	133		
Denmark (Faroe Islands and Greenland)		-		-		210	-	133		
European Union		0 <sup>11</sup>	2940	0 <sup>11</sup>	5352	7093 <sup>18</sup>	N.S. <sup>6</sup> 611 <sup>13</sup>	670 <sup>14</sup>		
France (St. Pierre et Miquelon)		-		-		198	453	133		
Iceland		-		-		-	-	133		
Japan		-		0		1240	510	133		
Korea		-		-		-	453	133		
Norway		-		0		-	-	133		
Russian Federation		0	295	0	1417	1543	749	133		
Ukraine						-		133		
United States of America		-		-		-	453	133		
Others		0	295	-	314	0 <sup>7</sup>	794	0		
TOTAL ALLOWABLE CATCH	<sup>*9,20</sup>	<sup>*9</sup>	5000	<sup>*9,20</sup>	8500 <sup>28</sup>	12098	34000 <sup>20</sup>	12000 <sup>27</sup>		<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 2011 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).
- 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 3250 tons may be fished before 01 July 2012. 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 2012 as compared to 2011, 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 133 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 19,200 tonnes, following their accession to the European Union.
15. Allocation of 17.85% to Lithuania and 2.15% to Latvia following their accession to the European Union.
16. Applicable to 2012 and 2013.
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 397 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 2013.
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 15% of their total yellowtail fishery as calculated in accordance with Article 12.1 (c). If a Scientific Council projection indicates that this rate is likely to undermine stock recovery or cause an unreasonable delay in reaching  $B_{lim}$ , this rate 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 103 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 352 tons for Poland following their accession to the European Union.
26. Including fishing entitlements of 297 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.
27. For 2013, the TAC will be reduced to 9,350 tonnes. This TAC will be reviewed based on available Scientific Council advice on this stock.
28. This TAC will be reviewed in 2012 in line with the available scientific advice on this stock.
29. Applicable to 2012, 2013 and 2014.

## **PART II**

### **Report of the Standing Committee on Finance and Administration (STACFAD)**

**33<sup>rd</sup> Annual Meeting, September 19-23, 2011**

**Halifax, Canada**

#### **1. Opening by the Chair, Deirdre Warner-Kramer (USA)**

The first session of STACFAD was opened by the Chair, Deirdre Warner-Kramer (USA) on 19 September 2011. The Chair welcomed delegates and members of the NAFO Secretariat to the meeting.

Present were delegates from Canada, European Union, Denmark (in respect of Faroe Islands and Greenland), Japan, Republic of Korea, Norway, the Russian Federation, and the United States of America and members of the NAFO Secretariat (Annex 1).

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

Stan Goodick (NAFO Secretariat) was appointed Rapporteur.

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

The provisional agenda was adopted (Annex 2).

#### **4. Auditors' Report for 2010**

The auditing firm of Deloitte and Touche LLP, Chartered Accountants performed the audit of the financial statements of the Organization for the fiscal year ended December 31, 2010. The financial statements were circulated to the Heads of Delegation of the General Council and to STACFAD delegates in advance of the Annual Meeting. The financial statements included the auditors' report, the statements of financial position, operations, accumulated surplus, cash flows and the notes to the financial statements.

The Senior Finance and Staff Administrator for NAFO presented the Auditors' Report and Financial Statements of the Northwest Atlantic Fisheries Organization for the year ended December 31, 2010. Changes to auditing standards during the past year no longer permit Auditors to sign and date the Auditors' Report until after the body responsible for approving the statements has reviewed and approved the statements. The NAFO financial statements as at December 31, 2010 will be shown as draft statements until they are reviewed by STACFAD and approved by the Organization at the Annual Meeting. It was noted that the total expenditures incurred for the fiscal period ending 2010 amounted to \$1,821,977, which was \$39,977 over the approved budget of \$1,782,000. It was also noted that there were no outstanding contributions from Contracting Parties on December 31, 2010.

The balance in the accumulated surplus account at year end amounted to \$520,017. At the 2010 Annual Meeting, General Council approved maintaining the level in the accumulated surplus account for 2011 at \$285,000 of which \$200,000 would be sufficient to finance operations during the first three months of 2011, and of which \$85,000 would be available for use in emergency situations. The remaining \$235,017 (\$520,017 - \$285,000) would be used to reduce annual contributions for 2011.

The Auditors' Report noted that the Organization: (1) has not recorded the pension plan assets, liabilities and unfunded deficit, (2) has a policy not to capitalize its capital assets, and (3) has not recorded a liability for separation entitlements, as approved at the annual meeting in September 2007. This liability for separation entitlement would be fully funded by the end of 2011. The audit determined the financial affairs of the Organization had been conducted in accordance with the Financial Regulations and budgetary provisions of NAFO and presented a fair and accurate accounting of the financial affairs of the Organization.

**STACFAD recommends that the 2010 Auditors' Report be adopted.**

The Organization's Financial Regulation, Rule 7.1, states that the length of time a firm carrying out the NAFO audit shall serve is limited to a maximum of three years. The audit of the 2010 financial records was the third year for Deloitte and Touche LLP, Chartered Accountants to serve as auditors of the Organization.

The Secretariat received proposals from Grant Thornton, KPMG and WBLI to carry out the audit of NAFO's records for the 2011, 2012 and 2013 fiscal periods. A summary of the proposals received, along with the proposal letters, were distributed to the Committee. After reviewing the proposals, **STACFAD recommends that WBLI Chartered Accountants be appointed to audit NAFO's records for the 2011, 2012 and 2013 fiscal periods.**

**5. Administrative and Activity Report by Secretariat**

Under this item, the Executive Secretary highlighted NAFO administrative matters and activities for the period September 2010 to August 2011 (GC Doc. 11/1-Revised).

**6. Financial Statements for 2011**

The NAFO Senior Finance and Staff Administrator presented the Financial Statements for the fiscal year ending 31 December 2011.

Budgetary Expenses

The approved operating budget for 2011 was set at \$1,886,000. It was noted in the financial statements that expenditures for the year are projected to be \$1,916,000, over the approved budget by \$30,000. Variances from the approved budget are as follows:

Salaries are projected to be \$12,000 over budget. This includes \$15,000 for staff bonuses to compensate staff for the extraordinary and exceptional work performed in providing support to the Performance Review Panel.

Medical and insurance plans are projected to be \$12,000 below the approved budget. This is attributed to a change in NAFO's Long Term Disability (LTD) insurance provider resulting in savings to LTD premiums.

Fishery Monitoring is anticipated to be \$5,000 over budget due to necessary programming changes to the VMS.

The Professional Services item includes expenses for audit, consulting, insurance, legal fees, professional development and training. The legal fees are associated with a claim made against the Organization regarding the wrongful dismissal suit. STACFAD was informed by the Secretariat on the state of play of the wrongful dismissal suit.

Recruitment and relocation expenses for the newly recruited Scientific Council Coordinator are projected to be \$6,000 under budget.

All remaining 2011 operating expenses are anticipated to be on or near budget for the year.

Assessed Contributions

The 2011 operating budget was set at \$1,886,000. The prior years' accumulated surplus balance had \$235,017 deemed to be in excess of the needs of the Organization which was allocated to the operating budget. As a result, annual contributions issued to Contracting Parties for the 2011 fiscal year were \$1,650,983.

## Balance Sheet

The Organization's cash position at December 31, 2011 is estimated to be \$455,180, which is sufficient to finance appropriations in early 2012 pending the receipt of annual payments by Contracting Parties in the spring of 2012. Three Contracting Parties have outstanding contributions for 2011 totalling \$92,407; Cuba - \$41,793, Russian Federation - \$48,308 and USA - \$2,306. Cuba, Russian Federation and USA have communicated that payment would be forthcoming.

### **7. Review of Accumulated Surplus and Contingency Funds**

According to the financial regulations of the Organization, STACFAD and General Council shall review the amount available in the accumulated surplus account during each annual meeting. The accumulated surplus account shall be set at a level sufficient to temporarily finance operations during the first three months of the year, plus an amount up to a maximum of 10% of the annual budget for the current financial year to be used for unforeseen and extraordinary expenses to the good conduct of the business of the Organization.

The Secretariat noted the accumulated surplus account at December 31, 2011 is estimated to be \$465,000.

**STACFAD recommends that the amount maintained in the accumulated surplus account be set at \$285,000 of which \$200,000 would be sufficient to finance operations during the first three months of 2012, and of which \$85,000 would be a contingency fund available for use in emergency situations.**

### **8. Personnel Matters**

The Executive Secretary presented to the Committee an update on human resources and personnel matters at the NAFO Secretariat. It was noted that the current structure of 10 full time staff members adopted in 2004 has been working very efficiently to meet the needs of the Organization. The structure requires the specialization of staff members in their specific field of work as well as sharing of general tasks among all staff. However, one area of work which has expanded beyond what is originally included in the HR Structure is the need for performing data management and analysis, i.e. catch and effort data analysis and presentation services (footprint map, etc.). The responsibility for these tasks, and also the developing and designing NAFO databases, are not properly allocated in the current job descriptions. The Secretariat noted the need to update the current HR Structure for data management and analysis and the realignment of job descriptions. It was noted by the Committee that it may be premature to make considerable changes to the HR Structure at this time as there may be a comprehensive review of the Secretariat performed in the near future as recommended in the Performance Review Panel Report.

The Committee was in agreement for the Secretariat to proceed with the following:

1. All NAFO Secretariat Job Descriptions will be realigned to ensure tasks listed in the job descriptions match the work currently being performed by staff members;
2. Database responsibilities will be removed from the Information Officer's job description;
3. A "Data Management Department"(IT Manager, Information Officer, FC Coordinator, SC Coordinator) be established in addition to the Fisheries Management, Science Support/Publications, Information Dissemination and Finance and Administration teams.

The Executive Secretary asked STACFAD to consider the creation of a Data Manager position, CS Computer Systems Group Payroll Category, to be implemented in 2013. The Committee requested the Secretariat to draft a proposal for a new Data Manager Job Description for presentation at the 2012 annual meeting.

The Executive Secretary also informed the Committee that two staff members are eligible for promotion. The Committee was in agreement with the proposed promotions.

## 9. Internship Program

The NAFO Secretariat receives numerous inquiries from students looking for work placement to perform research as a mandatory element of their studies. Over the years, the Secretariat has hosted a number of student interns from Contracting Parties and has supported the interns with a nominal compensation to assist with their living expenses while in Halifax. In addition to their research assignment, these interns are also able to perform valuable tasks for the Secretariat. The Secretariat therefore suggested that a NAFO Internship Program be formalized.

The NAFO Internship Program would allow students, post graduates and early career individuals from NAFO member countries to gain experience in the operations of an intergovernmental fisheries management organization by working in the NAFO Secretariat. The NAFO Secretariat would supervise up to one intern at any one time for a period of up to six months. NAFO would benefit from the intern program directly through the performance of an additional individual in the Secretariat and indirectly, over a period of years, by strengthening the capacity of member states to coordinate their involvement in NAFO programs.

The associated cost to the NAFO budget was estimated to be at the level of CDN \$21,000 per year.

Travel/medical insurance costs would not be the responsibility of NAFO and successful interns would be responsible to secure their own travel/medical insurance expenses.

The Secretariat will report to STACFAD each year on the interns selected. The interns will be expected to submit a report on their internship. STACFAD will provide general oversight of this program and periodically recommend adjustments as necessary.

It was noted by the Secretariat that the Performance Review Panel expressed the need to strengthen and enhance cooperation with developing States. The Secretariat proposed that NAFO consider expanding the Internship Program to accept applicants from developing States in fields of fishery science and fish management. In this regard, the Secretariat will develop guidelines, including financial considerations, geographical considerations, etc. for presentation to the Committee at the 2012 annual meeting.

**STACFAD recommends that the NAFO Internship Program be established as outlined in Annex 3 effective January 2012, with corresponding funds to be included in the 2012 budget and following years.**

## 10. Rules of Procedure

The Secretariat presented STACFAD Working Paper 11/4 (Annex 4) seeking clarification on the term “non-restricted” sessions used in Rule 3 of the Rules of Procedures for Observers and to identify which meetings observers have access to.

All members of the Committee agreed on the principle of openness and transparency, however, consensus could not be reached on the meetings which accredited observers shall be permitted to attend. It was agreed that this issue will be revisited at next year’s annual meeting. The Secretariat was requested to provide additional information on observer rules and practices of other RFMOs and based on this information, as well as consultation with the other NAFO subsidiary bodies, STACFAD will consider any necessary changes to the Rules of Procedure for Observers.

The Committee also noted that Rule 6 of the Rules of Procedure for Observers may also require additional clarity on the issues of confidentiality and media communication during meetings. In the interim, in the event of requests by observers to attend a session other than a plenary session of the NAFO constituent bodies, the Chair of that body, through consultation with all Contracting Parties on a consensus basis, shall determine if that particular session could be deemed “non-restricted” according to Rule 3 of the Rules of Procedure for Observers.

## 11. Budget Estimate for 2012

The Secretariat presented the 2012 budget estimate (GC Working Paper 11/1-Revised) to the Committee highlighting the following items:

<i>Approved Budget 2011</i>	<i>Preliminary Budget Forecast 2012</i>	<i>Budget Estimate 2012</i>
\$1,886,000	\$1,824,000	\$1,875,000

The 2012 budget estimate of \$1,875,000 represents an increase of \$51,000 (2.8%) from the 2012 preliminary budget forecast and a decrease of \$11,000 (0.6%) from the 2011 approved budget.

Variances between the 2011 and 2012 budgets are as follows:

<i>Personal Services:</i>	Budget 2011	\$1,280,000	Budget 2012	\$1,380,000
	Increase	\$100,000	7.8%	

The salaries and remuneration for the members of the Secretariat follow the salary levels and categories of the public sector of the host country (Canada).

Superannuation and Annuities include annual supplementary payment of \$193,200 (\$100,800 + \$92,400) towards the pension fund deficit. The Committee reviewed the latest actuarial valuation of the NAFO Pension plan, which showed that the plan is in a deficit or unfunded position of \$1.8 million vs the unfunded position from three years ago of \$975,000. The increase in the unfunded liability requires additional annual payments of \$92,400 for the next 15 years.

A change in insurance providers has resulted in a \$12,000 (50%) decrease in LTD insurance premiums.

<i>Additional Help:</i>	Budget 2011	\$20,000	Budget 2012	\$20,000
	Increase	\$0	0%	

The additional help budget is for the digitization of ICNAF historical documents and other assistance as required.

<i>Computer Services:</i>	Budget 2011	\$28,000	Budget 2012	\$42,000
	Increase	\$14,000	50%	

Increase due to proposal from STACTIC to implement a secure website area.

<i>Fishery Monitoring:</i>	Budget 2011	\$48,000	Budget 2012	\$35,000
	Decrease	\$13,000	27%	

Decrease due to final year of the VMS annual license fee payments ending December 31, 2011.

<i>NAFO Meetings:</i>	Budget 2011	\$167,000	Budget 2012	\$153,000
	Decrease	\$14,000	8.4%	

The NAFO meetings budget includes travel expenses by the Secretariat to attend meetings, logistical expenses to host a meeting in the headquarters area, invited expert travel costs, etc.

Decrease to sessional meetings budget reflects that the 2012 Annual Meeting will be held in St. Petersburg, Russia and certain costs will be borne by the host country, rather than the Secretariat.

The inter-sessional scientific meetings budget decreased by \$10,000 as there are no workshops or symposium scheduled for 2012. The ad hoc fund, a general provision for unforeseen expenses necessarily incurred by SC for the provision of answering requests for advice from FC, has been returned to its \$20,000

balance. The other budgeted \$10,000 is Secretariat support to Scientific Council inter-sessional meetings and working groups.

<i>Performance Review:</i>	Budget 2011 Decrease	\$75,000 \$0	Budget 2012 100%	\$0
<i>Recruitment and Relocation:</i>	Budget 2011 Decrease	\$52,000 \$0	Budget 2012 100%	\$0

The 2011 performance review and recruitment and relocation budgets were one time only expenses in 2011.

**STACFAD recommends that the budget for 2012 of \$1,875,000 (Annex 5) be adopted.**

**A preliminary calculation of billing for the 2012 financial year is provided in Annex 6.** The preliminary calculation of billing is based on the budget estimate of \$1,875,000 and shall be reduced by any amount determined by the General Council to be in excess of the needs of the accumulated surplus account.

The accumulated surplus account at December 31, 2011 is estimated to be \$465,000 and the recommended minimum balance in the accumulated surplus account for operations and emergency use for the 2012 fiscal year is \$285,000. This allows for \$180,000 (\$465,000-\$285,000) to be applied towards the 2012 billing.

**Funds required to meet the 2012 administrative budget and appropriated from Contracting Parties are estimated to be \$1,695,000 (\$1,875,000 - \$180,000).**

## 12. Budget Forecast for 2013 and 2014

STACFAD reviewed the preliminary budget forecast for 2013 (\$1,984,000) and 2014 (\$2,069,000) (Annex 7) and approved the forecast in principle. It was noted that the budget for 2013 will be reviewed in detail at the next Annual Meeting.

## 13. Adoption of 2012 Staff Committee Appointees

The Secretariat nominated the following people to serve as members of the Staff Committee for September 2011-September 2012: Bill Brodie, Estelle Couture and Deirdre Warner-Kramer.

**STACFAD recommends that General Council appoint the three nominees.**

## 14. Time and Place of 2012 – 2014 Annual Meetings

As previously agreed, the 2012 Annual Meeting will be held 17-21 September. An invitation to host the 2012 Annual Meeting in St. Petersburg, Russia was presented by the Russian Delegation to the General Council.

**STACFAD recommends that the dates of the 2013 and 2014 Annual Meetings (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:**

<b>2013</b>	-	<b>23 – 27 September</b>
<b>2014</b>	-	<b>22 – 26 September</b>

For budgetary planning purposes, STACFAD urges that any invitations by a Contracting Party to host an Annual Meeting be issued as early as possible.

## **15. Other Matters**

As instructed by the General Council, the Committee reviewed recommendations of the Performance Review Panel contained in GC Working Paper 11/9 relevant to STACFAD and provided its initial response as shown in Annex 8.

In response to a number of the Performance Review Panels recommendations, STACFAD recommends that the Secretariat, in consultation with the Chairs of the NAFO bodies, Contracting Parties and outside experts as appropriate, conduct an overall analysis of the Secretariat's structure and needs to ensure that it can continue to meet its growing workload into the future. The analysis should review the staff structure, position descriptions, performance management systems, training and skills development programs, office space needs, and any other relevant issues. The results of this analysis and any resulting proposals should be reported annually by the Secretariat to STACFAD for its consideration. STACFAD further recommends that this work be considered by any body established by General Council to devise action plans and timetables for implementation of the other recommendations of the Performance Review Panel.

## **16. Adjournment**

The final session of the STACFAD meeting adjourned on 22 September 2011.

**Annex 1. List of Participants**

<b>Name</b>	<b>Contracting Party</b>
Robert Day Doug Twining	Canada
Rasmus Fugholt	Denmark (in respect of Faroe Islands and Greenland)
Fred Kingston	European Union
Akiko Onodera	Japan
Hyun Jin Park	Republic of Korea
Odd Gunnar Skagestad	Norway
Olga Sedykh	Russian Federation
Deirdre Warner-Kramer Pat Moran	United States of America
Vladimir Shibanov Stan Goodick Bev McLoon	NAFO Secretariat

**Annex 2. Agenda**

1. Opening by the Chair, Deirdre Warner-Kramer (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditors' Report for 2010
5. Administrative and Activity Report by Secretariat
6. Financial Statements for 2011
7. Review of Accumulated Surplus and Contingency Funds
8. Personnel Matters
9. Internship Program
10. Rules of Procedure
11. Budget Estimate for 2012
12. Budget Forecast for 2013 and 2014
13. Adoption of 2012 Staff Committee Appointees
14. Time and Place of 2012 - 2014 Annual Meetings
15. Other Matters
16. Adjournment

### **Annex 3. Proposal for a NAFO Internship Program**

#### **NAFO Internship Program**

A NAFO Internship Program would allow students, post graduates or early career individuals from NAFO member countries to work in the NAFO Secretariat as an intern for periods of up to six (6) months.

#### **Objectives**

The individual will gain experience and knowledge in operations of the Organization and other intergovernmental organizations while the NAFO Secretariat will benefit through the presence of an additional professional and his/her capacity and knowledge.

#### **Nature of the Internship**

Under the supervision of the Executive Secretary, interns will work on projects at the Secretariat relevant to their professional interests and development needs. Interns may be given a wide variety of tasks related to various aspects of:

- fisheries management and fisheries databases
- science
- administrative
- meeting coordination
- publications; and
- other NAFO activities delegated by the Executive Secretary.

Period of internship: For a period up to a maximum of 6 (six) months.

#### **Qualifications of candidates**

Applicants must be a citizen of a NAFO member country and of the academic or government sector, have a minimum of a university degree, very good spoken and written command of the English language, strong computer knowledge, and demonstrated personal initiative.

#### **Guidelines for application and selection procedure**

- The NAFO Internship Program will be advertised on the NAFO website. NAFO member countries are encouraged to take additional measures to advertise the NAFO Internship Program within their countries.
- Applicants will apply to the NAFO Secretariat following the procedure described on the NAFO website. Applicants must describe their interests and qualifications; provide a resume delineating their academic and work experience and three professional references.
- The NAFO Executive Secretary will review the applicants and select the successful intern(s). To ensure a balanced distribution of internships among member countries, priority will be given to applicants of Member States which have not been represented in the more recent years.

#### **Financial Support**

NAFO will provide a stipend of CDN \$1,750 per month. NAFO will not be responsible for the coverage of travel costs to and from the place of residence and the location of the Secretariat or for the cost of medical insurance.

**Annex 4. Non-restricted Sessions: Rule 3 of Rules of Procedure for Observers**  
(STACFAD WP 11/4 - Prepared by NAFO Secretariat)

At the 2009 Annual Meeting of NAFO, the Rules of Procedure for Observers at NAFO Meetings were revised to apply one common set of rules for the admission and accreditation of observers to General Council, Fisheries Commission and Scientific Council Meetings (Annex 1).

During the past year, the Secretariat received a request from an accredited NGO observer to attend the Fisheries Commission Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems (FC WGFMS-VME). Rule 3 of the Rules of Procedures for Observers states “Observer status shall apply to all non-restricted sessions, whether at the Annual Meeting or at intersessional meetings.”

Although the meaning of “non-restricted” session is not clearly defined, it has traditionally meant that in GC and FC observers would have access to plenary sessions only. NGOs have not been permitted to attend GC and FC Working Group meetings (including FC WGFMS-VME). For SC, observers have had access to plenary, committee and working group meetings.

The Secretariat therefore feels there is a need to amend the current Rule 3 to clarify the term “non-restricted” sessions and identify which meetings observers have access to.

- General Council
  - General Council Plenary
  - Standing Committee – STACFAD
  - GC Working Groups
- Fisheries Commission
  - Fisheries Commission Plenary
  - Standing Committee – STACTIC
  - FC Working Groups
  - FC/SC Working Groups (Fisheries Managers and Scientists)
- Scientific Council
  - Scientific Council Plenary
  - Standing Committees – STACFEN, STACFIS, STACPUB, STACREC
  - SC Working Groups

Also, is there a need to distinguish between the meetings an IGO (e.g. FAO, NEAFC, etc.) can attend vs. meetings an NGO can attend? In the past, for example, on a few occasions a NEAFC Observer has attended STACTIC meetings.

**Application for Observer Status to NAFO Meetings  
(General Council, Fisheries Commission and Scientific Council)**

**Rule 1**

The Executive Secretary shall invite, as observers:

- a) intergovernmental organizations that have regular contacts with NAFO as regards fisheries matters or whose work is of interest to NAFO or vice-versa; and
- b) non-Contracting Parties identified as harvesting fishery resources in the Regulatory Area.

**Rule 2**

Any NGO that supports the general objectives of NAFO and with a demonstrated interest in the species under the purview of NAFO, and desires accreditation as observers to NAFO meetings, shall notify the Secretariat at least 100 days in advance of the first meeting it wishes to attend. This application must include:

- a) name, address, telephone, fax number of the organization;
- b) address of all its national/regional offices;
- c) aims and purposes of the organization and a statement that the NGO fully supports the objectives of NAFO, i.e., optimum utilization, rational management and conservation of the fishery resources of the NAFO Convention Area;
- d) information on the organization's total number of members, its decision-making process and its funding;
- e) a brief history of the organization and a description of its activities;
- f) representative papers or other similar resources produced by or for the organization on the conservation, management, or science of fishery resources to which the Convention applies; and
- g) a history of NAFO observer status granted/revoked;

**Rule 3**

Observer status shall apply to all non-restricted sessions, whether at the Annual Meeting or at intersessional meetings.

**Rule 4**

NGO applications shall be reviewed by the Executive Secretary who shall notify the Contracting Parties of the names and qualifications of NGOs having fulfilled the requirements stipulated in Rule 2. If one or more of the Contracting Parties object giving in writing its reasons within 30 days, the matter will be put to a vote by written procedure. Applications will then be considered as accepted in accordance with the procedures laid down in Article V para 2 of the Convention. The Executive Secretary shall also circulate any reasons given in a preliminary objection as well as any comments that Contracting Parties may include with their vote on this matter.

**Rule 5**

Any NGO with observer accreditation:

- a) is required to register its representatives at the NAFO Secretariat at least fourteen days in advance of the meeting;
- b) may be required to limit the number of their observers at any meeting due to conference room capacity. The Executive Secretary will transmit any such determination in the conditions of participation;
- c) may be required to pay a fee, which will cover the additional expenses generated by their participation, as determined annually by the Executive Secretary;
- d) that has not communicated with the Secretariat or attended at least one meeting in the previous three years shall cease to be an accredited NGO but may reapply in writing to the Executive Secretary; and
- e) will have their accreditation reviewed by the Executive Secretary every five years taking into account any new information or development regarding the NGO since the last accreditation and circulate a summary of the review to Contracting Parties. If one or more of the Contracting Parties object to a renewal of the accreditation of the NGO with NAFO giving in writing its reasons within 30 days, the matter will be put to a vote by written procedure. Renewal of the accreditation will then be considered as accepted in accordance with the procedures laid down in Article V para 2 of the Convention. The Executive Secretary shall also circulate any reasons given in a preliminary objection as well as any comments that Contracting Parties may include with their vote on this matter.

**Rule 6**

Observers admitted to a meeting:

- a) shall be sent or otherwise receive the same documentation generally available to Contracting Parties and their delegations, except those documents deemed confidential by a Contracting Party or the Executive Secretary.
- b) may attend meetings, as set forth above, but may not vote;
- c) may make oral statements during the meeting upon the invitation of the Chair;
- d) may only distribute documents at meetings via the general information table;
- e) may engage in other activities as appropriate and as approved by the Chair;
- f) may not use film, video, and audio recording devices, etc. to record meeting proceedings; and
- g) may not issue press releases or other information to the media on agenda items under discussion during NAFO meetings.

**Rule 7**

Observers admitted to a meeting shall comply with the above and all rules and procedures applicable to other participants in the meeting. Failure to conform to these rules or any other rules that NAFO may adopt for the conduct of observers may result in removal from the meeting by the presiding officer and revocation of their observer accreditation status.

**Rule 8**

These rules shall be subject to review and revision, as appropriate. If any Contracting Party so requests, the adequacy of these rules shall be reviewed and assessed and, if necessary, amendments shall be adopted by General Council in the light of the need of NAFO to function effectively when conducting its business.

**Annex 5. Budget Estimate for 2012**  
(Canadian Dollars)

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Budget Estimate for 2012

(Canadian Dollars)

	Approved Budget 2011	Projected Expenditures 2011	Preliminary Budget Forecast 2012	Budget Estimate 2012
1. Personal Services				
a) Salaries	\$904,000	\$916,000	\$923,000	\$923,000
b) Superannuation and Annuities	196,000	196,000	245,000	288,000
c) Medical and Insurance Plans	91,000	79,000	102,000	83,000
d) Employee Benefits	89,000	91,000	81,000	86,000
Subtotal Personal Services	1,280,000	1,282,000	1,351,000	1,380,000
2. Additional Help	20,000	20,000	20,000	20,000
3. Communications	27,000	27,000	27,000	28,000
4. Computer Services	28,000	28,000	29,000	42,000
5. Equipment	36,000	35,000	36,000	36,000
6. Fishery Monitoring	48,000	53,000	33,000	35,000
7. Hospitality Allowance	3,000	3,000	3,000	3,000
8. Internship	0	0	0	21,000
9. Materials and Supplies	33,000	33,000	34,000	34,000
10. NAFO Meetings				
a) Sessional	102,000	97,000	103,000	93,000
b) Inter-sessional Scientific	40,000	35,000	40,000	30,000
c) Inter-sessional Other	25,000	25,000	30,000	30,000
Subtotal NAFO Meetings	167,000	157,000	173,000	153,000
11. Other Meetings and Travel	50,000	50,000	50,000	50,000
12. Performance Review	75,000	75,000	0	0
13. Professional Services	51,000	91,000	51,000	56,000
14. Publications	16,000	16,000	17,000	17,000
15. Recruitment and Relocation	52,000	46,000	0	0
	\$1,886,000	\$1,916,000	\$1,824,000	\$1,875,000

Notes on Budget Estimate 2012  
(Canadian Dollars)

Item 1(a)	<b>Salaries</b> Salaries budget estimate for 2012	\$923,000
Item 1(b)	<b>Superannuation and Annuities</b> Employer's pension plan which includes employer's contributions, administration costs and actuarial fees. Also includes a payment towards the unfunded liability as the previous two actuarial valuations of the pension plan showed the plan to be in a deficit position.	\$288,000
Item 1(c)	<b>Group Medical and Insurance Plans</b> Employer's portion of Canada Pension Plan, Employment Insurance, Group Life Insurance, Long Term Disability Insurance and Medical Coverage.	\$83,000
Item 1(d)	<b>Employee Benefits</b> Employee benefits as per the NAFO Staff Rules including overtime, repatriation grant, termination benefits, vacation pay, and travel to home country for internationally recruited members of the Secretariat.	\$86,000
Item 2	<b>Additional Support</b> Digitization of historical documents, translation of NAFO Fisheries Information (e.g. Observer Reports) and other assistance as required.	\$20,000
Item 3	<b>Communications</b> Phone, fax and internet services Postage Courier/Mail service	\$28,000 \$15,000 10,000 3,000
Item 4	<b>Computer Services</b> Computer hardware, software, supplies and support. Inspectors Website (Possible proposal to come from STACTIC to implement a secure website area)	\$42,000 \$29,000 13,000
Item 5	<b>Equipment</b> Leases (print department printer, photocopier and postage meter) Purchases Maintenance	\$36,000 \$21,000 10,000 5,000
Item 6	<b>Fishery Monitoring</b> Vessel Monitoring System (VMS) annual maintenance fee Programming changes as required due to changes to CEM	\$35,000 \$30,000 5,000

Item 10(a)	<p><b>NAFO Sessional Meetings</b>  Annual Meeting, September 2012, St. Petersburg, Russia  SC Meeting, June 2012, Dartmouth, Canada  SC Meeting, October 2012, Norway</p>	\$93,000
Item 10(b)	<p><b>NAFO Inter-sessional Scientific Meetings</b>  Provision for inter-sessional meetings and a general provision for unforeseen expenses necessarily incurred by SC required for the provision of answering requests for advice from FC.</p>	\$30,000
Item 10(c)	<p><b>NAFO Inter-sessional Other</b>  General provision for GC and FC inter-sessional meetings.</p>	\$30,000
Item 11	<p><b>Other Meetings and Travel</b>  International Meetings regularly attended by the NAFO Secretariat:</p> <ol style="list-style-type: none"> <li>1. Aquatic Sciences and Fisheries Abstracts (ASFA)</li> <li>2. Co-ordinating Working Party on Fishery Statistics (CWP),</li> <li>3. Fisheries Resources Monitoring Systems (FIRMS)</li> <li>4. International Fisheries Commissions Pension Society (IFCPS)</li> <li>5. NEAFC Advisory Group for Data Communication (AGDC)</li> <li>6. Regional Fishery Body Secretariats Network (RSN)</li> <li>7. Secretariats of the North Atlantic Regional Fisheries Management Organizations (NARFMO)</li> <li>8. Visma Sirius Annual vTrack User Group Meeting</li> <li>9. United Nations Fish Stock Agreement (UNFSA)</li> </ol>	\$50,000
Item 13	<p><b>Professional Services</b>  Professional Services (audit, consulting, legal fees, and insurance)  Professional Development and Training  Public Relations</p>	<p>\$56,000  \$40,000  11,000  5,000</p>
Item 14	<p><b>Publications</b>  Production costs of NAFO publications which may include the following:  Conservation and Enforcement Measures, Convention, Inspection Forms,  Journal of Northwest Atlantic Fishery Science, Meeting Proceedings,  Rules of Procedure, Scientific Council Reports, etc.</p>	\$17,000

**Annex 6. Preliminary calculation of Billing for Contracting Parties  
against the proposed estimate of \$1,875,000 for the 2012  
financial year (based on 12 Contracting Parties to NAFO)**  
(Canadian Dollars)

Budget Estimate	\$1,875,000
Deduct: Amount from Accumulated Surplus	<u>180,000</u>
Funds required to meet 2012 Administrative Budget	<u>\$1,695,000</u>

60% of funds required =	\$1,017,000
30% of funds required =	\$508,500
10% of funds required =	\$169,500

Contracting Parties	Nominal Catches for 2009	% of Total Catch in the Convention Area			2012 Preliminary Billing
		10%	30%	60%	
Canada	471,942	53.44%	\$42,375.00	\$543,484.80	\$681,626.79
Cuba (1)	1,334	0.15%	-	1,525.50	43,900.50
Denmark (in respect of Faroe Islands and Greenland) (2)(3)	171,630	19.44%	34,827.35	197,704.80	274,907.15
European Union	37,954	4.30%	-	43,731.00	86,106.00
France (in respect of St. Pierre et Miquelon)	815	0.09%	165.38	915.30	43,455.68
Iceland	-	-	42,375.00	-	42,375.00
Japan	-	-	42,375.00	-	42,375.00
Republic of Korea	-	-	42,375.00	-	42,375.00
Norway	2,948	0.33%	-	3,356.10	45,731.10
Russian Federation	5,175	0.59%	-	6,000.30	48,375.30
Ukraine	334	0.04%	-	406.80	42,781.80
United States of America (3)	190,913	21.62%	38,740.28	219,875.40	300,990.68
	883,045	100.00%	\$169,500.00	\$508,500.00	\$1,017,000.00
Funds required to meet 1 January - 31 December 2012 Administrative Budget					<u>\$1,695,000.00</u>

(1) Based on catch reports received from chartering arrangements.

(2) Faroe Islands = 4,815 metric tons  
Greenland = 166,815 metric tons

(3) Based on 2009 provisional catch reports.

2011 Billing for comparison purposes	
Approved Budget 2011	\$1,886,000
Deduct: Accumulated Surplus	<u>235,017</u>
Funds required 2011 Budget	<u>\$1,650,983</u>

Nominal Catches for 2008	% of Total Catch in the Convention Area		2011 Annual Assessment
	2008	2011	
478,377	52.93%	\$658,687.81	
500	0.06%	41,868.92	
196,480	21.74%	294,864.58	
43,745	4.85%	89,318.18	
3,639	0.40%	45,945.09	
-	-	41,274.58	
1,926	0.21%	43,354.81	
-	-	41,274.58	
2,483	0.27%	43,949.17	
6,461	0.71%	48,307.77	
276	0.03%	41,571.76	
169,885	18.80%	260,565.75	
903,772	100.00%	<u>\$1,650,983.00</u>	

## Annex 7. Preliminary Budget Forecast for 2013 and 2014

### NORTHWEST ATLANTIC FISHERIES ORGANIZATION

#### Preliminary Budget Forecast for 2013 and 2014

(Canadian Dollars)

	Preliminary Budget Forecast 2013	Preliminary Budget Forecast 2014
1. Personal Services		
a) Salaries	\$1,010,000	\$1,048,000
b) Superannuation and Annuities	295,000	298,000
c) Medical and Insurance Plans	99,000	104,000
d) Employee Benefits	68,000	99,000
Subtotal Personal Services	1,472,000	1,549,000
2. Additional Help	20,000	20,000
3. Communications	28,000	28,000
4. Computer Services	42,000	43,000
5. Equipment	36,000	37,000
6. Fishery Monitoring	35,000	35,000
7. Hospitality Allowance	3,000	3,000
8. Internship	18,000	18,000
9. Materials and Supplies	34,000	35,000
10. NAFO Meetings		
a) Sessional	108,000	113,000
b) Inter-sessional Scientific	40,000	40,000
c) Inter-sessional Other	30,000	30,000
Subtotal NAFO Meetings	178,000	183,000
11. Other Meetings and Travel	50,000	50,000
12. Professional Services	51,000	51,000
13. Publications	17,000	17,000
	\$1,984,000	\$2,069,000

## Annex 8. STACFAD Preliminary Responses to PRP Recommendations

PA Report Chapter/Numbers	Recommendations	Preliminary Response: STACFAD...
Chapter 4, 4.4.3	<p>Recommends that the Secretariat develop documentation to outline its data consolidation processes and the steps it takes to check data, including the continuation of communication with data providers after data have been submitted/used, if necessary.</p> <p>The PRP would like to see a user-friendly NAFO data manual being produced and this could also set out a full meta-data record for all NAFO's data holdings and database.</p>	<p>recommends that the Secretariat undertake this work and report back to the Committee on its progress.</p> <p>notes that work on several elements of this recommendation is already underway and the proposed creation of a new Data Management team within the Secretariat will further support it. STACFAD recommends that the Secretariat determine how best to address the financial and human resources implications of this work.</p>
Chapter 4	<p>Concludes that the potential utility of information presented on the NAFO Website could be enhanced by improving the clarity, and user friendliness, of linkages. In this respect, some thought could be given to providing a clear 'information map' on the Website to direct those seeking specific types of information to their source(s) more efficiently.</p>	<p>endorses the Secretariat's ongoing work in this regard and encourages that the Secretariat seek additional feedback from the Contracting Parties as necessary.</p>
Chapter 4, 4.4	<p>Concludes that a clearly designated, and easily accessible, area of the NAFO website should set out a brief history of the PAF's development and a detailed explanation of its key contents and use, particularly in relation to recovery plans as well as new and exploratory fisheries.</p>	<p>notes that the Scientific Council Coordinator has already begun this work in cooperation with the Scientific Council and welcomes its conclusion.</p>
Chapter 7, 7.1	<p>Suggests that application of cost-recovery measures could be considered as a way of alleviating potential financial stress on NAFO Contracting Parties.</p>	<p>recommends that the Secretariat provide to STACFAD's next meeting suggestions for areas where cost recovery measures could be implemented.</p>
Chapter 7, 7.1	<p>Suggests that NAFO apply accrual accounting principles to manage its budget to be in conformity with the international norm as well as to provide a more accurate and contemporary picture of the Organization's financial standing.</p>	<p>requests that the Secretariat provide to STACFAD's next meeting guidance on the pros and cons of this approach.</p>
Chapter 7, 7.2	<p>Suggests developing a <i>NAFO Staff Contract</i> to provide a more formal standing to the various Staff position descriptions, working conditions and appraisal procedures outlined in <i>NAFO Secretariat Staff Structure</i> (Fischer &amp; Goodick, 2009) document, the PRP. In particular, a <i>Contract</i> would provide an opportunity to formally outline procedures for dealing with Staff grievances and dismissal specifically.</p>	<p>*</p>
Chapter 7, 7.2	<p>Concludes that there is a need to amend certain <a href="#">NAFO Staff Rules</a> (NAFO, 2010a) provisions pertaining to the rights and obligations of NAFO Secretariat Staff, particularly for</p>	<p>recognizes the ongoing work to keep the Staff Rules current and requests the</p>

<b>PA Report Chapter/Numbers</b>	<b>Recommendations</b>	<b>Preliminary Response: STACFAD...</b>
	<p>dismissal or termination of appointment conditions. Such amendment should take into account relevant existing best practices. Given the Organization's intergovernmental nature, special attention should be given to relevant, and applicable, Canadian legislative provisions, as well as international law, in terms of Secretariat staff employment rights, obligations and conditions.</p>	<p>Secretariat to compile relevant best practices in this area and provide a report to its next meeting.</p>
<b>Chapter 7, 7.2</b>	<p>Concludes that failure to provide additional Secretariat staff capacity will compromise service delivery in the not-too-distant future and should be addressed as a matter of urgency. The Panel also urges that clear guidance should be given by the General Council to ensure that work priorities can be identified and that the need for any additional resources (human or fiscal) are adequately addressed sooner rather than later.</p>	<p>* Also highlights the recommendations to institute a formal internship program and to create a new Data Management team within the Secretariat. Also consideration could be given to part-time employees or service contracts.</p>
<b>Chapter 7, 7.2</b>	<p>Suggests that metrics be developed for various Secretariat duties/tasks to better determine the efficiency of Secretariat service delivery in particular. The metrics could be based on a schedule of tasks/activities to be undertaken, the completion of tasks against identified guidelines/deadlines, and the final service outputs delivered in terms of delivery efficiency/standards.</p>	<p>* While recognizing the potential benefits of this sort of performance management approach, STACFAD also cautions that any implementation should minimize both resource and bureaucratic burdens.</p>
<b>Chapter 7, 7.2</b>	<p>Concludes that there is a need to ensure that a 'critical mass' of essential Secretariat skills is sustained and that functional continuity should be maintained whenever senior staff leave. To this end, the professional development of Staff and the sharing of essential task skills must continue to be encouraged.</p>	<p>*</p>
<b>Chapter 7, 7.2</b>	<p>Further recommends that NAFO consider enhancing its Organizational communications strategy and media policy. In this context, it should also explicitly clarify the Executive Secretary's responsibilities, along with those of other office bearers, for the communication of such information.</p>	<p>will review and, as appropriate, recommend revisions to the NAFO media policy at its next meeting.</p>
<b>Chapter 7, 7.2</b>	<p>Recommends that the Secretariat be requested to scope and project its future accommodation needs.</p>	<p>*</p>
<b>Chapter 7, 7.4</b>	<p>Recommends timely, and adequate, planning to provide the Secretariat with appropriate human, financial and other resources for its future work.</p>	<p>will continue this process with the input and guidance of the Secretariat.</p>

STACFAD recommends that consideration of the recommendations marked with \* be addressed as part of an overall review of the Secretariat's staff structure and needs to ensure that it can continue to meet the growing workload into the future.



**SECTION III**  
(pages 79 to 184)

**Report of the Fisheries Commission and its Subsidiary Body  
(STACTIC), 33<sup>rd</sup> Annual Meeting  
19-23 September 2011  
Halifax, Nova Scotia, Canada**

PART I. Report of the Fisheries Commission.....	81
I. Opening Procedure .....	81
II. Scientific Advice .....	82
III. Conservation of Fish Stocks in the Regulatory Area.....	83
IV. Ecosystem Considerations.....	86
V. Conservation and Enforcement Measures .....	88
VI. Closing Procedure .....	89
Annex 1. List of Participants .....	90
Annex 2. Record of Decisions and Actions by the Fisheries Commission .....	102
Annex 3. Agenda.....	105
Annex 4. Scientific Council Responses to Questions from the Fisheries Commission .....	107
Annex 5. Fisheries Commission's Request for Scientific Advice on Management Options in 2013 and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters .....	109
Annex 6. Interim 3LNO American Plaice Conservation Plan and Rebuilding Strategy .....	115
Annex 7. Interim 3NO Cod Conservation Plan and Rebuilding Strategy .....	116
Annex 8. Terms of Reference for the Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies .....	118
Annex 9. Recommendation from the FC Working Group on Greenland Halibut Management Strategy Evaluation to the Fisheries Commission.....	119
Annex 10. Quota Table 2012 and Effort Allocation Scheme 2012 .....	120
Annex 11. Cod in Division 3NO .....	124
Annex 12. Amendments to NAFO Conservation and Enforcement Measures – Annex I.A, Footnote 21 .....	125
Annex 13. White Hake in Divisions 3NO .....	126
Annex 14. Thorny Skate in Division 3LNO .....	127
Annex 15. Greenland Halibut Management Strategy Evaluation.....	128
Annex 16. Terms of Reference for the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems .....	130
Annex 17. Update of Chapter Ibis – Bottom Fisheries in the NAFO Regulatory Area.....	131
Annex 18. Proposal for a Reassessment of the Impacts of NAFO Managed Fisheries on Known or Likely Vulnerable Marine Ecosystems .....	139
Annex 19. Proposal to amend NCEM Article 15.2 .....	140
Annex 20. Modifications to Shark Bycatch Reporting.....	141
Annex 21. NAFO CEM – Annex XX(c) - Product Form Codes .....	142
Annex 22. Proposal to improve NCEM – Vessel type .....	143
Annex 23. Amendment to NAFO CEM Annex XIX .....	144
Annex 24. Communication of catches – Editorial correspondence for CA, OB, RJ and US field codes – NAFO CEM – Annexes X; XXa and XXIIc .....	145
Annex 25. Communication of catches – Daily declaration of discarded fish within the CAT message; Deletion of the CAX message; Identification of vessels with an observer on board-NAFO CEM-Chapter VII; Annexes X, XXa and XXIIc .....	148
Annex 26. Communication in case of defective VMS .....	150
Annex 27. Serious Infringements .....	151

Annex 28. Annual Compliance Review 2011 (Compliance Report for Calendar Year 2010) .....	152
Annex 29. Follow-up of editorial redrafting of the NAFO CEM by EDG.....	169
Annex 30. NAFO Inspectors Web Area.....	170
Annex 31. International Monitoring, Control, and Surveillance Network .....	173
Part II. Report of the Standing Committee on International Control (STACTIC).....	174
1. Opening of the Meeting.....	174
2. Appointment of Rapporteur.....	174
3. Adoption of Agenda .....	174
4. Compliance Review 2010 including review of reports of apparent infringements.....	174
5. Review and evaluation of NAFO Practices and Procedures.....	175
6. Review of current IUU List pursuant to NAFO CEM Article 57.3 .....	175
7. Inspectors Web Page .....	175
8. Editorial Drafting Group of the NAFO CEM (EDG) .....	176
9. Possible revisions of the NAFO CEM.....	177
10. Observers Scheme – NCEM Chapter VII and Article 28 .....	180
11. HTTPS NAF Gateways .....	181
12. Other Matters .....	181
13. Time and Place of Next Meeting .....	183
14. Adoption of Report.....	183
15. Adjournment.....	183
Annex 1. Agenda.....	184

## PART I

### Report of the Fisheries Commission

(FC Doc. 11/38)

#### 33<sup>rd</sup> Annual Meeting, 19-23 September 2011 Halifax, Nova Scotia, Canada

##### I. Opening Procedure (*Agenda items 1-5*)

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

The meeting was opened by the Chair, Kate Sanderson (Denmark in respect of the Faroe Islands and Greenland), at 1200 hrs on Monday, September 19, 2011. Representatives from all Contracting Parties were in attendance: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russian Federation, Ukraine, and the United States of America (USA) (Annex 1).

With regards to attendance by observers, FAO was present, CCAMLR was represented by the EU, NEAFC was represented by Denmark (in respect of the Faroe Islands and Greenland), and NAMMCO was represented by Iceland.

The presence of the following NGOs which had been granted observer status was also acknowledged: the Ecology Action Centre (EAC), Pew Environment Group, the Sierra Club of Canada (SCC) and World Wildlife Fund (WWF).

##### 2. Appointment of Rapporteur

Ricardo Federizon, Fisheries Commission Coordinator (NAFO Secretariat), was appointed Rapporteur. The summary of decisions and actions taken by the Fisheries Commission is presented in Annex 2.

##### 3. Adoption of Agenda

The provisional agenda as previously circulated was adopted (Annex 3).

##### 4. Review of Commission Membership

It was noted that the membership of the Fisheries Commission is currently twelve (12). All Contracting Parties have voting rights in 2011.

##### 5. Guidance to STACTIC necessary for them to complete their work

The Chair of the Standing Committee on International Control (STACTIC), Gene Martin (USA) presented the results of the STACTIC May 2011 intersessional meeting which was held in London, UK. (FC Doc 11/3). He reported on the progress of the NAFO Conservation and Enforcement Measures (NCEM) Editorial Review Drafting Group and on the proposals on changes in the NCEM to be finalized at this Meeting.

The Fisheries Commission commended the work of STACTIC and encouraged the Committee to continue its work.

The Fisheries Commission also asked STACTIC to provide feedback on how the following recommendations from the Performance Review Panel (PRP) can be followed-up:

- Continuation in incorporating relevant Port State Measures, in particular those of the FAO Port States Measures Agreement, into its monitoring, control and surveillance (MSC) provisions.

- Clarification on the definition of “shark weight” as this could impact the calculation of the amount of shark fins permitted aboard a fishing vessel, and
- Consideration of expanding Article 23 of the NCEM so that all catches are labelled according to the stock area and traceability can be improved.

The recommendations from the intersessional meeting would be forwarded to the Fisheries Commission together with the recommendations from this Annual Meeting (see item 17).

## II. Scientific Advice (Agenda items 6-7)

### 6. Presentation of scientific advice by the Chair of the Scientific Council

The Scientific Council (SC) Chair, Ricardo Alpoim (EU), presented the comprehensive and detailed scientific advice to the Fisheries Commission. The scientific advice for fish stocks and on other topics is contained in SCS Doc 11/16 from the June 2011 Scientific Council meeting. Advice on shrimps was updated during the SC WebEx meeting in 1-12 September (SCS Doc 11/17).

The following represents an overview of the scientific advice on the fish stocks which were fully assessed or monitored at the SC meetings, as well as on the selected topics from special requests items on Conservation Plans and Rebuilding Strategies, Management Strategy Evaluation, and Vulnerable Marine Ecosystems. The advice may contain special comments and caveats. The SC Chair urged the Fisheries Commission to consult the details in the relevant SC meeting reports when considering management and conservation measures.

#### 6.1 Scientific advice on fish stocks

- **Shrimp in Division 3M.** Fishing mortality for 2012 be set as close to zero as possible.
- **Shrimp in Divisions 3LNO.** Total Allowable Catch (TAC) for 2012 to be less than 9 350 t.
- **Cod in Division 3M.** Catches in 2012 should not exceed the level of  $F_{0.1}$  (9 280 t).
- **American plaice in Divisions 3LNO.** No directed fishery in 2012 and 2013.
- **Yellowtail flounder in Division 3LNO.**  $F$  options of up to 85%  $F_{msy}$  are considered low risk of exceeding  $F_{lim}$  ( $= F_{msy}$ ) in 2012 and 2013.
- **Redfish in Division 3M.** Catch in 2012 and 2013 should not exceed 6 500 t.
- **White hake in Divisions 3NO.** TAC of 6 000 t is unrealistic and that catches in 2012 and 2013 should not exceed their current levels.
- **Capelin in Division 3NO.** No directed fishery in 2012 and 2013.
- **American plaice in Division 3M.** No directed fishery in 2012, 2013 and 2014.
- **Witch flounder in Division 3NO.** No directed fishery in 2012, 2013 and 2014.
- **Cod 3NO.** Reiterated advice of no directed fishery in 2011-2013.
- **Redfish in Division 3LN.** Reiterated advice of TAC = 6 000 t for 2011 and 2012.
- **Witch flounder Divisions 2J3KL.** Reiterated advice of no directed fishery in 2011-2013.
- **Redfish in Division 3O.** Reiterated that SC was unable to advise on a TAC.
- **Thorny skate in Division 3LNO.** Reiterated that TAC in 2011 and 2012 should not exceed 5 000 t.
- **Northern shortfinned squid SA 3+4.** Reiterated that TAC for 2011 to 2013 be set between 19 000 and 34 000 t.

#### 6.2 Conservation Plans and Rebuilding Strategies (CPRS)

On the identification of reference points for  $F_{msy}$  and  $B_{msy}$ :

	Div. 3LNO American Plaice	Div. 3NO cod	Div. 3LN redfish
$F_{msy}$	0.31	0.30	0.13
$B_{msy}$	242 000 t SSB	248 000 t SSB	186 000 t

#### 6.3 Management Strategy Evaluation (MSE)

On the computation of 2012 TAC for 2 +3KLMNO Greenland halibut according to the adopted Harvest Control Rule (HCR): “Averaging the individual survey slopes yields slope = -0.1130. Therefore,

$17185 * [1 + 2 * (-0.1130)] = 13\,301$  t. However, as this change exceeds 5%, the HCR constraint is activated and  $TAC_{2012} = 0.95 * 17185 = 16\,326$  t.”

#### 6.4 Vulnerable Marine Ecosystems (VME)

On the review of any new scientific information on the areas as vulnerable marine ecosystems: “... the lower boundary of the Closed Area # 5 (Flemish Cap northeast prong) does not reach sufficiently deep waters to protect the entire gradient of coral and sponges assemblages. Therefore it would be advisable to extend the lower boundary of this closed area up to the 2500 m contour.”

#### 6.5 Other issues (as determined by the Chair of the Scientific Council)

The SC Chair drew attention to concerns of the Scientific Council at its June 2011 Meeting: “Scientific Council expressed some concerns with the role of Fisheries Commission Working Groups which require scientific input. In principle Scientific Council supports the increase of dialogue between scientists, managers and fishers, but notes the increased workload this places on scientists and feels that any new science should be peer reviewed by Scientific Council before consideration by managers. If it is felt that Scientific Council lacks the experience to address a particular issue, it is within the remit of Contracting Parties to support the work of Scientific Council by adding additional members with the required skills and knowledge to their delegations.”

#### 6.6 Feedback to the SC regarding the advice and its work during this Meeting

Questions and enquiries for further clarification arose in response to the Scientific Council Chair’s presentation, to which the Scientific Council prepared responses during the meeting. The questions from the Fisheries Commission and the responses from the Scientific Council are compiled in Annex 4. These concern the shrimp in 3M and 3LNO, cod in 3M, and Greenland halibut in 2+3KLMNO.

### 7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2013 and on other matters

The Fisheries Commission **adopted** FC WP 11/32 Revised containing its request to the Scientific Council for scientific advice on management in 2013 and beyond of certain stocks in Subareas 2, 3, and 4 and on other matters (Annex 5).

## III. Conservation of Fish Stocks in the Regulatory Area (*Agenda items 8-11*)

### 8. FC Working Groups and Recommendations

#### 8.1 Reports and Recommendations of the FC Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies (WGFMS-CPRS)

The Chair of the WGFMS-CPRS Jean-Claude Mahé (EU) presented the recommendations of the working group which met in April 2011 via WebEx and in June 2011 in Halifax. The recommendations call for the adoption of interim Conservation Plans and Rebuilding Strategies (CPRS) for 3LNO American plaice and 3NO cod.

The CPRS for 3LNO American plaice (FC WP 11/4, Annex 1) was **adopted** (Annex 6). The CPRS for 3NO cod (Annex 2 of FC WP 11/4) was **adopted** with a modification that under Ecosystem Consideration, the moratorium on 3NO capelin will continue until at least December 31, 2013 (Annex 7). In the adoption the two CPRS, the Fisheries Commission noted that the reference points of the stocks would be reviewed and updated by the Scientific Council.

As recommended by the WG, the bycatch regulations for 3NO cod were also reviewed and revised in association with the adoption of CPRS of this stock (see item 10.1).

The Fisheries Commission also updated the Terms of Reference of this WG in order for the WG to continue its work until at least 2014. The WG is expected to review the existing CPRS and develop CPRS for other fish stocks under the management of NAFO (FC WP 11/31 Revised, Annex 8).

## **8.2 Report and Recommendations of the FC Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE)**

The co-Chair of the WGMSE Sylvie Lapointe presented the recommendation of the working group which met in September 2011 via WebEx. The recommendation for the “Exceptional Circumstances Protocol” was **adopted** by the Fisheries Commission (FC WP 11/7, Annex 9).

## **9. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2012**

The Quota Table for 2012 and the Effort Allocation Scheme for the shrimp fishery in NAFO Division 3M can be found in Annex 10 of this Report. Allocation schemes for the fish stocks mentioned in items 9 and 10 are the same as in 2011.

### **9.1 Cod in Division 3M**

It was **agreed** to set the TAC at 9 280 t.

### **9.2 Redfish in Division 3M**

It was **agreed** to set the TAC at 6 500 t for 2012 and 2013.

The proposal from Russian Federation of minimum mesh size reduction from 130 mm to 90 mm for redfish in the fishery using mid-water trawls in Division 3M was forwarded to STACTIC for evaluation (See Part II of this Report).

### **9.3 American plaice in Division 3M**

It was **agreed** that there shall be no directed fishery in 2012, 2013 and 2014. The bycatch provisions of Article 12.1.b) of the NCEM shall apply.

### **9.4 Shrimp in Division 3M**

It was **agreed** that the fishing moratorium continues. When the scientific advice estimates that the stock shows sign of recovery, the fishery shall be re-opened in accordance with the effort allocation key in place for this fishery at the time of the closure.

Iceland expressed that notwithstanding the closure of the fishery in 2012, it maintains its position against the effort allocation scheme applied to this stock.

## **10. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2012**

### **10.1 Cod in Divisions 3NO**

The measure of no directed fishery until 2013 was decided in 2010.

In view of the adoption of the updated CPRS applied on this stock (see item 8.1 and Annex 7), the bycatch provision of Article 12 of the NCEM was revised to reflect a bycatch limitation of 1 000 kg or 4%, whichever is greater, for this stock (FC WP 11/26 Revised, Annex 11). The updated CPRS replaces Article 9 of the 2011 NCEM.

### **10.2 Redfish in Division 3O**

It was **agreed** to set the TAC at 20 000 t, the same level as in 2011.

### **10.3 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area**

It was **agreed** that the fishing moratorium on this stock continues in accordance with the most recent NEAFC decision adopted subsequently by NAFO and bearing in mind footnote 10 of the quota table.

Norway reiterated the Scientific Council’s recognition of the ICES advice for oceanic pelagic redfish and in particular to the recommendation relating to shallow pelagic redfish. It recalled that ICES had advised that no directed fishery should be conducted on this stock, and that bycatches in non-directed fisheries should be kept as low as possible since the stock is at a very low state.

There were different views among Contracting Parties as to how existing management measures for this stock should best be adapted in light of the fact that the relevant Coastal States and NEAFC are endeavouring to develop appropriate management measures for oceanic redfish which is shared by NAFO.

While some Contracting Parties were of the opinion that NAFO decisions on this stock should be considered contingent to the NEAFC decision; other Contracting Parties were of the opinion that management measures applied to this stock should be considered as independent NAFO decisions.

#### **10.4 American plaice in Divisions 3LNO**

It was **agreed** that there shall be no directed fishery in 2012 and 2013.

Footnote 21 of the Quota Table concerning a 15% bycatch requirement involving this stock and the yellowtail fishery in Divisions 3LNO was revised in order to clarify its application (FC WP 11/28, Annex 12).

A CPRS, to be integrated in the NCEM as a new Article, on this stock was developed and adopted (See item 8.1 and Annex 6).

#### **10.5 Yellowtail flounder in Divisions 3LNO**

It was **agreed** to set the TAC at 17 000 t, the same level as in 2011.

Footnote 21 of the Quota Table concerning a 15% bycatch requirement involving this stock and the American plaice fishery in Divisions 3LNO was revised in order to clarify its application (FC WP 11/28, Annex 12).

#### **10.6 Witch Flounder in Divisions 3NO**

It was **agreed** that there shall be no directed fishery in 2012.

It was recognized that this stock would be a candidate to be under CPRS, and it was decided to revisit this stock at the next Annual Meeting.

#### **10.7 White hake in Divisions 3NO**

It was **agreed** to set the TAC at 5 000 t (FC WP 11/27, Annex 13).

#### **10.8 Capelin in Divisions 3NO**

Consistent with the 3NO Cod CPRS, it was **agreed** that the moratorium shall continue until at least December 31<sup>st</sup>, 2013.

#### **10.9 Thorny skate in Divisions 3LNO**

It was **agreed** to set the TAC at 8 500 t.

Footnote 28 was inserted: This TAC will be reviewed in 2012 in line with the available scientific advice on this stock (FC WP 11/12 Revised, Annex 14).

#### **10.10 Greenland halibut in Subarea 2 and Divisions 3KLMNO**

Consistent with the Management Strategy Evaluation (MSE) approach, it was agreed to set the TAC at 16 326 t (12 098 t in Divisions 3LMNO).

In line with the implementation of the MSE approach and the adoption of *Exceptional Circumstances Protocol* (see item 8.2 and Annex 9), Article 7 of the NCEM was **revised**, and Annexes XXVI – *Greenland halibut Management Strategy* and XXVII - *Exceptional Circumstances Protocol* were **inserted** (FC WP 11/20 Revised, Annex 15).

#### **10.11 Shrimp in Division 3LNO**

It was **decided** that for 2012 and 2013 the TACs would be 12 000 t and 9 350 t, respectively. The 2013 TAC is subject to review based on available Scientific Council advice on this stock.

The decision was reached through a voting procedure in accordance with Article XIV of the NAFO Convention and FC Rules of Procedure 2.3 and 2.4. Ten Contracting Parties (Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Union, France (in respect of St. Pierre et Miquelon), Japan, Republic of Korea, Russian Federation, Ukraine, and the United States of America) voted in favour of a proposal for a 2012 TAC of 12 000 t and 2013 TAC of 9 350 t, and two Contracting Parties (Iceland and Norway) votes against the proposal. Norway gave the following statement:

Norway had expected that the Contracting Parties would honour their commitment from last year to respect the scientific advice for 2012 for shrimps in 3L. Norway could not agree once again to postpone the adoption of the TAC recommended by the Scientific Council. According to the Scientific Council, exploitation rates over 14 % implied high risk of continued stock decline. A DFG autonomous quota of 10.3 % of the TAC would imply an extra overshoot of the fixed TAC. Hence a precautionary approach was called for. Norway favoured consensus in the decision-making process in NAFO. However, consensus could not always imply TACs which go beyond the scientific recommendations. When there is no consensus, both the existing and the new Convention provide for a voting procedure, which could be used when appropriate.

Iceland gave the following statement:

Last year we were given a clear advice from the Scientific Council on 3L shrimp. Exploitation rates should be set no higher than 14% which meant a TAC of 17 000 tonnes at the time. The Fisheries Commission decided anyway to set the TAC at 19 200 tonnes for the year 2011 but exploitation rates for 2012 were to be set at 14%.

Last week the Scientific Council gave its preliminary advice for the year 2012. This advice is no better than last year's advice, exploitation rate are still to be set no higher than 14% but this time it would only be representing a TAC of 9 350 tonnes, due to lower biomass estimate. Other indicators all point to the fact that this stock is in a bad shape and any higher exploitation rates are only to be associated with higher risk of further stock decline. Since the only variable within the powers of this commission to restore the stock to MSY level is the actual fishery, Iceland can not endorse any proposal which involves exploitation rates higher than already advised by the Scientific Council.

Notwithstanding the adoption of the TAC for 2012 and 2013, the reservation of Denmark (in respect of the Faroe Islands and Greenland) to the division of shares of 3L shrimp was noted.

#### **11. Other Matters pertaining to Conservation of Fish Stocks**

Serious concerns were reiterated about the issue of catch estimation process and data utilization and its implications on Greenland halibut, to which the recently adopted MSE is applied, as well as on other stocks such as cod. The TAC overrun suggested by the Scientific Council estimate of catch remains a big problem. As expressed at the 2009 Annual Meeting, one of the underlying causes could be the quality of the data that is provided to the SC when it assesses fish stocks and formulates scientific advice. Contracting Parties were urged to ensure that the Scientific Council is provided with reliable data so that Fisheries Commission can make more informed decisions on conservation and management measures. The Chair acknowledged that the Fisheries Commission should identify more concrete steps in addressing this issue.

USA informed the Fisheries Commission about the new national legislation Shark Conservation Act prohibiting shark finning in the protection of the species. The Act also directs the US to urge international fishery management organizations to adopt measures for the conservation of sharks.

Ukraine expressed its view that the allocation schemes currently applied are not consistent with the spirit paragraph 3, Article 8 of the UN Fish Stock Agreement, considering that Ukraine has history in fishing in the NAFO Convention Area. It suggested that allocation schemes should be reviewed and discussed at the next meeting.

#### **IV. Ecosystem Considerations (Agenda items 12-15)**

#### **12. Report and Recommendations of the FC Working Group of Fishery Managers and Scientists on VMEs (WGFMS-VME)**

The Chair of the WGFMS-VME Bill Brodie (Canada) presented the following recommendations of the working group which met in June 2011 in Halifax for adoption, or review:

- a) The WG recommends the extension of the existing coral and sponge closures until December 31, 2014 to synchronize with the seamount closure.

b) The WG recommends the adoption of the proposed update of Chapter Ibis of the NCEM (FCWG-VME WP 11//2 Revision 3).

c) In relation to Article 1bis 6 of the draft update concerning VME indicator species, the WG recommends Fisheries Commission to formulate a request to the SC to produce a detailed list of VME indicator species and possibly other VME elements.

d) In relation to Article 2bis3 of the draft update, it is implied that exploratory fishery in the seamounts is allowed. The WG recommends that the Fisheries Commission clarify this measure and its application, with specific reference to Article 2bis, paragraph 2 (regarding “fishable area”). The WG is of the view that there should be clear and consistent measures in the NCEM on exploratory fisheries vis-à-vis closed areas (seamounts, coral and sponge areas).

e) In relation to Article 2bis8 of the draft update concerning the establishment of national coral and sponge monitoring programs, the WG recommends that the Fisheries Commission clarify the intent of this measure.

f) Concerning the role and task of the WG, the WG recommends Fisheries Commission to clarify whether this group should consider scientific advice before it is presented to the Fisheries Commission and make recommendations to the Fisheries Commission at the Annual Meeting.

Regarding recommendation a), the proposed closure date was **adopted**.

Regarding recommendation b), the bracketed texts in the proposed draft update were clarified, and the draft update was **adopted**.

Regarding recommendation c), the Fisheries Commission **included** a requested item to the Fisheries Commission request to SC for scientific advice (see item 7 and paragraph 15 of Annex 5).

Regarding recommendation d), Fisheries Commission **decided to delete** Article 2bis2 in the draft update. This decision is subject to review at the next Annual Meeting.

Regarding recommendation e) Article 2bis8 in the draft update (currently Article 16 in the NCEM) was **revised**, as reflected in FC WP 11/30.

Regarding recommendation f) the Terms of Reference of the WG (FC Doc 10/15) were **modified** to reflect that meetings should occur one week prior to the NAFO Annual Meeting (FC WP 11/33, Annex 16).

In addition, Fisheries Commission **agreed to revise** some existing measures on VMEs in the NCEM:

a) Following scientific advice which drew from the latest available information, the boundary of Area 5 - Northeast Flemish Cap (see Article 16.3) was extended to the deeper boundary up to the 2 500 meter-contour. The new coordinates can be found in FC WP 11/21 Revision 3.

b) The 800-kg live sponge threshold (see Article 5bis3) was reduced to 400 kg and 600 kg in new and existing fishing areas, respectively (FC WP 11/10 Revision 2).

The revisions of the articles relating in NCEM, as described above, are incorporated in FC WP 11/34 Revised and presented in Annex 17.

The Fisheries Commission also resolved that reassessment of the likely impacts on known or likely VME will be done by year 2016 and every five years thereafter (FC WP 11/24 Revised, Annex 18). The proposal to involve observers in compliance with the reporting requirements as stipulated in Article 5bis1 (FC WP 11/23) was forwarded to STACTIC for evaluation.

### 13. Climate Change and NAFO Fisheries resources

The EU presented the joint proposal with the USA of a resolution concerning the promotion of scientific research on climate change and its potential effects on NAFO fishery resources. This proposal incorporated the comments and addressed the concerns of other Contracting Parties when this proposal was first introduced at the 2010 Annual Meeting. While the general intent of the proposal garnered was more broadly supported among the Contracting Parties at this meeting, a consensus to adopt the proposal could not be reached.

The EU expressed regrets that Contracting Parties were not in a position to act on one of the Performance Review Panel’s recommendations and adopt the proposal.

This topic may be revisited and included in the agenda at the next Annual Meeting.

#### 14. International Guidelines on Bycatch Management and Reduction of Discards

For information purposes, the Secretariat presented the document *FAO International Guidelines on Bycatch Management and Reduction of Discards*. The Guidelines were developed during the FAO Technical Consultation Meeting in Rome in 2010 and endorsed by the FAO Committee on Fisheries at its meeting in February 2011. The Guidelines are intended to assist States and Regional Fisheries Bodies like NAFO.

Sections of the Guidelines were highlighted in the presentation --- Management Framework, Bycatch Management Planning, Data Collection and Bycatch Assessments; Research and Development; Measures to Manage Bycatch and reduce Discards, and Monitoring Control and Surveillance (MCS)—as these were deemed relevant to NAFO as a Regional Fisheries Management Organization (RFMO).

#### 15. Other Matters pertaining to Ecosystem Considerations

Norway circulated an information paper concerning its measures in protecting VMEs in Norwegian waters. As a precautionary measure all bottom areas below 1 000 meters depth --- approximately 1 118 000 km<sup>2</sup> --- are considered VME. The VMEs are covered by regulations which entered into force in September 2011. The regulations include, among others, fishing gear restrictions, strict exploratory protocol, coral and sponge threshold levels and move-away provisions.

### V. Conservation and Enforcement Measures (*Agenda items 16-18*)

#### 16. Review of Chartering Arrangements

A report on chartering arrangements was presented by the NAFO Secretariat (FC WP 11/1 Revision 2). There were seven charter arrangements made during 2010 and three during January-September 2011. The Secretariat noted full compliance with all the chartering requirements stipulated in Article 19 of the NCEM.

#### 17. Reports of STACTIC (from May 2011 intersessional meeting and current Annual Meeting) and Recommendations

The May 2011 intersessional meeting report was presented under item 5. The STACTIC Chair presented the results of the STACTIC meeting (see Part II of this Report) and forwarded the following recommendations to the Fisheries Commission:

- a) *Proposal to Amend Article 15.2* (STACTIC WP 11/01 Revision 2, Annex 19)
- b) *Modifications to Shark Bycatch Reporting* (STACTIC WP 11/10 Revision 3, Annex 20)
- c) *NAFO CEM – Annex XXc – Product Form Codes* (from the May 2011 Intersessional meeting) (STACTIC WP 11/14 Revised, Annex 21)
- d) *Proposal to improve NCEM – Vessel type* (STACTIC WP 11/17, Annex 22)
- e) *Security provisions in NCEM – ISO 27001 Best Practices* (STACTIC WP 11/24, Annex 23)
- f) *Communication of catches – editorial correspondence for CA, OB, RJ and US field codes --- NCEM Annexes X; XXa and XXIIc* (STACTIC 11/25 Revision 2, Annex 24)
- g) *Communication of catches – NCEM Chapter VII; Annexes X, XXa, and XXIIc* (STACTIC 11/26 Revision 2, Annex 25)
- h) *Communication in case of defective VMS – Art. 26.5* (STACTIC WP 11/28, Annex 26)
- i) *Serious infringement – Art. 37.1* (STACTIC WP 11/29 Revision 3, Annex 27)
- j) *Proposed Revisions to NAFO’s Conservation and Enforcement Measures – Final Product of the Editorial Drafting Group (EDG)* (STACTIC WP 11/21 Revised)
- k) *Annual Compliance Review* – (STACTIC WP 11/38 Revised, Annex 28)
- l) *Follow-up of editorial redrafting of the NCEM by EDG* (STACTIC WP 11/40, Annex 29)
- m) *Inspector’s Web Area* (STACTIC WP 11/7 Revised, Annex 30)
- n) *International Monitoring, Control, and Surveillance Network (IMCS Network)* (STACTIC WP 11/33 Revised, Annex 31)

Fisheries Commission **adopted** recommendations a) – i); **accepted** recommendations j) and k); **approved** recommendations l) –n).

Concerning the three PRP recommendations on which the Fisheries Commission asked STACTIC to provide feedback (see item 5), STACTIC agreed to consider the recommendations at the next STACTIC intersessional meeting.

#### **18. Other Matters pertaining to Conservation and Enforcement Measures**

No other matter was discussed.

### **VI. Closing Procedure** (*Agenda items 19-22*)

#### **19. Election of Chair**

Sylvie Lapointe (Canada) was **elected** the Chair of the Fisheries Commission.

#### **20. Time and Place of the Next Meeting**

It was **decided** to hold the next Annual Meeting on 17-21 September, 2012. The Russian Federation kindly offered to host the meeting at St. Petersburg and NAFO **welcomed** the invitation.

#### **21. Other Business**

The Fisheries Commission noted the PRP recommendations specific to the Commission, as specified in GC WP 11/8 Rev and 11/9 Rev. The Fisheries Commission noted that a new GC working group was created to review and develop, where relevant, plans of action for the implementation of the PRP recommendations. The working group would meet in March 2012.

It was **agreed** that the Fisheries Commission Chair would work intersessionally, in coordination with the Secretariat, in developing a draft Fisheries Commission plan of action in preparation for the GC working group meeting, and thereby progress follow-up on recommendations that can already be addressed in the coming year.

#### **22. Adjournment**

In her closing remarks as outgoing Chair of the Fisheries Commission, Kate Sanderson (Denmark in respect of the Faroe Islands and Greenland) expressed her thanks to all delegations for their cooperation. She also thanked the Secretariat for their excellent assistance and professional work both at and between meetings. USA expressed on behalf of all Contracting Parties their appreciation to the outgoing Chair for her leadership and excellent services as Chair of the Fisheries Commission.

The meeting was adjourned at 1525 hrs on Friday, 23 September 2011.

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**Annex 2. Record of Decisions and Actions by the Fisheries Commission  
(Annual Meeting 2011)**

<b>Substantive Issues (Agenda item):</b>	<b>Decision/Action:</b>
6. Scientific Advice	<b>Noted</b> Scientific Council Chair's presentation of the scientific advice and the SC Meeting Reports that contained the scientific advice (SCS Doc. 11/6 and 11/7).
7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2013 and on other matters	<b>Adopted</b> the FC Request to the SC for scientific advice (FC WP 11/32 Revised).
8.1 Reports and Recommendations of the FC Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies (WGFMS-CPRS)	<b>Noted</b> the WG Meeting Reports of April and June 2011 (FC Doc 11/2 and 11/4). <b>Adopted</b> the interim 3LNO American plaice CPRS (FCWG-CPRS WP 11/3, Rev 5) (see item 10.4). <b>Adopted</b> the revised interim 3NO Cod CPRS (FCWG-CPRS WP 11/4, Rev 4) (see item 10.1). <b>Updated</b> the ToR of this WG in order for this WG to continue its work until at least 2014 (FC WP 11/31 Revised).
8.2 Report and Recommendations of the FC Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE)	<b>Noted</b> the WG Meeting Report of September 2011 (FC Doc 11/8). <b>Adopted</b> the <i>Exceptional Circumstances Protocol</i> (FC WP 11/7).
9 Management and Technical Measures for Fish Stocks in the Regulatory Area, 2012	(see 2012 Quota Table)
9.1 Cod in Division 3M	<b>Set</b> the TAC at 9 280 t.
9.2 Redfish in Division 3M	<b>Set</b> the TAC at 6 500 t, for 2012 and 2013.
9.3 American plaice in Division 3M	<b>Agreed on</b> no directed fisheries, applicable in 2012, 2013, and 2014.
9.4 Shrimp in Division 3M	<b>Agreed</b> that fishing moratorium shall continue in 2012.
10. Management of Technical Measures for Fish Stocks Straddling National Fishing Limits, 2012	(see 2012 Quota Table)
10.1 Cod in Div. 3NO	<b>Adopted</b> the revised interim 3NO Cod CPRS (FCWG-CPRS WP 11/4, Rev 4) (see item 8.1). <b>Revised</b> Article 12.1.b) of the NCEM concerning bycatch (FC WP 11/26 Revised)
10.2 Redfish in Division 3O	<b>Set</b> the TAC at 20 000 t, same level as in 2011.
10.3 Pelagic <i>Sebastes mentella</i> (oceanic redfish) in the NAFO Convention Area	<b>Agreed</b> that fishing moratorium shall continue in 2012.

10.4 American plaice in Divisions 3LNO	<p><b>Agreed on</b> no directed fisheries, applicable in 2012, 2013.</p> <p><b>Adopted</b> the interim 3LNO American plaice CPRS (FCWG-CPRS WP 11/3, Rev 5) (see item 8.1).</p> <p><b>Revised</b> Footnote 21 on the Quota Table concerning a 15% bycatch requirement involving this stock and yellowtail fishery in Divisions 3LNO (FC WP 11/28) (see item 10.5).</p>
10.5 Yellowtail flounder in Divisions 3LNO	<p><b>Set</b> the TAC at 17 000 t, same level as in 2011.</p> <p><b>Revised</b> Footnote 21 on the Quota Table concerning a 15% bycatch requirement involving this stock and American plaice fishery in Divisions 3LNO (FC WP 11/28) (see item 10.4).</p>
10.6 Witch flounder in Divisions 3NO	<p><b>Agreed on</b> no directed fisheries.</p>
10.7 White hake in Divisions 3NO	<p><b>Set</b> the TAC at 5 000 t (FC WP 11/27).</p>
10.8 Capelin in Divisions 3NO	<p><b>Agreed</b> that fishing moratorium shall continue until at least December 31<sup>st</sup>, 2013.</p>
10.9 Thorny skate in Divisions 3LNO	<p><b>Set</b> the TAC at 8 500 t.</p> <p><b>Inserted</b> footnote 28: The TAC will be reviewed in 2012.</p>
10.10 Greenland halibut in Subarea 2 and Divisions 3KLMNO	<p><b>Set</b> the TAC at 16 326 t (12 098 t in Divisions 3LMNO).</p> <p><b>Revised</b> Article 7 of the NCEM and <b>inserted</b> Annex XXVI – Greenland halibut Management Strategy (FC WP 11/20, Revised).</p> <p><b>Adopted</b> the <i>Exceptional Circumstances Protocol</i> (FC WP 11/7). (see also 8.2)</p>
10.11 Shrimp in Division 3LNO	<p><b>Set</b> the TACs at 12 000 t for 2012 and 9 350 t for 2013.</p>
12. Report and Recommendations of the FC Working Group of Fishery Managers and Scientists on VMEs (WGFMS-VME)	<p><b>Noted</b> the WG Meeting Report of June 2011 (FC Doc 11/5).</p> <p><b>Extended</b> all existing closed areas (coral and sponge zones, and seamounts) until December 31<sup>st</sup> 2014.</p> <p><b>Clarified</b> and <b>adopted</b> the proposed update of Chapter Ibis of the NCEM (FCWGVME WP 11/2 Rev. 4).</p> <p><b>Deleted</b> Article 2bis2 in the draft update.</p> <p><b>Revised</b> Article 2bis 8 in the draft update (currently Article 16 in the NCEM).</p> <p><b>Extended</b> the boundary of Area 5 – Northeast Flemish Cap (see Article 16.3) up to the 2 500 meter-contour (FC WP 11/21 Rev. 3).</p> <p><b>Reduced</b> the 800-kg live sponge threshold (See Article 5bis 3) to 400 and 600 kg in the new and existing fishing areas, respectively (FC WP 11/10 Rev. 2).</p> <p><b>Modified</b> the Terms of Reference of the WG to reflect that meetings should occur one week prior to the NAFO Annual Meeting (FC WP 11/33).</p> <p><b>Resolved</b> that reassessment of the likely impacts on known and likely VME will be done by 2016 and every five years thereafter (FC WP 11/24 Rev.)</p> <p><i>N.B. The above-mentioned actions that entail changes in the NCEM are incorporated in FC WP 11/34 Revised presented in Annex 17 of this Report.</i></p>

<p>17. Reports of STACTIC (from May 2011 intersessional meeting and current Annual Meeting) and Recommendations</p>	<p><b>Noted</b> the STACTIC May 2011 Intersessional Meeting Report and the current meeting report (see Part II of this Report).</p> <p><b>Adopted</b> <i>Proposal to Amend Article 15.2</i> (STACTIC WP 11/01 Rev. 2)</p> <p><b>Adopted</b> <i>Modifications to Shark Bycatch Reporting</i> (STACTIC WP 11/10 Rev. 3)</p> <p><b>Adopted</b> <i>NAFO CEM – Annex XXc – Product Form Codes</i> (from the May 2011 Intersessional meeting) (STACTIC WP 11/14 Rev.)</p> <p><b>Adopted</b> <i>Proposal to improve NCEM – Vessel type</i> (STACTIC WP 11/17).</p> <p><b>Adopted</b> <i>Security provisions in NCEM – ISO 27001 Best Practices</i> (STACTIC WP 11/24).</p> <p><b>Adopted</b> – <i>editorial correspondence for CA, OB, RJ and US field codes --- NCEM Annexes X; XXa and XXIIc</i> (STACTIC 11/25 Rev 2).</p> <p><b>Adopted</b> <i>Communication of catches – NCEM Chapter VII; Annexes X, XXa, and XXIIc</i> (STACTIC 11/26 Rev. 2).</p> <p><b>Adopted</b> <i>Communication in case of defective VMS – Art. 26.5</i> (STACTIC WP 11/28).</p> <p><b>Adopted</b> <i>Serious infringement – Art. 37.1</i> (STACTIC WP 11/29 Rev3).</p> <p><b>Accepted</b> <i>Proposed Revisions to NAFO’s Conservation and Enforcement Measures – Final Product of the Editorial Drafting Group (EDG)</i> (STACTIC WP 11/21 Rev).</p> <p><b>Accepted</b> <i>Annual Compliance Review</i> – (STACTIC WP 11/38 Rev).</p> <p><b>Approved</b> <i>Follow-up of editorial redrafting of the NCEM by EDG</i> (STACTIC WP 11/40).</p> <p><b>Approved</b> <i>Inspector’s Web Area</i> (STACTIC WP 11/7 Rev).</p> <p><b>Approved</b> <i>International Monitoring, Control, and Surveillance Network (IMCS Network)</i> (STACTIC WP 11/33 Rev).</p>
<p>19. Election of Chair</p>	<p><b>Elected</b> Sylvie Lapointe (Canada) as the Chair of the Fisheries Commission.</p>
<p>20. Time and Place of Next Meeting</p>	<p><b>Decided</b> to hold the meeting on 17-21 September 2012.</p> <p><b>Accepted</b> the offer from the Russian Federation to host the meeting at St. Petersburg.</p>

### **Annex 3. Agenda**

#### I. Opening Procedures

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. Review of Commission Membership
5. Guidance to STACTIC necessary for them to complete their work

#### II. Scientific Advice

6. Presentation of scientific advice by the Chair of the Scientific Council
  - 6.1 Scientific advice on fish stocks
  - 6.2 Conservation Plans and Rebuilding Strategies (CPRS)
  - 6.3 Management Strategy Evaluation (MSE)
  - 6.4 Vulnerable Marine Ecosystems (VME)
  - 6.5 Other issues (as determined by the Chair of the Scientific Council)
  - 6.6 Feedback to the SC regarding the advice and its work during this Meeting
7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2013 and on other matters

#### III. Conservation of Fish Stocks in the Regulatory Area

8. FC Working Groups and Recommendations
  - 8.1 Reports and Recommendations of the FC Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies (WGFMS-CPRS)
  - 8.2 Report and Recommendations of the FC Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE)
9. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2012
  - 9.1 Cod in Division 3M
  - 9.2 Redfish in Division 3M
  - 9.3 American plaice in Division 3M
  - 9.4 Shrimp in Division 3M
10. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2012
  - 10.1 Cod in Divisions 3NO
  - 10.2 Redfish in Division 3O
  - 10.3 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
  - 10.4 American plaice in Divisions 3LNO
  - 10.5 Yellowtail flounder in Divisions 3LNO
  - 10.6 Witch Flounder in Divisions 3NO

10.7 White hake in Divisions 3NO

10.8 Capelin in Divisions 3NO

10.9 Thorny skate in Divisions 3LNO

10.10 Greenland halibut in Subarea 2 and Divisions 3KLMNO

10.11 Shrimp in Division 3LNO

11. Other Matters pertaining to Conservation of Fish Stocks

#### IV. Ecosystem Considerations

12. Report and Recommendations of the FC Working Group of Fishery Managers and Scientists on VMEs (WGFMS-VME)

13. Climate Change and NAFO Fisheries resources

14. International Guidelines on Bycatch Management and Reduction of Discards

15. Other Matters pertaining to Ecosystem Considerations

#### V. Conservation and Enforcement Measures

16. Review of Chartering Arrangements

17. Reports of STACTIC (from May 2011 intersessional meeting and current Annual Meeting) and Recommendations

18. Other Matters pertaining to Conservation and Enforcement Measures

#### VI. Closing Procedures

19. Election of Chair

20. Time and Place of the Next Meeting

21. Other Business

22. Adjournment

**Annex 4. Scientific Council Responses to Questions from the Fisheries Commission**  
(FC Working Papers 11/16, 11/17, and 11/19)

1. Is the advice for shrimp in 3M and 3L based on single stock considerations or does it also take into account the ecosystem bearing in mind increasing abundance of shrimp predator species.

*Response:*

At the present time, we do not have models for that explicitly incorporate ecosystem interactions affecting 3L and 3M shrimp stocks, although efforts are being made in that direction. However, the current advice for shrimp in 3M and 3L is based on empirical indices of stock status, and hence, they implicitly capture the effects of ecosystem processes on the trajectories of shrimp stocks.

2. Can the SC comment on the fact that the biomass of shrimp 3M has declined to levels before  $B_{lim}$  following the closure of the fishery this year. What measures would the SC recommend in order to restore shrimp 3M and 3L stocks to MSY level by 2015 (Johannesburg commitment).

*Response:*

In the absence of a fishery, the fluctuations in a stock depend alone on the balance between recruitment and natural mortality. Recruitment in 3M shrimp has varied at a low level since 2004 and such variation alone could result in the variations observed in the stock. Natural mortality – although not quantified – is considered to vary over time and would therefore also contribute to this variability. Regarding measures that would restore shrimp stocks to MSY levels, two things can be highlighted. First, the only variable affecting shrimp stocks that we can actually manage is the fishery. Secondly, we do not have models for these stocks, and hence cannot calculate  $B_{MSY}$ . Therefore, Scientific Council reiterates its recommendations for Div. 3M and Div. 3LNO Northern shrimp.

3. With respect to 3M cod, provide short term projection (2012-2014) of spawning biomass, fishing mortality and yield for four alternative scenarios of total removals in 2012: 11 000 t, 12 000 t, 13 000 t and 14 000 t and with constant fishing mortality (F of 2012) afterwards. Provide also a risk analysis with associated probabilities of spawning biomass falling below  $B_{lim}$ , fishing mortality increasing above  $F_{max}$  (proxy of  $F_{lim}$ ) and probability of reaching  $B_{msy}$  in 2012-2014.

*Response:*

Scientific Council strongly reiterates its advice that catches in 2012 should not exceed the level of  $F_{0.1}$  (9 280 t).

Scientific Council has made the projections suggested by the Fisheries Commission and the results are shown in the Table below. These results are based on the same assumptions presented in the June 2011 Scientific Council report, in particular that in 2011 the catch will be equal to the approved TAC (10 000 t) and that the biological parameters observed will be the same as those in the period 2008-2010. In the case that these assumptions will not be met, results could be different. If the TAC in 2011 is overshot and/or the mean weights decrease, the resulting F will be higher than the presented ones.

Yield 2012 = 11 000 t												
	Total Biomass			SSB			F <sub>bar</sub>			Yield		
	5%	50%	95%	5%	50%	95%	5%	50%	95%	5%	50%	95%
2012	64733	95662	143429	46331	65072	90765	0.0854	0.1548	0.2738	11000		
2013	74606	120741	201974	62378	92439	143147	0.0854	0.1548	0.2738	8133	14966	28036
2014	82794	149395	274971	69986	117041	209580	0.0854	0.1548	0.2738	8064	16893	36080
Yield 2012 = 12 000 t												
	Total Biomass			SSB			F <sub>bar</sub>			Yield		
	5%	50%	95%	5%	50%	95%	5%	50%	95%	5%	50%	95%
2012	64113	95556	143663	46185	65162	90602	0.0932	0.1702	0.3064	12000		
2013	73160	119010	200998	61254	91080	143337	0.0932	0.1702	0.3064	8840	16128	30741
2014	80211	145211	273239	67176	113945	205480	0.0932	0.1702	0.3064	8639	17777	38306
Yield 2012 = 13 000 t												
	Total Biomass			SSB			F <sub>bar</sub>			Yield		
	5%	50%	95%	5%	50%	95%	5%	50%	95%	5%	50%	95%
2012	64342	94714	145919	46239	65021	91510	0.1004	0.1847	0.3338	13000		
2013	72226	117075	202179	60433	89376	140723	0.1004	0.1847	0.3338	9416	16919	32601
2014	77187	143439	268284	64944	109709	200940	0.1004	0.1847	0.3338	9049	18763	40706
Yield 2012 = 14 000 t												
	Total Biomass			SSB			F <sub>bar</sub>			Yield		
	5%	50%	95%	5%	50%	95%	5%	50%	95%	5%	50%	95%
2012	64588	95355	142588	46420	65010	90914	0.1103	0.2006	0.3617	14000		
2013	70968	116081	196972	59458	88283	139989	0.1103	0.2006	0.3617	9884	18159	34383
2014	75440	140013	257859	62601	107600	193208	0.1103	0.2006	0.3617	9517	19824	41617

The results of these projections were used by Scientific Council to estimate the probabilities requested by the Fisheries Commission and are shown in the Table below.

TAC2012								
	11 000		12 000		13 000		14 000	
	P(F <sub>bar</sub> >F <sub>max</sub> )	P(SSB<B <sub>lim</sub> )	P(F <sub>bar</sub> >F <sub>max</sub> )	P(SSB<B <sub>lim</sub> )	P(F <sub>bar</sub> >F <sub>max</sub> )	P(SSB<B <sub>lim</sub> )	P(F <sub>bar</sub> >F <sub>max</sub> )	P(SSB<B <sub>lim</sub> )
2012	0.1870	<0.05	0.2782	<0.05	0.3614	<0.05	0.4494	<0.05
2013	0.1870	<0.05	0.2782	<0.05	0.3614	<0.05	0.4494	<0.05
2014	0.1870	<0.05	0.2782	<0.05	0.3614	<0.05	0.4494	<0.05

It was not possible to calculate B<sub>msy</sub> during this meeting, so Scientific Council is unable to answer the final part of this request at present.

4. Scientific Council has estimated TAC overruns of more than 60% for 2010 catches of 3M cod and 2+3KLMNO Greenland halibut. This is of concern, and we would like to know if there have been any recent changes in the Scientific Council estimation procedure.

*Response:*

SC employed the same methods for catch estimation in 2011 as in recent years. An *ad hoc* working group deliberated on catch estimates before the meeting, thereby enabling finfish catch estimates by stock, Division and Contracting Party to be available before the June SC meeting commenced. This working group considered various sources of information including reported catches. The accuracy of officially reported provisional statistics remains questionable.

**Annex 5. Fisheries Commission's Request for Scientific Advice on Management Options in 2013  
and Beyond of Certain Stocks in Subareas 2, 3 and 4 and Other Matters**

(FC Working Paper 11/32, Revision 2 **now** FC Doc. 11/9, Revised)

1. The Fisheries Commission with the concurrence of the Coastal State as regards to the stocks below which occur within its jurisdiction ("Fisheries Commission") requests that the Scientific Council provide advice in advance of the 2012 Annual Meeting, for the management of Northern shrimp in Div. 3M, 3LNO in 2013. The advice should be provided as a range of management options and a risk analysis for each option (rather than a single TAC recommendation).

Noting that Scientific Council will meet in October of 2011 for 2013 TAC advice, Fisheries Commission requests the Scientific Council to update its advice on shrimp stocks in 2012 for 2013 TAC.

Fisheries Commission further requests that SC provide advice in accordance to Annex 1.

2. Fisheries Commission requests that the Scientific Council provide advice for the management of the fish stocks below according to the following assessment frequency (unless Fisheries Commission requests additional assessments):

Two year basis

American plaice in Div. 3LNO  
Capelin in Div. 3NO  
Cod in Div. 3M  
Redfish in Div 3LN  
Redfish in Div. 3M  
Thorny skate in Div. 3LNOPs  
White hake in Div. 3NOPs  
Yellowtail flounder in Div. 3LNO

Three year basis

American plaice in Div. 3M  
Cod in Div. 3NO  
Northern shortfin squid in SA 3+4  
Redfish in Div. 3O  
Witch flounder in Div. 2J+3KL  
Witch flounder in Div. 3NO

To continue this schedule of assessments, the Scientific Council is requested to conduct the assessment of these stocks as follows:

In 2012, advice should be provided for 2013 and 2014 for Redfish in Div. 3LN and Thorny skate in Div. 3LNOPs and for 2013, 2014 and 2015 Northern shortfin squid in SA 3+4.

In addition, advice should be provided in 2012 for cod Div. 3M.

The advice should be provided as a range of management options and a risk analysis for each option (rather than a single TAC recommendation). Additionally, Fisheries Commission requests that SC provide advice in accordance to Annex 1.

The Fisheries Commission also requests the Scientific Council to continue to monitor the status of all these stocks annually and, should a significant change be observed in stock status (e.g. from surveys) or in bycatches in other fisheries, provide updated advice as appropriate.

3. With respect to Northern shrimp (*Pandalus borealis*) in Div. 3LNO, noting the NAFO Framework for Precautionary Approach and recognizing the desire to demonstrate NAFO's commitment to applying the precautionary approach, Fisheries Commission requests the Scientific Council to :
  - a) identify  $F_{msy}$
  - b) identify  $B_{msy}$
  - c) provide advice on the appropriate selection of an upper reference point for biomass (e.g.  $B_{buf}$ )
4. The Fisheries Commission adopted in 2010 an MSE approach for Greenland halibut stock in Subarea 2 + Division 3KLMNO (FC Working Paper 10/7). This approach considers a survey based harvest control rule

(HCR) to set a TAC for this stock on an annual basis for the next four year period. The Fisheries Commission requests the Scientific Council to:

- a) Monitor and update the survey slope and to compute the TAC according to HCR adopted by the Fisheries Commission according to Annex 1 of FC Working Paper 10/7.
  - b) Advise on whether or not an exceptional circumstance is occurring.
5. Fisheries Commission requests the Scientific Council to examine the consequences resulting from a decrease in mesh size in the mid-water trawl fishery for redfish in Div. 3LN to 90mm or lower.
  6. The Fisheries Commission adopted in September 2011, conservation plans and rebuilding strategies for 3NO cod and 3 LNO American plaice and “recognizing that further updates and development of the plans may be required to ensure that the long term objectives are met”. The Fisheries Commission requests the Scientific Council to:
    - a) Provide advice on the addition of a new intermediate reference point (i.e. B<sub>isr</sub>) in the NAFO precautionary approach framework to delineate an additional zone between B<sub>lim</sub> and B<sub>msy</sub> as proposed by the working group.
    - b) Taking into consideration the new reference point B<sub>isr</sub>, provide advice on an updating NAFO PA framework and provide a description for each zone.
    - c) Provide advice on an appropriate selection of the B<sub>isr</sub> value for 3NO cod and 3 LNO American plaice.
    - d) Review B<sub>msy</sub> and F<sub>msy</sub> provided in 2011 for both stocks and quantify uncertainty surrounding these estimates.
  7. Fisheries Commission requests the Scientific Council to review the conservation and rebuilding plans of 3LNO American Plaice (NAFO/FC Doc. 11/4, Annex 4) and 3NO Cod (NAFO/FC Doc. 11/4, Annex 5). Through projections and a risk based approach, evaluate the performance of the present rebuilding plans in terms of expected time frames (5 / 10 / 15 years) and associated probabilities to reach indicated limit and target biomass levels and catches. Projections should assume appropriate levels of recruitment and the status quo fishing mortality (3-year average scaled and unscaled) until reaching biomass levels above B<sub>lim</sub>.
  8. Fisheries Commission requests the Scientific Council to evaluate the Harvest Control Rule (HCR) indicated below as an alternative to the HCR of the 3LNO American Plaice (NAFO/FC Doc. 11/4, Annex 4, item 4) and 3NO Cod (NAFO/FC Doc. 11/4, Annex 5, item 4) Conservation Plans and Rebuilding Strategies. Through projections and a risk based approach, evaluate the performance of this HCR in terms probabilities associated with maintaining Biomass above B<sub>lim</sub> and ensuring continuous SSB growth. SC should provide SSB and associated catch trajectories for 5 / 10 / 15 years. Projections should assume appropriate levels of recruitment and the status quo fishing mortality (3-year average scaled and unscaled) until reaching biomass levels above B<sub>lim</sub>.

Harvest Control Rule:

- a) When SSB is below B<sub>lim</sub>:
  - i. no directed fishing, and
  - ii. by-catch should be restricted to unavoidable by-catch in fisheries directing for other species

- b) When SSB is above B<sub>lim</sub>:

$$\text{If } P_{y+1} > 0.9 \quad \text{Then} \quad F_{y+1} = F_{0.1} * P_{y+1}$$

Else

$$F_{y+1} = 0$$

$$TAC_{y+1} = B_{y+1} * F_{y+1}$$

Where:

Fy+1 = Fishing mortality to project catches for the following year.

Py+1 = Probability of projected Spawning Stock Biomass to be above Blim.

By+1 = Exploitable biomass projected for the following year.

9. The Fisheries Commission requests the Scientific Council to conduct a full assessment of 3LNO American Plaice and provide advice in accordance to the rebuilding plan currently in place.
10. On the Flemish Cap, there seems to be a connection between the most recent decline of the shrimp stock, the recovery of the cod stock and the reduction of the redfish stock. The Fisheries Commission requests the Scientific Council to provide an explanation on the possible connection between these phenomena. It is also requested that SC advises on the feasibility and the manner by which these three species are maintained at levels capable of producing a combined maximum sustainable yield, in line with the objectives of the NAFO Convention.
11. Fisheries Commission requests the Scientific Council to define Bmsy for cod in Division 3M and to propose a Harvest Control Rule (HCR) consistent with the NAFO Precautionary Approach Framework. It also requests the Scientific Council to define the estimated timeframe to reach Bmsy under different scenarios, consistent with the proposed HCR.
12. SC is asked to provide, where available, information on by-catches of various species in directed fisheries on stocks under NAFO management.
13. For the cod stock in Divisions 2J+3KL, the Scientific Council is requested to report on the trends in biomass in the most recent Science Advisory Report from the Canadian Science Advisory Secretariat.
14. Taking note that recent point estimates for 3NO Witch flounder of the Canadian Autumn survey are 2-3 times higher than in 1994 when the moratorium was first implemented and are among the highest in the times series, and while more variable the recent point estimates of the Canadian Spring survey are about 50% higher than in 1994:
  - a) What are the relative strengths and weaknesses of all the indices of abundance of witch?
  - b) What are plausible reasons for different abundance trends in the Spring and Fall surveys of the SAME STRATA, and what are the rationales to support either set of results over the other?
  - c) How might the confidence intervals around the point estimates over the time series affect the interpretations of stock trend and current status?
  - d) What evidence exists (if any) to indicate whether any changes in natural mortality have occurred since the early 1990's, e.g. condition of the fish?
  - e) Is it plausible there may be a different survey catchability for younger/smaller fish relative to older/larger fish (applicable to witch flounder), and how might this affect our interpretation of stock trends and status?
  - f) What might be reasonable options for reference point proxies, with associated rationale, including those based on one or a combination of survey indices?
15. As per the recommendation outlined in the report of the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems adopted in September 2011, the Fisheries Commission requests the Scientific Council to produce a detailed list of VME indicator species and possibly other VME elements.
16. Given the progress made by Scientific Council on the development of the GIS model for the evaluation of bycatch thresholds for sponges as requested by Fisheries Commission in its 2010 Annual Meeting, and mindful of the need for further refining this modelling framework, as well as exploring its potential utility for its application to other VME-defining species, Fisheries Commission requests the Executive Secretary to provide to the Scientific Council anonymous VMS data in order to further develop the current sponge model as requested by the Fisheries Commission in 2010 and to assess the feasibility of developing similar models for other VME-defining species (e.g. corals).

17. Fisheries Commission requests the Scientific Council to make recommendations for encounter thresholds and move on rules for groups of VME indicators including sea pens, small gorgonian corals, large gorgonian corals, sponge grounds and any other VME indicator species that meet the FAO Guidelines for VME and SAI. Consider thresholds for 1) inside the fishing footprint and outside of the closed areas and 2) outside the fishing footprint in the NRA, and 3) for the exploratory fishing area of seamounts if applicable.
18. Noting Article 4bis - Assessment of bottom fishing - of the NAFO Conservation and Enforcement Measures, “The Scientific Council, with the co-operation of Contracting Parties, shall identify, on the basis of best available scientific information, vulnerable marine ecosystems in the Regulatory Area and map sites where these vulnerable marine ecosystem are known to occur or likely to occur and provide such data and information to the Executive Secretary for circulation to all Contracting Parties”.

The Fisheries Commission requests the Scientific Council to produce a comprehensive map of the location of VME indicator species and elements in the NRA as defined in the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas. This includes canyon heads and spawning grounds and any other VME not protected by the current closures to protect coral and sponge. This will be used by Contracting Parties to complete impact assessments

19. As stated in the “Reassessment of the Impact of NAFO Managed Fisheries on known or Likely Vulnerable Marine Ecosystems” (NAFO FC WP 11/24), the Scientific Council in collaboration with the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystem will conduct a reassessment of NAFO bottom fisheries by 2016 and every 5 years thereafter. In preparation for reassessments, the Fisheries Commission requests the Scientific Council to develop a workplan for completing the initial reassessment and identifying the resources and information to do so.

### **Annex1 – Additional guidance in regards to questions 1 and 2.**

Mindful of the desire to move to a risk-based approach in the management of fish stocks, Fisheries Commission requests the Scientific Council to provide a range of management options as well as a risk analysis for each option as outlined in the provisions below, rather than a single TAC recommendation.

1. The Fisheries Commission request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above. These evaluations should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, in determining its management of these stocks:
  - a) The preferred tool for the presentation of a synthetic view of the past dynamics of an exploited stock and its future development is a stock assessment model, whether age-based or age-aggregated.
  - b) For those stocks subject to analytical-type assessments, the status of the stocks should be reviewed and catch options evaluated in terms of their implications for fishable stock size in both the short and long term. As general reference points, the implications of fishing at  $F_{0.1}$  and  $F_{2011}$  in 2013 and subsequent years should be evaluated. The present stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.
  - c) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and catch options evaluated in the way described above to the extent possible. In this case, the level of fishing effort or fishing mortality (F) required to take two-thirds MSY catch in the long term should be calculated.
  - d) For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.
  - e) Spawning stock biomass levels considered necessary for maintenance of sustained recruitment should be recommended for each stock, defined in relation to both long-term productivity regimes, and current productivity regimes to the extent these may differ. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing reproductive potential of the stock, options should be offered that specifically respond to such concerns.
  - f) Information should be provided on stock size, spawning stock sizes, recruitment prospects, fishing mortality, catch rates and catches implied by these management strategies for the short and the long term in the following format:
    - I. For stocks for which analytical-type assessments are possible, graphs should be provided of all of the following for the longest time-period possible:
      - historical yield and fishing mortality;
      - spawning stock biomass and recruitment levels;
      - catch options for the year 2013 and subsequent years over a range of fishing mortality rates (for as many years as the data allow);
      - (F) at least from  $F_{0.1}$  to  $F_{max}$ ;
      - spawning stock biomass corresponding to each catch option;
      - yield-per-recruit and spawning stock per recruit values for a range of fishing mortalities.
    - II. For stocks for which advice is based on general production models, the relevant graph of production as a function of fishing mortality rate or fishing effort should be provided. Age aggregated assessments should also provide graphs of all of the following for the longest time period possible:
      - exploitable biomass (both absolute and relative to  $B_{MSY}$ )
      - yield/biomass ratio as a proxy for fishing mortality (both absolute and relative to  $F_{MSY}$ )

- estimates of recruitment from surveys, if available.

III. Where analytical methods are not attempted, the following graphs should be presented, for one or several surveys, for the longest time-period possible:

- time trends of survey abundance estimates, over:
- an age or size range chosen to represent the spawning population
- an age or size-range chosen to represent the exploited population
- recruitment proxy or index for an age or size-range chosen to represent the recruiting population
- fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the exploited population.

For age-structured assessments, yield-per-recruit graphs and associated estimates of yield-per-recruit based reference points should be provided. In particular, the three reference points, actual  $F$ ,  $F_{0.1}$  and  $F_{max}$  should be shown.

2. Noting the Precautionary Approach Framework as endorsed by Fisheries Commission, the Fisheries Commission requests that the Scientific Council provide the following information for the Annual Meeting of the Fisheries Commission for all stocks under its responsibility requiring advice:
  - a) the limit and precautionary reference points as described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (for those stocks for which precautionary reference points cannot be determined directly, proxies should be provided);
  - b) the stock biomass and fishing mortality trajectory over time overlaid on a plot of the PA Framework (for those stocks where biomass and/or fishing mortality cannot be determined directly, proxies should be used);
  - c) information regarding the current Zone the stock is within as well as proposals regarding possible harvest strategies which would move the resource to (or maintain it in) the Safe Zone, including medium term considerations and associated risk or probabilities which will assist the Commission in developing the management strategies described in paragraphs 4 and 5 of Annex II in the Agreement.
3. The following elements should be taken into account by the Scientific Council when considering the Precautionary Approach Framework:
  - a) References to “risk” and to “risk analyses” should refer to estimated probabilities of stock population parameters falling outside biological reference points.
  - b) Where reference points are proposed by the Scientific Council as indicators of biological risk, they should be accompanied by a description of the nature of the risk associated with crossing the reference point such as recruitment overfishing, impaired recruitment, etc.
  - c) When a buffer reference point is identified in the absence of a risk evaluation in order to maintain a low probability that a stock, measured to be at the buffer reference point, may actually be at or beyond the limit reference point, the Scientific Council should explain the assumptions made about the uncertainty with which the stock is measured.
  - d) Wherever possible, short and medium term consequences should be identified for various exploitation rates (including no fishing) in terms of yield, stability in yield from year to year, and the risk or probability of maintaining the stock within, or moving it to, the Safe Zone. Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the trends in biomass (or spawning biomass), the risks of stock collapse and recruitment overfishing, as well as the risks of growth overfishing, and the consequences in terms of both short and long term yields.
  - e) When providing risk estimates, it is very important that the time horizon be clearly spelled out. By way of consequence, risks should be expressed in timeframes of 5, 10 and 15 years (or more), or in terms of other appropriate year ranges depending on stock specific dynamics. Furthermore, in order to provide the Fisheries Commission with the information necessary to consider the balance between risks and yield levels, each harvesting strategy or risk scenario should include, for the selected year ranges, the risks and yields associated with various harvesting options in relation to  $B_{lim}$ .

**Annex 6. Interim 3LNO American Plaice Conservation Plan and Rebuilding Strategy**  
**(NCEM – new Article to be inserted in Chapter I)**  
 (FC Working Paper 11/4, Annex 1 now FC Doc. 11/21)

**1. Objective(s):**

- a) Long-term Objective: The long-term objective of this Conservation Plan and Rebuilding Strategy is to achieve and to maintain the 3LNO American plaice Spawning Stock Biomass (SSB) in the ‘safe zone’, as defined by the NAFO Precautionary Approach framework, and at or near Bmsy.
- b) Interim Milestone: As an interim milestone, increase the 3LNO American plaice Spawning Stock Biomass (SSB) to a level above the Limit Reference Point (Blim). It may reasonably be expected that Blim will not be reached until after 2014.

**2. Reference Points:**

- a) Limit reference point for spawning stock biomass (Blim) – 50,000t
- b) An intermediate stock reference point or security margin BISR<sup>1</sup> – [100,000t]
- c) Limit reference point for fishing mortality (Flim = Fmsy) – 0.31
- d) Bmsy – [242,000t]

**3. Re-opening to Directed Fishing:**

- a) A re-opening of a directed fishery should only occur when the estimated SSB, in the year projected for opening the fishery, has a very low<sup>2</sup> probability of actually being below Blim.
- b) An annual TAC should be established at a level which is projected to result in:
  - i. continued growth in SSB,
  - ii. low<sup>3</sup> probability of SSB declining below Blim throughout the subsequent 3-year period, and
  - iii. fishing mortality < F0.1

**4. Harvest Control Rules:**

Noting the desire for relative TAC stability, the projections referred to in items (a) through (d) below should consider the effect of maintaining the proposed annual TAC over 3 years. Further, in its application of the Harvest Control Rules, Fisheries Commission may, based on Scientific Council analysis, consider scenarios which either mitigate decline in SSB or limit increases in TACs as a means to balance stability and growth objectives.

- a) When SSB is below Blim:
  - i. no directed fishing, and
  - ii. by-catch should be restricted to unavoidable by-catch in fisheries directing for other species
- b) When SSB is between Blim and BISR:
  - i. TACs should be set at a level(s) to allow for continued growth in SSB consistent with established rebuilding objective(s),
  - ii. TACs should result in a low probability of SSB declining below Blim throughout the subsequent 3-year period, and
  - iii. Biomass projections should apply a low risk tolerance
- c) When SSB is above BISR:
  - i. TACs should be set at a level(s) to allow for growth in SSB consistent with the long term objective, and
  - ii. Biomass projections should apply a risk neutral approach (i.e. mean probabilities)
- d) When SSB is above Bmsy:
  - i. TACs should be set at a level of F that has a low probability of exceeding Fmsy, and
  - ii. Biomass projections should apply a risk neutral approach (i.e. mean probabilities)

<sup>1</sup> A ‘buffer zone’ (Bbuf) is not required under the NAFO PA given the availability of risk analysis related to current and projected biomass values; however, SC has advised that an additional zone(s) between Blim and Bmsy could be considered. An intermediate stock reference point (BISR) is proposed to delineate this zone. The proposed value is equivalent to twice Blim.

<sup>2</sup> ‘very low’ means 10% or less

<sup>3</sup> ‘low’ means 20% or less

## **Annex 7. Interim 3NO Cod Conservation Plan and Rebuilding Strategy (NCEM Article 9)**

(FC Working Paper 11/4, Annex 2 **now** FC Doc. 11/22)

### **1. Objective(s):**

- a) Long-term Objective: The long-term objective of this Conservation Plan and Rebuilding Strategy is to achieve and to maintain the 3NO Cod Spawning Stock Biomass (SSB) in the 'safe zone', as defined by the NAFO Precautionary Approach framework, and at or near Bmsy.
- b) Interim Milestone: As an interim milestone, increase the 3NO Cod Spawning Stock Biomass (SSB) to a level above the Limit Reference Point (Blim). It may reasonably be expected that Blim will not be reached until after 2015.

### **2. Reference Points:**

- a) Limit reference point for spawning stock biomass (Blim) – 60,000t<sup>1</sup>
- b) An intermediate stock reference point or security margin Bmsr<sup>2</sup> – [120,000t]
- c) Limit reference point for fishing mortality (Flim = Fmsy) – 0.30
- d) Bmsy – [248,000t]

### **3. Re-opening to Directed Fishing:**

- a) A re-opening of a directed fishery should only occur when the estimated SSB, in the year projected for opening the fishery, has a very low<sup>3</sup> probability of actually being below Blim.
- b) An annual TAC should be established at a level which is projected to result in:
  - i. continued growth in SSB,
  - ii. low<sup>4</sup> probability of SSB declining below Blim throughout the subsequent 3-year period, and
  - iii. fishing mortality < F0.1

### **4. Harvest Control Rules:**

Noting the desire for relative TAC stability, the projections referred to in items (a) through (d) below should consider the effect of maintaining the proposed annual TAC over 3 years. Further, in its application of the Harvest Control Rules, Fisheries Commission may, based on Scientific Council analysis, consider scenarios which either mitigate decline in SSB or limit increases in TACs as a means to balance stability and growth objectives.

- a) When SSB is below Blim:
  - i. no directed fishing, and
  - ii. by-catch should be restricted to unavoidable by-catch in fisheries directing for other species

Before SSB increases above Blim, additional or alternative harvest control rules should be developed, following the Precautionary Approach, to ensure the long-term objective is met, such as:

- b) When SSB is between Blim and Bmsr:
  - i. TACs should be set at a level(s) to allow for continued growth in SSB consistent with established rebuilding objective(s),
  - ii. TACs should result in a low probability of SSB declining below Blim throughout the subsequent 3-year period, and
  - iii. Biomass projections should apply a low risk tolerance

<sup>1</sup> The Fisheries Commission shall request the Scientific Council to review in detail the limit reference point when the Spawning Stock Biomass has reached 30,000t.

<sup>2</sup> A 'buffer zone' (Bbuf) is not required under the NAFO PA given the availability of risk analysis related to current and projected biomass values; however, SC has advised that an additional zone(s) between Blim and Bmsy could be considered. An intermediate stock reference point (Bmsr) is proposed to delineate this zone. The proposed value is set at a level equivalent to twice Blim. Should the SC review of the limit reference point (Blim) result in a change to that value then the intermediate stock reference point (Bmsr) should also be re-evaluated.

<sup>3</sup> 'very low' means 10% or less

<sup>4</sup> 'low' means 20% or less

- c) When SSB is above  $B_{isr}$ :
  - i. TACs should be set at a level(s) to allow for growth in SSB consistent with the long term objective, and
  - ii. Biomass projections should apply a risk neutral approach (i.e. mean probabilities)
- d) When SSB is above  $B_{msy}$ :
  - i. TACs should be set at a level of  $F$  that has a low probability of exceeding  $F_{msy}$ , and
  - ii. Biomass projections should apply a risk neutral approach (i.e. mean probabilities)

**5. Ecosystem Considerations:**

Considering the importance of capelin as a food source, consistent with the ecosystem approach, the moratorium on 3NO capelin will continue until at least December 31, 2013.

## **Annex 8. Terms of Reference for the Working Group of Fishery Managers and Scientists on Conservation Plans and Rebuilding Strategies**

(FC Working Paper 11/31, Revised **now** FC Doc. 11/11)

### Structure

Establish a Working Group of Fishery Managers and Scientists, which reports to Fisheries Commission, consults with Scientific Council, and provides recommendations to Fisheries Commission.

The Working Group shall be comprised of fishery managers and scientists from Contracting Parties supported by advisors, as required, up to a maximum of three participants per Contracting Party. The Chair/Vice-chair shall be selected from participating fishery managers and scientists with both a fishery manager and a scientist represented in the two positions.

Consideration shall be given by the Fisheries Commission in 2014 to the continuation or dissolution of the working group.

### Objective

1. Consider risk management approaches in the review and update of existing Conservation Plans and Rebuilding Strategies, or future development of new Conservation Plans and Rebuilding Strategies.

This work should be presented to Fisheries Commission for consideration at the annual meeting.

### Specific Duties

The working group should review and update conservation plans and rebuilding strategies in respect of:

- a) Limit reference points, as provided by Scientific Council, and recovery target(s);
- b) Buffer reference points, developed in the context of precautionary approach framework and in support of robust rebuilding plans;
- c) Timelines or time frames that can reasonably be expected to achieve established targets;
- d) Conditions at which a directed fishery might occur;
- e) Harvest control rules which incorporate target, limit and buffer reference points, as well as, rebuilding timelines or timeframes; and
- f) An implementation strategy which promotes stability in response to natural resource fluctuations that may be expected to occur over the life of the rebuilding plan.

### Possible Principles/Elements

In the conduct of its work, the working group may consider the following principles and elements in the development of Conservation Plans and Rebuilding Strategies:

- a) When the stock has recovered beyond Blim, initial TAC levels should be set at conservative levels to allow for continued recovery and growth;
- b) Bycatch should be kept to the lowest possible level and restricted to unavoidable bycatch in fisheries directing for other species when SSB is below Blim;
- c) Interim target(s) for further growth in the stock prior to re-opening;
- d) Long-term rebuilding target (e.g. Bmsy) and associated timelines and/or timeframes;
- e) Harvest strategy, consistent with the Precautionary Approach, which ensure Spawning Stock Biomass remains above Blim;
- f) Monitoring and review process for each rebuilding plan to enable Fisheries Commission to assess and revise plans as necessary to ensure rebuilding plan targets are achieved.

The working group may also consider refining these principles/ elements outlined above.

### Meetings

The Working Group shall communicate regularly through teleconferences and electronically, as required.

Meetings may be held at the discretion of the Chair, in collaboration with Contracting Parties and the NAFO Secretariat.

## **Annex 9. Recommendation from the FC Working Group on Greenland Halibut Management Strategy Evaluation (WGMSE) to the Fisheries Commission**

(FC Working Paper 11/7 now FC Doc. 11/10)

The WGMSE met via WebEx on 7 September 2011 (FC Doc 11/8) and agreed to forward to the Fisheries Commission the *Exceptional Circumstances Protocol* (FCWG-MSE WP 11/2 Rev.) with a recommendation for adoption.

### **Exceptional Circumstances Protocol**

#### **1. Background:**

Fisheries Commission (FC) adopted in 2010 a new Management Strategy (MS) for the Greenland halibut stock in Subarea 2 + Divisions 3KLMNO. This MS is applied annually to automatically adjust the TAC based on the recent trend in the survey biomass.

*Exceptional Circumstances* provisions are intended to respond to an event or observation which is outside of the range of possibilities considered within the MSE. In such cases, Fisheries Commission may have reason to over-ride the TAC provided by the MS and/ or also require the MS to be reviewed/ revised. To this effect, Scientific Council (SC) will annually monitor the situation and provide advice to Fisheries Commission on whether or not 'exceptional circumstances' may be occurring.

#### **2. Exceptional Circumstances**

Some examples, identified by the Scientific Council, which could constitute exceptional circumstances in the Greenland halibut application may include catches in excess of the range tested or observed surveys outside the range simulated. The range of catches and the survey indices are the only information that allow a direct comparison of observed data with modeled results. These should therefore be considered at a primary level. Other indicators should be considered at a secondary level of importance.

- Data Gaps - Incomplete/Missing survey data or termination of a survey time series;
- Biological Parameters - Biological inputs which differ from the range of possibilities included within the MSE (e.g. natural mortality);
- Recruitment - Estimated recruitments in the assessment no longer appear to be consistent with the range of recruitments considered in the MSE, where the same model is used for the estimation as used in the MSE; and /or
- Fishing Mortality - Estimates of fishing mortality that are outside the range of values generated in the MSE, where the same model is used for the estimation as used in the MSE; and/or
- Exploitable Biomass - Estimates of Exploitable Biomass that are outside the range of values generated in the MSE, where the same model is used for the estimation as used in the MSE.

Ongoing Scientific Council analysis related to this stock may also identify other situations which warrant consideration as exceptional circumstances.

The 90% probability intervals obtained from the projection from the MSE process should be considered as a reference.

Advice provided by Scientific Council which suggests the occurrence of exceptional circumstances should be based on compelling evidence and should include sufficient detail to allow FC to take an informed decision on implementation of the MS and possible next steps.

#### **3. Implementation/ Next Steps**

When SC advice indicates that exceptional circumstances may be occurring, FC will consider a range of responses/ possible courses of action taking into account the degree and type of circumstance noted. In order, those that would be considered are as follows:

1. Review the information, but maintain the MS as the management tool; additional research/monitoring may be recommended to determine if the signal detected warrants moving to step 2;
2. Advance the review period (currently 2014), and potentially revise the MS, but implement the MS outputs;
3. Set a catch limit that departs from the MS; and revise the MS.

## Annex 10. Quota Table 2012 and Effort Allocation Scheme 2012

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2012 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		74	0.80	0	2556	42.60	500	6000	0 <sup>2,4</sup>	0	0	16575 <sup>5</sup>
Cuba		343	3.70	-	588	9.80	1750		0 <sup>2,4</sup>	-	-	-
Denmark (Faroe Islands and Greenland)		2074	22.35	-	-		69 <sup>19</sup>		0 <sup>2,3</sup>	-	-	-
European Union		5292 <sup>25</sup>	57.03	0 <sup>11</sup>	1094 <sup>26</sup>	18.23	7813 <sup>12</sup>	7000	0 <sup>2,3</sup> 0 <sup>2,15</sup>	0	0 <sup>11</sup>	-
France (St. Pierre et Miquelon)		-		-	-		69 <sup>19</sup>		0 <sup>2,4</sup>	-	-	340 <sup>5</sup>
Iceland		-		-	-		-		0 <sup>2,3</sup>	-	-	-
Japan		-		-	-		400	150	0 <sup>2,4</sup>	-	-	-
Korea		-		-	-		69 <sup>19</sup>	100	0 <sup>2,4</sup>	-	-	-
Norway		859	9.25	-	-		-		0 <sup>2,3</sup>	-	-	-
Russian Federation		601	6.47	0	1726	28.77	9137	6500	0 <sup>2,3</sup>	-	0	-
Ukraine								150	0 <sup>2,4</sup>			
United States of America		-		-	-		69 <sup>19</sup>		0 <sup>2,4</sup>	-	-	-
Others		37	0.40	0	36	0.60	124	100	-	0	0	85 <sup>5</sup>
TOTAL ALLOWABLE CATCH	*9	9280 <sup>23</sup>	100.0	*9,20	6000 <sup>24</sup>	100.0	6500 <sup>8,16</sup>	20000	0 <sup>10,17</sup>	*16,21	*9,29	17000 <sup>21,22</sup>

Species	Witch		White hake	Capelin	Skates	Greenland halibut	Squid (Illex) <sup>1</sup>		Shrimp	
	3L	3NO					Sub-areas 3+4	3L	3NO	
Canada		0	1470	0	1417	1814	N.S. <sup>6</sup>	10000		
Cuba		-		0		-	510	133		
Denmark (Faroe Islands and Greenland)		-		-		210	-	133		
European Union		0 <sup>11</sup>	2940	0 <sup>11</sup>	5352	7093 <sup>18</sup>	N.S. <sup>6</sup> 611 <sup>13</sup>	670 <sup>14</sup>		
France (St. Pierre et Miquelon)		-		-		198	453	133		
Iceland		-		-		-	-	133		
Japan		-		0		1240	510	133		
Korea		-		-		-	453	133		
Norway		-		0		-	-	133		
Russian Federation		0	295	0	1417	1543	749	133		
Ukraine						-		133		
United States of America		-		-		-	453	133		
Others		0	295	- <sup>9,20</sup>	314	0 <sup>7</sup>	794	0		
<b>TOTAL ALLOWABLE CATCH</b>	<sup>*9,20</sup>	<sup>*9</sup>	<b>5000</b>	<b>8500<sup>28</sup></b>	<b>12098</b>	<b>34000<sup>20</sup></b>	<b>12000<sup>27</sup></b>	<b>0</b>	<b>12000<sup>27</sup></b>	<b>*9</b>

\* 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 2011 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).
- 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 3250 tons may be fished before 01 July 2012. 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 2012 as compared to 2011, 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 133 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 12,000 tonnes, following their accession to the European Union.
15. Allocation of 17.85% to Lithuania and 2.15% to Latvia following their accession to the European Union.
16. Applicable to 2012 and 2013.
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 397 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 2013.
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 15% of their total yellowtail fishery as calculated in accordance with Article 12.1 (c). If a Scientific Council projection indicates that this rate is likely to undermine stock recovery or cause an unreasonable delay in reaching  $B_{lim}$ , this rate 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 103 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 352 tons for Poland following their accession to the European Union.
26. Including fishing entitlements of 297 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.
27. For 2013, the TAC will be reduced to 9,350 tonnes. This TAC will be reviewed based on available Scientific Council advice on this stock.
28. This TAC will be reviewed in 2012 in line with the available scientific advice on this stock.
29. Applicable to 2012, 2013 and 2014.

**Annex I.B**  
**Effort Allocation Scheme for Shrimp Fishery in the**  
**NAFO Regulatory Area Div. 3M, 2012**

CONTRACTING PARTY	NUMBER OF FISHING DAYS <sup>1</sup>	NUMBER OF VESSELS <sup>1</sup>
<b>Canada</b>	0	0
<b>Cuba</b>	0	0
<b>Denmark</b>		
Faroe Islands	0	0
Greenland	0	0
<b>European Union</b>	0	0
<b>France (in respect of St Pierre et Miquelon)</b>	0	0
<b>Iceland</b>	N/A	N/A
<b>Japan</b>	0	0
<b>Korea</b>	0	0
<b>Norway</b>	0	0
<b>Russia</b>	0	N/A
<b>Ukraine</b>	0	0
<b>USA</b>	0	0

<sup>1</sup> When the scientific advice estimates that the stock shows signs of recovery, the fishery shall be re-opened in accordance with the effort allocation key in place for this fishery at the time of the closure.

**Annex 11. Cod in Division 3NO**  
(FC Working Paper 11/26, Revised **now** FC Doc. 11/17)

*Recalling*, that the cod stock in Div. 3NO has been under moratorium to directed fishing since February 1994;

*Further recalling*, the Fisheries Commission (FC Doc. 07/8) 3NO Cod Conservation and Rebuilding Strategy adopted in September 2007 which calls on Contracting Parties, through best efforts, to keep incidental by-catch at the lowest possible level;

*Taking into account*, the 2010 Scientific Council Advice which indicates that:

- fishing mortality has been declining since 2006 and is currently amongst the lowest estimated during the moratorium;
- recruitment remains low but has been improving in recent years with current estimates of the 2005-2007 year classes comparable to those from the mid-late 1980s;
- total biomass and spawning biomass remain low but are estimated to be at their highest levels since 1992;

*Recognizing* that the Working Group of Fisheries Managers and Scientists on Conservation Plans and Rebuilding Strategies has recommended that Fisheries Commission adopt updates to the 3NO Cod Conservation Plan and Rebuilding Strategy while also highlighting outstanding bycatch issues; and

*Mindful* of the need to minimize incidental by-catch to support the continued recovery of this stock.

**It is recommended that:**

1. **The following sentence be added to Article 12.1 b) of the NAFO Conservation and Enforcement Measures:**

**“However, for cod in Division 3NO vessels of a Contracting Party shall limit their by-catch to a maximum of 1 000 kg or 4%, whichever is greater.”**

2. **The following text be added to the 3NO Conservation Plan and Rebuilding Strategy:**

**“The by-catch provisions in the NCEMs for 3NO cod should be reviewed periodically, to coincide with scheduled assessments of the stock by Scientific Council, and adjusted to reflect the overall trend in spawning stock biomass.”**

**Annex 12. Amendment to NAFO Conservation and Enforcement Measures  
Annex I.A, Footnote 21**

(FC Working Paper 11/28 now FC Doc. 11/19)

**It is *recommended* that footnote 21 of Annex I.A, Annual Quota Table, in the NAFO Conservation and Enforcement Measures be amended as follows:**

**Annex I.A, Footnote 21**

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 15% of their total yellowtail fishery as calculated in accordance with Article 12.1 (c). If a Scientific Council projection indicates that this rate is likely to undermine stock recovery or cause an unreasonable delay in reaching  $B_{lim}$ , this rate may be subject to a reassessment by the Fisheries Commission.

**Annex 13. White Hake in Divisions 3NO**  
(FC Working Paper 11/27 now FC Doc. 11/18)

*Recalling* that White Hake came under quota regulation when NAFO, at its Annual Meeting in 2004, set a Total Allowable Catch (TAC) of 8 500 t for 2005-2007 in Div. 3NO with the following quota key:

<b>Contracting Party</b>	<b>Quota (t)</b>	<b>Quota (%)</b>
Canada	2 500	29.4
EU	5 000	58.8
Russia	500	5.9
Others	500	5.9
<b>Total</b>	<b>8 500</b>	<b>100</b>

*Further recalling* that in 2009 NAFO agreed to a directional reduction in the TAC for White hake in Divisions 3NO to a level of 6 000 tonnes;

**It is recommended** that the overall TAC for 3NO White hake be established at 5 000t in 2012. The revised quota key follows:

<b>Contracting Party</b>	<b>2012 Quota (t)</b>
Canada	1 470
European Union	2 940
Russia	295
Others	295
<b>TAC</b>	<b>5 000</b>

**Annex 14. Thorny Skate in Division 3LNO**  
(FC Working Paper 11/12, Revised **now** FC Doc. 11/14)

Mindful of the commitment of the EU, US and Canada to take action for the conservation of thorny skate at the 2011 Annual Meeting;

Noting the 2010 advice of the Scientific Council recommending that catches should not exceed 5 000 tons, which was reiterated in 2011;

Noting the current level of catches of around 5 000 tons for 2010 and the current distribution of allocations;

Noting that, in addition, such a reduction is likely to lead to a level of catches under 5 000 tons given the current fishing pattern of the Contracting Parties;

Bearing in mind that the next Scientific Council advice for this stock will be issued in 2012;

**It is recommended:**

**1/ to reduce the TAC for 3LNO thorny skate to 8 500 tons for 2012;**

**2/ to review this TAC in 2012 in line with the available scientific advice on this stock.**

	Tons	%
Canada	1417	16,67 %
European Union	5352	62,96 %
Russia	1417	16,67 %
Others	315	3,70 %
<b>2012 TAC</b>	<b>8 500</b>	100 %

### **Annex 15. Greenland Halibut Management Strategy Evaluation**

(FC Working Paper 11/7 and 11/20, Revised **now** FC Doc. 11/15)

Recalling the adoption of the Greenland halibut Management Strategy by the NAFO Fisheries Commission in 2010;

Bearing in mind the recommendation of the WGMSE to Fisheries Commission in September 2010 calling on the FC to consider undertaking a revision of the Greenland halibut rebuilding programme to reflect the implementation of the Management Strategy;

**It is recommended that:**

**1) Articles 7.1, 7.4 and 7.5 of the NAFO Conservation and Enforcement Measures be amended as follows:**

- 1. The current Management Strategy (MS) for Greenland halibut stock in Subarea 2+ Divisions 3KLMNO adopted by NAFO in 2010 shall be in force initially until 2014.**
- 2. The total allowable catch (TAC) shall be adjusted annually according to the harvest control rule (HCR) specified in Annex XXVI.**
- 3. *The Exceptional Circumstances Protocol (Annex XXVII)* shall be invoked in response to an event or observation by Scientific Council which is outside of the range of possibilities considered within the MSE.**

**2) Article 7.3 be deleted**

**3) Technical specifications of the HCR should be outlined in a new Annex XXVI:**

#### **Annex XXVI Greenland halibut Management Strategy**

The harvest control rule (HCR) will adjust the total allowable catch (TAC) from year (y) to year (y+1), according to:

$$\text{TAC } y+1 = \text{TAC } y (1 + \lambda \times \text{slope}),$$

where slope = measure of the recent trend in survey biomass and,  $\lambda = 2.0$  if slope is negative and  $\lambda = 1.0$  if slope is positive.

The TAC generated by the HCR is constrained to  $\pm 5\%$  of the TAC in the preceding year.

**Annex XXVII**  
**Exceptional Circumstances Protocol**  
**(as recommended by the WGMSE and adopted by the Fisheries Commission)**

**1. Background:**

Fisheries Commission (FC) adopted in 2010 a new Management Strategy (MS) for the Greenland halibut stock in Subarea 2 + Divisions 3KLMNO. This MS is applied annually to automatically adjust the TAC based on the recent trend in the survey biomass.

*Exceptional Circumstances* provisions are intended to respond to an event or observation which is outside of the range of possibilities considered within the MSE. In such cases, Fisheries Commission may have reason to over-ride the TAC provided by the MS and/ or also require the MS to be reviewed/ revised. To this effect, Scientific Council (SC) will annually monitor the situation and provide advice to Fisheries Commission on whether or not 'exceptional circumstances' may be occurring.

**2. Exceptional Circumstances**

Some examples, identified by the Scientific Council, which could constitute exceptional circumstances in the Greenland halibut application may include catches in excess of the range tested or observed surveys outside the range simulated. The range of catches and the survey indices are the only information that allow a direct comparison of observed data with modeled results. These should therefore be considered at a primary level. Other indicators should be considered at a secondary level of importance.

- Data Gaps - Incomplete/Missing survey data or termination of a survey time series;
- Biological Parameters - Biological inputs which differ from the range of possibilities included within the MSE (e.g. natural mortality);
- Recruitment - Estimated recruitments in the assessment no longer appear to be consistent with the range of recruitments considered in the MSE, where the same model is used for the estimation as used in the MSE; and /or
- Fishing Mortality - Estimates of fishing mortality that are outside the range of values generated in the MSE, where the same model is used for the estimation as used in the MSE; and/or
- Exploitable Biomass - Estimates of Exploitable Biomass that are outside the range of values generated in the MSE, where the same model is used for the estimation as used in the MSE.

Ongoing Scientific Council analysis related to this stock may also identify other situations which warrant consideration as exceptional circumstances.

The 90% probability intervals obtained from the projection from the MSE process should be considered as a reference.

Advice provided by Scientific Council which suggests the occurrence of exceptional circumstances should be based on compelling evidence and should include sufficient detail to allow FC to take an informed decision on implementation of the MS and possible next steps.

**3. Implementation/ Next Steps**

When SC advice indicates that exceptional circumstances may be occurring, FC will consider a range of responses/ possible courses of action taking into account the degree and type of circumstance noted. In order, those that would be considered are as follows:

1. Review the information, but maintain the MS as the management tool; additional research/monitoring may be recommended to determine if the signal detected warrants moving to step 2;
2. Advance the review period (currently 2014), and potentially revise the MS, but implement the MS outputs;
3. Set a catch limit that departs from the MS, and revise the MS.

## **Annex 16. Terms of Reference for the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems**

(FC Working Paper 11/33 now FC Doc. 11/37)

### Structure:

Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems reports to the Fisheries Commission, considers the advice of Scientific Council, and provides recommendations to Fisheries Commission.

The Working Group shall be comprised of fishery managers and scientists from Contracting Parties supported by advisors, as required, up to a maximum of three participants per Contracting Party. The Chair/Vice-chair shall be selected from participating fishery managers and scientists with both a fishery manager and a scientist represented in the two positions.

### Objective:

The main objective of the Working Group is to make recommendations to the Fisheries Commission on the effective implementation of measures to prevent significant adverse impacts on vulnerable marine ecosystems.

### Specific Duties:

In responding to requests for advice and recommendations from the Fisheries Commission, the Working Group shall:

Consider the advice of Scientific Council to Fisheries Commission; evaluate associated risks; and make recommendations on mitigation strategies and measures to avoid significant adverse impacts on vulnerable marine ecosystems, drawing on relevant international guidance<sup>1</sup>.

Review area closures, fisheries impact assessments and other measures outlined in the NAFO Conservation and Enforcement Measures (NCEMs) with specific timelines.

Update the text in Chapter I bis of the NCEMs as necessary.

### Meetings:

The Working Group will meet as required by the Fisheries Commission. Whenever possible, meetings of the Working Group should occur in the week prior to the NAFO annual meeting, and shall communicate regularly through teleconferences and electronically, as required.

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<sup>1</sup> Including but not limited to the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas

**Annex 17. Update of Chapter Ibis – Bottom Fisheries in the NAFO Regulatory Area**  
(FC Working Paper 11/34, Revised)

*(Note: The following text incorporates amendments to Chapter Ibis, including recommendations from the Working Group of Fishery Managers and Scientists on Vulnerable Marine Ecosystems, which have been adopted.)*

**Article Ibis – Purpose and definitions**

1. The purpose of this chapter is to ensure the implementation by NAFO of effective measures to prevent significant adverse impacts of bottom fishing activities on vulnerable marine ecosystems known to occur or likely to occur in the Regulatory Area based on the best available scientific information. For the purposes of this Chapter, NAFO will take into account the guidance provided by the FAO in the framework of the Code of Conduct for Responsible Fisheries and any other internationally agreed standards, as appropriate.
2. The term ‘bottom fishing activities’ means bottom fishing activities where the fishing gear is likely to contact the seafloor during the normal course of fishing operations.
3. The term "existing bottom fishing areas" means that portion of the Regulatory Area where bottom fishing has historically occurred and is defined by the coordinates shown in Table 1 and illustrated in Figure 3.
4. The term "new bottom fishing areas" means all other areas within the Regulatory Area which are not defined as existing bottom fishing areas.
5. The term “vulnerable marine ecosystems” has the same meaning and characteristics as those contained in paragraphs 42 and 43 of the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas.
6. The term VME indicator species refers to species of coral identified as antipatharians, gorgonians, lophelia, and sea pen fields; cerianthid anemone fields; and sponges that constitute sponge grounds or aggregations, and other VME elements.
7. The term "significant adverse impacts" has the same meaning and characteristics as those described in paragraphs 17-20 of the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas.
8. The term “exploratory fisheries” means all bottom fishing activities outside of the existing bottom fishing area (footprint), or if there are significant changes to the conduct or technology of existing bottom fishing activities within the footprint.
9. The term “encounter” means catch of a VME indicator species above threshold levels as set out in Article 6bis, paragraph 3. Any encounter with a VME indicator species or merely detecting its presence is not sufficient to identify a VME. That identification should be made on a case-by-case basis through assessment by relevant bodies.

**Article 2bis Seamount, Coral, and Sponge Protection Zones**

1. Until December 31, 2014, no vessel shall engage in bottom fishing activities in the areas defined by connecting the following coordinates (in numerical order and back to coordinate 1).

Area	Coordinate 1	Coordinate 2	Coordinate 3	Coordinate 4
Fogo Seamounts 1	42°31'33"N 53°23'17"W	42°31'33"N 52°33'37"W	41°55'48"N 53°23'17"W	41°55'48"N 52°33'37"W
Fogo Seamounts 2	41°07'22"N 52°27'49"W	41°07'22"N 51°38'10"W	40°31'37"N 52°27'49"W	40°31'37"N 51°38'10"W
Orphan Knoll	50°00'30"N 45°00'30"W	51°00'30"N 45°00'30"W	51°00'30"N 47°00'30"W	50°00'30"N 47°00'30"W
Corner Seamounts	35°00'00"N 48°00'00"W	36°00'00"N 48°00'00"W	36°00'00"N 52°00'00"W	35°00'00"N 52°00'00"W
Newfoundland Seamounts	43°29'00"N 43°20'00"W	44°00'00"N 43°20'00"W	44°00'00"N 46°40'00"W	43°29'00"N 46°40'00"W
New England Seamounts	35°00'00"N 57°00'00"W	39°00'00"N 57°00'00"W	39°00'00"N 64°00'00"W	35°00'00"N 64°00'00"W

2. A request to conduct exploratory bottom contact fishing, in the areas defined by paragraph 1 shall be in accordance with the Exploratory Protocol for New Fishing Areas (Annex XXV). In addition to the protocol, vessels fishing in the areas defined in paragraph 1, shall have a scientific observer onboard.
3. If vessels fishing in the areas defined in paragraph 1 encounter a VME indicator species, as defined in paragraph 3 of Article 6bis of Chapter Ibis, interim encounter provisions as set out in paragraph 2 of Article 6bis of Chapter Ibis will apply.
4. Until December 31, 2014, no vessel shall engage in bottom fishing activities in the following area in Division 3O defined by connecting the following coordinates (as illustrated in Figure 1).

Point No.	Latitude	Longitude
1	42° 53' 00" N	51° 00' 00" W
2	42° 52' 04" N	51° 31' 44" W
3	43° 24' 13" N	51° 58' 12" W
4	43° 24' 20" N	51° 58' 18" W
5	43° 39' 38" N	52° 13' 10" W
6	43° 40' 59" N	52° 27' 52" W
7	43° 56' 19" N	52° 39' 48" W
8	44° 04' 53" N	52° 58' 12" W
9	44° 18' 38" N	53° 06' 00" W
10	44° 18' 36" N	53° 24' 07" W
11	44° 49' 59" N	54° 30' 00" W
12	44° 29' 55" N	54° 30' 00" W
13	43° 26' 59" N	52° 55' 59" W
14	42° 48' 00" N	51° 41' 06" W
15	42° 33' 02" N	51° 00' 00" W

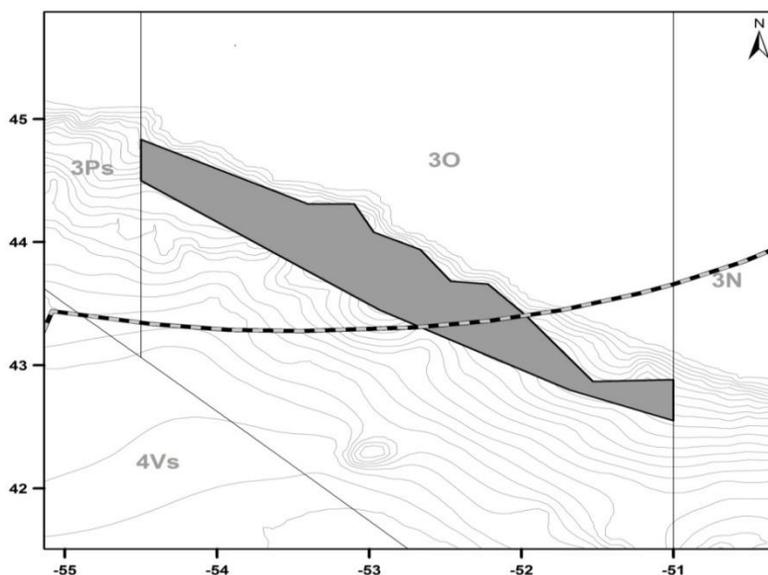


Figure 1. Polygon Delineating Area of 3O Coral Closure referred to in Article 2bis paragraph 4.

5. Until December 31, 2014, no vessel shall engage in bottom fishing activities in the areas defined by connecting the following coordinates (as illustrated in Figure 2).

Area	Description	Point No.	Latitude	Longitude
1	Tail of the Bank	1.1	44° 02' 53.88" N	48° 49' 9.48" W
		1.2	44° 21' 31.32" N	48° 46' 48" W
		1.3	44° 21' 34.56" N	48° 50' 32.64" W
		1.4	44° 11' 48.12" N	48° 50' 32.64" W
		1.5	44° 02' 54.6" N	48° 52' 52.32" W
2	Flemish Pass/ Eastern Canyon	2.1	44° 50' 56.4" N	48° 43' 45.48" W
		2.2	46° 18' 54.72" N	46° 47' 51.72" W
		2.3	46° 25' 28.56" N	46° 47' 51.72" W
		2.4	46° 46' 32.16" N	46° 55' 14.52" W
		2.5	47° 03' 29.16" N	46° 40' 4.44" W
		2.6	47° 11' 47.04" N	46° 57' 38.16" W
		2.7	46° 40' 40.8" N	47° 03' 4.68" W
		2.8	46° 24' 24.12" N	46° 51' 23.04" W
		2.9	46° 07' 1.56" N	47° 30' 36.36" W
		2.10	45° 49' 6.24" N	47° 41' 17.88" W
		2.11	45° 19' 43.32" N	48° 29' 14.28" W
2.12	44° 53' 47.4" N	48° 49' 32.52" W		
3	Beothuk Knoll	3.1	45° 49' 10.2" N	46° 06' 2.52" W
		3.2	45° 59' 47.4" N	46° 06' 2.52" W
		3.3	45° 59' 47.4" N	46° 18' 8.28" W
		3.4	45° 49' 10.2" N	46° 18' 8.28" W
4	Eastern Flemish Cap	4.1	46° 48' 35.28" N	43° 20' 51.72" W
		4.2	47° 03' 58.68" N	43° 20' 51.72" W
		4.3	47° 03' 58.68" N	43° 34' 16.32" W
		4.4	46° 48' 35.28" N	43° 34' 16.32" W
5	Northeast Flemish Cap	5.1	47° 47' 46.00" N	43° 29' 07.00" W
		5.2	47° 40' 54.47" N	43° 27' 06.71" W
		5.3	47° 35' 57.48" N	43° 43' 9.12" W
		5.4	47° 51' 14.4" N	43° 48' 35.64" W
		5.5	48° 27' 19.44" N	44° 21' 7.92" W
		5.6	48° 41' 37.32" N	43° 45' 08.08" W
		5.7	48° 37' 13.00" N	43° 41' 24.00" W
		5.8	48° 30' 15.00" N	43° 41' 32.00" W
		5.9	48° 25' 08.00" N	43° 45' 20.00" W
		5.10	48° 24' 29.00" N	43° 50' 50.00" W
		5.11	48° 14' 20.00" N	43° 48' 19.00" W
		5.12	48° 09' 53.00" N	43° 49' 24.00" W
6	Sackville Spur	6.1	48° 18' 51.12" N	46° 37' 13.44" W
		6.2	48° 28' 51.24" N	46° 08' 33.72" W
		6.3	48° 49' 37.2" N	45° 27' 20.52" W
		6.4	48° 56' 30.12" N	45° 08' 59.99" W
		6.5	49° 00' 9.72" N	45° 12' 44.64" W
		6.6	48° 21' 12.24" N	46° 39' 11.16" W
7	Northern Flemish Cap	7.1	48° 20' 29.76" N	44° 54' 38.16" W
		7.2	48° 25' 2.28" N	44° 54' 38.16" W
		7.3	48° 25' 2.28" N	45° 17' 16.44" W
		7.4	48° 20' 29.76" N	45° 17' 16.44" W
8	Northern Flemish Cap	8.1	48° 35' 56.4" N	45° 05' 35.52" W
		8.2	48° 40' 9.84" N	45° 05' 35.52" W
		8.3	48° 40' 9.84" N	45° 11' 44.88" W
		8.4	48° 35' 56.4" N	45° 11' 44.88" W

9	Northern Flemish Cap	9.1	48° 34' 23.52" N	45° 26' 18.96" W
		9.2	48° 36' 55.08" N	45° 31' 15.96" W
		9.3	48° 30' 18.36" N	45° 39' 42.48" W
		9.4	48° 27' 30.6" N	45° 34' 40.44" W
10	Northwest Flemish Cap	10.1	47° 47' 17.16" N	46° 17' 27.96" W
		10.2	47° 58' 42.24" N	46° 06' 43.92" W
		10.3	48° 01' 6.6" N	46° 12' 3.96" W
		10.4	47° 49' 41.52" N	46° 22' 48" W
11	Northwest Flemish Cap	11.1	47° 25' 48" N	46° 21' 23.76" W
		11.2	47° 30' 1.44" N	46° 21' 23.76" W
		11.3	47° 30' 1.44" N	46° 27' 33.12" W
		11.4	47° 25' 48" N	46° 27' 33.12" W

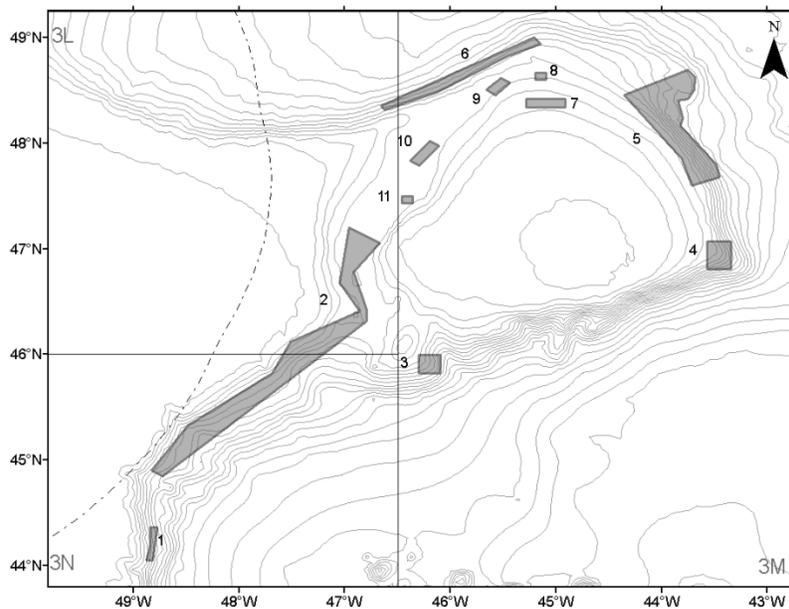


Figure 2. Polygons Delineating Areas of Higher Sponge and Coral Concentrations referred to in Article 2bis paragraph 5.

6. The measures referred to in Article 2bis paragraph 5 shall be reviewed in 2014 by the Fisheries Commission, taking account of the advice from the Scientific Council and the Working Group of Fisheries Managers and Scientists, and a decision shall be taken on future management measures.
7. Contracting Parties are encouraged to the extent possible to record all coral and sponge catch in their annual government and/or industry research programs and to consider non-destructive means for the long-term monitoring of coral and sponged in the closed areas.

### Article 3bis - Map of existing bottom fishing areas (footprint)

The comprehensive map of existing bottom fishing areas (as delineated by the coordinates shown in Table 1 and illustrated in Figure 3) shall be revised regularly to incorporate any new relevant information. Contracting Parties may, in the future, consider the possibility of refining the comprehensive map on the basis of haul by haul information, if available.

Table 1. Boundary points delineating the eastern side of the footprint in the NRA. The Canadian EEZ boundary delineates the western side of the footprint map (see Figure 3).

Point No.	Latitude	Longitude	Point No.	Latitude	Longitude
1	48°17'39"N	EEZ boundary <sup>1</sup>	26	46°26'32"N	46°58'53"W
2	48°16'51"N	47°25'37"W	27	46°27'40"N	47°12'01"W
3	48°19'15"N	46°53'48"W	28	46°04'15"N	47°09'10"W
4	48°29'21"N	46°21'17"W	29	46°04'53"N	47°31'01"W
5	48°32'43"N	46°08'04"W	30	45°48'17"N	47°37'16"W
6	48°48'10"N	45°37'59"W	31	45°33'14"N	47°52'41"W
7	48°59'54"N	45°17'46"W	32	45°27'14"N	48°10'15"W
8	49°02'20"N	44°53'17"W	33	45°16'17"N	48°26'50"W
9	48°56'46"N	44°33'18"W	34	44°54'01"N	48°43'58"W
10	48°33'53"N	44°10'25"W	35	44°33'10"N	48°50'25"W
11	48°08'29"N	43°57'28"W	36	44°09'57"N	48°48'49"W
12	47°42'00"N	43°36'44"W	37	43°50'44"N	48°52'49"W
13	47°12'44"N	43°28'36"W	38	43°34'34"N	48°50'12"W
14	46°57'14"N	43°26'15"W	39	43°23'13"N	49°03'57"W
15	46°46'02"N	43°45'27"W	40	43°03'48"N	48°55'23"W
16	46°38'10"N	44°03'37"W	41	42°54'42"N	49°14'26"W
17	46°27'43"N	44°20'38"W	42	42°48'18"N	49°32'51"W
18	46°24'41"N	44°36'01"W	43	42°39'49"N	49°58'46"W
19	46°19'28"N	45°16'34"W	44	42°37'54"N	50°28'04"W
20	46°08'16"N	45°33'27"W	45	42°40'57"N	50°53'36"W
21	46°07'13"N	45°57'44"W	46	42°51'48"N	51°10'09"W
22	46°15'06"N	46°14'21"W	47	42°45'59"N	51°31'58"W
23	45°54'33"N	46°24'03"W	48	42°51'06"N	51°41'50"W
24	45°59'36"N	46°45'33"W	49	43°03'56"N	51°48'21"W
25	46°09'58"N	46°58'53"W	50	43°22'12"N	EEZ boundary <sup>2</sup>

<sup>1</sup>approximately 47°47'45"W

<sup>2</sup>approximately 52°09'46"W

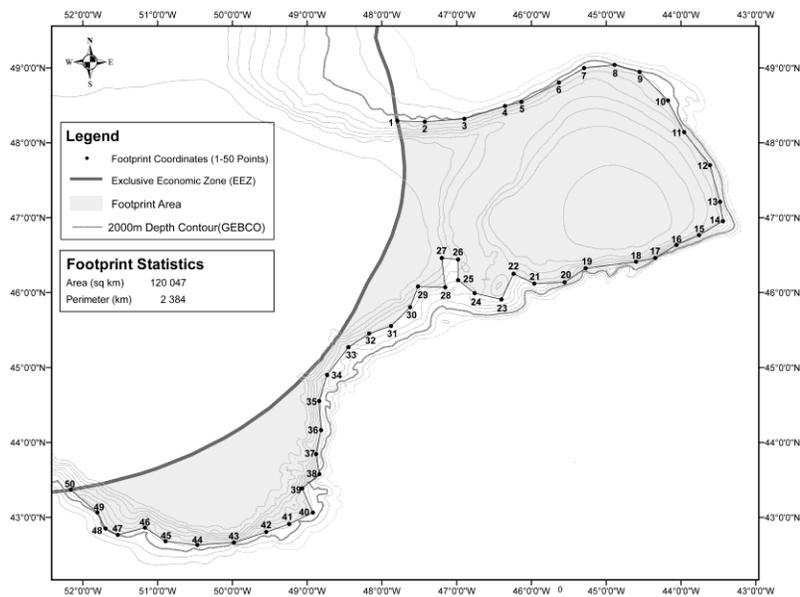


Figure 3. NAFO Regulatory Area footprint map (shaded).

#### **Article 4bis - Bottom fishing activities in new fishing areas**

1. Exploratory fisheries shall be conducted in accordance with the exploratory fisheries protocol set out in Parts I-IV of Annex XXV.
2. Contracting Parties shall communicate a 'Notice of Intent to Undertake Exploratory Fishing' (Annex XXV, Parts I and IV) to the Executive Secretary for forwarding to the Scientific Council for review and to all Contracting Parties for information, together with the preliminary impact assessment referred to in Article 5bis, paragraph 2 (i), below.
3. The exploratory bottom fishing shall be subject to the assessment procedure set forth in Article 5bis, with the understanding that particular care will be taken in the evaluation of risks of the significant adverse impact on vulnerable marine ecosystems, in line with the precautionary approach.
4. Prior to commencing new bottom fishing activities based upon the results of exploratory fisheries conducted in the prior two years, the Fisheries Commission shall review the assessments undertaken and the results of the fishing protocols implemented by the participating fleets and take decision in accordance with Article 5bis.
5. Contracting Parties shall ensure that vessels flying their flag conducting exploratory fisheries have a scientific observer on board.
6. Contracting Parties shall provide promptly an 'Exploratory Fishing Trip Report' of the results of such activities to the Executive Secretary for circulation to the Scientific Council and all Contracting Parties.

#### **Article 5bis - Assessment of bottom fishing**

1. The Scientific Council, with the co-operation of Contracting Parties, shall identify, on the basis of best available scientific information, vulnerable marine ecosystems in the Regulatory Area and map sites where these vulnerable marine ecosystem are known to occur or likely to occur and provide such data and information to the Executive Secretary for circulation to all Contracting Parties.
2. Assessment for proposed bottom fishing activities in the Regulatory Area shall follow the procedures below:
  - i. If proposed bottom fishing activities is outside of the existing bottom fishing area (footprint), or if there are significant changes to the conduct or technology of existing bottom fisheries within the footprint, or new scientific information indicating a VME in a given area, the Contracting Party proposing to participate in bottom fishing shall submit to the Executive Secretary information and a preliminary assessment of the known and anticipated impacts of its bottom fishing activities on vulnerable marine ecosystems no less than two weeks in advance of the opening of the June meeting of the Scientific Council. Assessments should address the elements as set forth in Part V of Annex XXV. The Executive Secretary shall promptly forward these submissions to the Scientific Council and the Fisheries Commission.
  - ii. The submission of such information shall be carried out in accordance with guidance developed by the Scientific Council, or, in the absence of such guidance, to the best of the Contracting Party's ability.
  - iii. The Scientific Council shall undertake an assessment, according to procedures and standards it develops, and provide advice to the Fisheries Commission as to whether the proposed bottom fishing activity would have significant adverse impacts on vulnerable marine ecosystems and, if so, whether mitigation measures would prevent such impacts. The Scientific Council may use in its assessment additional information available to it, including information from other fisheries in the region or similar fisheries elsewhere.
3. The Working Group of Fishery Managers and Scientists on VMEs shall examine the advice of the Scientific Council and shall make recommendations to the Fisheries Commission in accordance with its mandate.
4. The Fisheries Commission shall, taking account of advice and recommendations provided by the Scientific Council and the Working Group of Fishery Managers and Scientists, concerning bottom fishing activities, including data and information arising from reports pursuant to Article 6bis adopt conservation and management measures to prevent significant adverse impacts on vulnerable marine ecosystems. These may include:

- i. allowing, prohibiting or restricting bottom fishing activities;
  - ii. requiring specific mitigation measures for bottom fishing activities;
  - iii. allowing, prohibiting or restricting bottom fishing with certain gear types, or changes in gear design and/or deployment; and/or
  - iv. any other relevant requirements or restrictions to prevent significant adverse impacts to vulnerable marine ecosystems.
5. Fisheries Commission will periodically ask Scientific Council and the Working Group of Fishery Managers and Scientists on VMEs-to provide advice to Fisheries Commission on the timing and requirement for assessment of a previously assessed bottom fishery.

### **Article 6bis – Interim Encounter Provision**

Contracting Parties shall require that vessels flying their flag and conducting bottom fishing activities within the Regulatory Area abide by the following rules, where, in the course of fishing operations, evidence of vulnerable marine ecosystems is encountered:

1. Existing fishing areas
  - i. Vessels shall quantify catch of VME indicator species.
  - ii. if the quantity of VME indicator species caught in a fishing operation (such as trawl tow or set of a gillnet or longline) is beyond the threshold defined in paragraph 3 below, the following shall apply:
    - The vessel master shall report the incident to the flag State Contracting Party, which without delay shall forward the information to the Executive Secretary, including the position that is provided by the vessel, either the end point of the tow or set or another position that is closest to the exact encounter location, the VME indicator species encountered, and the quantity (kg) of VME indicator species encountered. Contracting Parties may if they so wish require their vessels to also report the incident directly to the Executive Secretary. The Executive Secretary shall archive the information and report it to all Contracting Parties. The Contracting Parties shall immediately alert all fishing vessels flying their flag.
    - The vessel master shall cease fishing and move away at least 2 nautical miles from the endpoint of the tow/set in the direction least likely to result in further encounters. The captain shall use his best judgment based on all available sources of information.
    - The Executive Secretary shall make an annual report on single and multiple encounters in discrete areas within existing fishing areas to the Scientific Council. The Scientific Council shall evaluate and, on a case-by-case basis the information and provide advice to the Fisheries Commission on whether a VME exists. The advice shall be based on annually updated assessments of the accumulated information on encounters and the Scientific Council's advice on the need for action, using FAO guidelines as a basis. The Fisheries Commission shall consider the advice in accordance with Article 5bis, paragraph 4.
2. Unfished areas that are defined as 'New bottom fishing areas'
  - i. Vessels shall quantify catch of VME indicator species. Observers deployed shall identify corals, sponges and other organisms to the lowest possible taxonomical level. The sampling protocol found in Annex XXV shall be used (templates).
  - ii. If the quantity of VME indicator species caught in a fishing operation (such as trawl tow or set of a gillnet or longline) is beyond the threshold defined in paragraph 3 below, the following shall apply:
    - The vessel master shall report the incident without delay to its flag state Contracting Party, which shall forward the information to the Executive Secretary, including the position that is provided by the vessel, either the end point of the tow or set or another position that is closest to the exact encounter location, the VME indicator species encountered, and the quantity (kg) of VME indicator species

encountered. Contracting Parties may if they so wish require their vessels to also report the incident directly to the Executive Secretary. The Executive Secretary shall archive the information and without delay transmit it to all Contracting Parties. The Contracting Parties shall issue an immediate alert to all vessels flying their flag.

- The vessel shall cease fishing and move away at least 2 nautical miles from the endpoint of the tow/set in the direction least likely to result in further encounters. The captain shall use his best judgment based on all available sources of information.
  - The Executive Secretary shall at the same time request Contracting Parties to implement a temporary closure of a two mile radius around the reporting position. The reporting position is that provided by the vessel, either the endpoint of the tow/set or another position that the evidence suggests is closest to the exact encounter location.
  - The Executive Secretary shall make an annual report on single and multiple encounters in discrete areas within existing fishing areas to the Scientific Council. This report should also include reports from the exploratory fishing activities conducted in the last year. The Scientific Council at its next meeting shall examine the temporary closure. If the Scientific Council advises that the area consists of a vulnerable marine ecosystem the Executive Secretary shall request Contracting Parties to maintain the temporary closure until such time that the Fisheries Commission has adopted conservation and management measures in accordance with Article 5bis, paragraph 4 in Chapter Ibis. If the Scientific Council does not conclude that the proposed area is a VME, the Executive Secretary shall inform Contracting Parties which may re-open the area to their vessels.
  - The Executive Secretary shall make an annual report on archived reports from encounters in *new fishing areas* to the Scientific Council. This report shall also include reports from the exploratory fishing activities that were conducted in the last year. The Scientific Council shall evaluate the information and provide advice to the Fisheries Commission on the appropriateness of temporary closures and other measures. The advice should be based on annually updated assessments of the accumulated information on encounters as well as other scientific information. The Scientific Council's advice should reflect provisions outlined in the FAO guidelines. The Fisheries Commission shall consider the advice in accordance with Article 5bis, paragraph 4.
3. For both existing and new fishing areas, an encounter with primary VME indicator species is defined as a catch per set (e.g. trawl tow, longline set, or gillnet set) of more than 60 kg of live coral. For new fishing areas, an encounter with primary VME indicator species is defined as a catch per set (e.g. trawl tow, longline set, or gillnet set) of more than 400 kg of sponges. For existing fishing areas (the "footprint"), an encounter with primary VME indicator species is defined as a catch per set (e.g. trawl tow, longline set, or gillnet set) of more than 600 kg of sponges. These thresholds are set on a provisional basis and may be adjusted as experience is gained in the application of this measure.

### **Article 7bis - Review**

The provisions of this chapter shall be reviewed by the Fisheries Commission at its Annual Meeting in 2014.

**Annex 18. Proposal for a Reassessment of the Impacts of NAFO Managed Fisheries  
on Known or Likely Vulnerable Marine Ecosystems**

(FC Working Paper 11/24, Revised **now** FC Doc. 11/12)

Whereas assessments of the impacts of NAFO managed fisheries on known or likely vulnerable marine ecosystems were carried out by the deadline agreed to in United Nations General Assembly Resolution 61-105;

Whereas Article 4bis, paragraphs 2i, 2iii, and 5 of Chapter 1bis outline the assessment of such fishery impacts and the circumstances that would warrant reassessments;

Whereas the Scientific Council has provided in 2011 some information on the timing and frequency of reassessments;

The Fisheries Commission resolves that:

- 1) In accordance with Article 4bis 5, the Scientific Council, in collaboration with the Working Group of Fishery Managers and Scientist on Vulnerable Marine Ecosystems (WGFMS-VME), will conduct a reassessment of NAFO bottom fisheries by 2016 and every five years thereafter;
- 2) In accordance with Article 4bis 2iii, the reassessment will include advice from the Scientific Council whether bottom fisheries would have significant adverse impacts on vulnerable marine ecosystems;
- 3) In accordance with Article 4bis 3, the WGFMS-VME will examine the advice on the reassessments and make recommendations to the Fisheries Commission, in accordance with its mandate; and
- 4) The Scientific Council be requested to develop a workplan for completing the initial reassessment and identifying the resources and information needed to do so.

**Annex 19. Proposal to amend NCEM Article 15.2**  
(STACTIC Working Paper 11/01, Revision 2 now FC Doc. 11/23)

**Background**

In the current text it states:

All fishing for shrimp in Division 3L shall take place in depths greater than 200 meters. The fishery in the Regulatory Area shall be restricted to an area east of a line bound by the following co-ordinates:

1. 46°00'N / 47°53'W
2. 46°40'N / 47°20'W
3. 47°19'N / 47°43'W.

The line did not accurately reflect the 200 meters depth contour.

**Proposal to amend Article 15.2**

New text:

All fishing for shrimp in Division 3L shall take place in depths greater than 200 meters. The fishery in the Regulatory Area shall be restricted to an area east of a line bound by the following co-ordinates:

1. 46°00'00"N / 47°49'00"W
2. 46°25'00"N / 47°27'00"W
3. 46°42'00"N / 47°25'00"W
4. 46°48'00"N / 47°25'50"W
5. 47°16'50"N / 47°43'50"W

Annex 1. The line being proposed



**Annex 20. Modifications to Shark Bycatch Reporting**  
(STACTIC Working Paper 11/10, Revision 3 now FC Doc. 11/24)

Recognizing the vulnerability of sharks (all species of sharks, skates, rays, and chimaeras of the Class *Chondrichthyes*, as defined in the FAO International Plan of Action (IPOA) for Sharks) to overfishing, and also recognizing the need to improve the shark bycatch reporting provisions in NAFO's Conservation and Enforcement Measures (CEMs) to obtain species specific shark bycatch information, the United States offers the following proposal to amend Article 27, paragraph 1(f).

Article 27, paragraph 1(f):

*Add underlined text to existing paragraph 1(f) as follows:*

f) The total quantity of species reported under a), b), c), d) and e) for which the total live weight by species is less than ~~one ton~~ 100 kg may be reported under the 3 alpha code "MZZ" (marine fish not specified), except in the case of sharks. All sharks shall be reported at the species level under their corresponding 3 alpha code, to the extent possible. When species specific reporting is not possible, shark species shall be recorded as either large sharks (SHX) or dogfishes (DGX), as appropriate and in accordance with the 3-alpha codes presented in Annex II.

**Annex 21. NAFO CEM – Annex XX(c) - Product Form Codes**  
(STACTIC Working Paper 11/14, Revised now FC Doc. 11/14)

The list of product form codes in Annex XX(c) is not exhaustive enough to cover all the fish product forms on fishing vessels.

It is therefore requested to add additional codification in order to include all traditional product forms produced on board.

**Possible amendment**

Replace the actual Annex XX (c) with the table below.

**Annex XX(c)**

**Product Form Presentation**

**3-Alpha Codes**

<b>3-Alpha</b>	<b>Presentation</b>	<b>Description</b>
CBF	Cod butterfly (escalado)	HEA with skin on, spine on, tail on
CLA	Claws	Claws only
DWT	ICCAT code	Gilled, gutted, part of head off, fins off
FIL	Filleted	HEA + GUT + TLD + bones off Each fish originates two fillets
FIS	Filleted and skinned fillets	FIL+SKI Each fish originates two fillets not joined by any part
FSB	Filleted with skin and bones	Filleted with skin and bones on
FSP	Filleted skinned with pinbone on	Filleted with skin removed and pinbone on
GHT	Gutted headed and tailed	GUH+TLD
GUG	Gutted and gilled	Guts and gills removed
GUH	Gutted and headed	Guts and head removed
GUL	Gutted liver in	GUT without removing liver parts
GUS	Gutted headed and skinned	GUH+SKI
GUT	Gutted	All guts removed
HEA	Headed	Heads off
HET	Headed and tailed	Heads and tails off
JAP	Japanese cut	Transversal cut removing all parts from head to belly
JAT	Tailed Japanese cut	Japanese cut with tail removed
LAP	Lappen	Double fillet, HEA, skin + tails + fins ON
LVR	Liver	Liver only
OTH	Other	Any other presentation
ROE	Roe (s)	Roe(s) only
SAD	Salted dry	Headed with skin on, spine on, tail on and salted dry
SAL	Salted wet light	CBF + salted
SGH	Salted, gutted and headed	GUH + salted
SGT	Salted gutted	GUT+salted
SKI	Skinned	Skin off
SUR	Surimi	Surimi
TAL	Tail	Tails only
TLD	Tailed	Tail off
TNG	Tongue	Tongue only
TUB	Tube only	Tube only (Squid)
WHL	Whole	No processing
WNG	Wings	Wings only

**Annex 22. Proposal to improve NCEM – Vessel type**  
(STACTIC Working Paper 11/17 now FC Doc. 11/26)

**Background:**

It is very difficult to plan and carry out an inspection and the surveillance by inspectors in the RR NAFO when a fishing vessel type unknown. The position data and some catch reports are the basic information held by the inspectors. It is possible to specify the type of vessel in the report "Notification" (Annex IV.A NCEM) but this requirement is not binding.

The definition "fishing vessel" (Article 2.1 NCEM) covers a wide range of vessels:

*"fishing vessel" means any vessel which is or has engaged in fishing activities, including fish processing vessels and vessels engaged in transshipment or any activity in preparation for or related to fishing, including experimental or exploratory fishing".*

This means that the supplying vessels, bunkering and other non-fishing vessels that support the fishing vessels are classified as "fishing vessels". However, codes of such vessels are absent in the Table "Fishing vessel Codes – Main Vessel Type" (Annex V.A NCEM).

**Proposal**

1. To bring the table "Fishing Vessel Codes – Main Vessel Type" (Annex V.A NCEM) into compliance with the definition "fishing vessel" it is necessary to supplement the table with at least the following FAO vessel codes:

Vessel type	Standard Abbreviation*
Support vessel	VOS
Bunker	VOB
Other non-fishing vessels	VOX

\* International Standard Classification of Fishery Vessels

2. To make the following change to the Annex IV.A NCEM (shown in bold):

Data element	Code	Mandatory /Optional	Remarks
Vessel Type	TP	<b>M</b>	Vessel characteristic, FAO vessel code (Annex V.A)

**Annex 23. Amendment to NAFO CEM Annex XIX**  
(STACTIC Working Paper 11/24 now FC Doc. 11/27)

## **Introduction**

Based on investigation performed by the Secretariat at the request of STACTIC regarding 'best practices' for HTTPs communication, it would seem appropriate to proceed to implement a system of security certificate management that accounts for the revocation of certificates using Certificate Revocation Lists (CRL), which is not currently the practice followed by the NAFO Secretariat. The consequence would be that:

1. All FMCs would be required to use certificates from a recognized Certificate Authority for VMS communication
2. The Secretariat would need to purchase a 3rd party-signed certificate, and distribute the public certificate to all inspection CPs and communicating FMCs
3. Update the current VMS software to accommodate the changes

Furthermore, it would seem necessary to update the text in NCEM Annex XIX (Provisions on security) para. 4.4. to reflect the need to ensure that public certificates more completely identify and validate the submitting party.

(amended text underlined):

### ***Annex XIX - 4.4 Communication Security***

*Appropriate encryption protocols duly tested by the Secretariat and approved by the Fisheries Commission shall be applied to ensure confidentiality and authenticity. Key management policy shall be in place to support the use of cryptographic techniques. In particular, the integrity of the PKI (public key infrastructure) will be guaranteed by ensuring that digital certificates correctly identify and validate the party submitting the information.*

**Annex 24. Communication of catches - Editorial correspondence for CA, OB, RJ and  
US field codes - NAFO CEM – Annexes X; XXa and XXIIc**  
(STACTIC Working Paper 11/25, Revision 2 now FC Doc. 11/28)

The communication of catch under the NAFO CEM is based on various electronic field codes to be fulfilled and sent by the Master and the Observer. The implementation of the system would gain from clarity and simplification in the definition and the handling of these field codes.

On the basis of FC Doc 10/19 adopted in 2010, it is suggested to standardize the editorial definition of the CA, OB, RJ and US field codes wherever they appear in Annexes X, XXa, and XXIIc.

– To this scope, proposed amendments are detailed hereunder, for each of the field code concerned.

**1. Field code CA**

Assuming that the definition of the CA field code provided by FC Doc 10/19 should be used as unique standard definition of that field code in Annexes X, XXa and Annex XXIIc, as an activity detail, it is requested to adopt the following proposed amendments to the 2011 CEM:

**a) Annex XXa**

- On top of the right column: replace "Remarks" by "Requirement to the field"
- In point 1 (Daily Catch report - CAX) and point 2 (Observer report - OBR):
  - a) With reference to the CA field code, replace the "Requirement for the field" by the following text
 

*Activity detail; Catch retained onboard by species and by Division since last OBR report in kilograms rounded to the nearest 100 kilograms. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //CA/speciesspaceweightspacespeciesspaceweight//*
  - b) Delete footnote n° 2
  - c) For point 2, renumber the subsequent footnotes accordingly.

**b) Annex XXIIc**

- Under the "Activity details" section, replace the definition of the CA field code by the following text:
 

*Daily catch by species and by Division, retained on board, in kilograms live weight*
- Under the "Chapter VII" section, delete the row related to the CA field code

**2. Field code OB**

The OB field code always refers to the total quantity of fish on board by species at the moment of sending the hail message concerned.

Assuming that a unique edition of this definition would favour clarity, it is requested to adopt the following proposed amendments to the 2011 CEM:

**a) Annex X**

- With reference to the OB field code, replace the "Requirement for the field" by the following text:

- a) in point 1 (Catch on Entry report - COE):

*Activity detail; Total quantity by species on board rounded to the nearest 100 kg, upon entry in the RA. Allow for several pairs of fields, consisting of (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //OB/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

- b) in point 3 (Catch on crossing Boundary - COB)

*Activity detail; Total quantity by species on board rounded to the nearest 100 kg, upon crossing the 3L border. Allow for several pairs of fields, consisting of (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //OB/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

- c) in point 5 (Catch on Exit - COX)

*Activity detail; Total quantity by species on board rounded to the nearest 100 kg, upon exit from the RA. Allow for several pairs of fields, consisting of (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //OB/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

- d) in point 6 (POR message)

*Activity detail; Total quantity by species on board rounded to the nearest 100 kg, in advance of landing of the transhipped quantities. Allow for several pairs of fields, consisting of (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //OB/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

## b) Annex XXIIc

- With reference to the OB field code under the "Activity details" section, replace the definition by the following text:

*Total quantity by species on board the vessel at the moment of sending the hail message concerned in kilograms live weight*

## 3. Field codes RJ and US

Assuming that the reporting by Division of discard (field code RJ) and undersized (field code US) fish in accordance with CEM Article 62.4 is an activity detail that should be part of the definition of each field code to favour clarity, it is requested to adopt the following proposed amendments to the 2011 CEM:

### a) Annex XXa

- With reference to the RJ field code, replace the "Requirement for the field" by the following text

- a) in point 1 (Daily Catch report - CAX):

*Activity detail; Catch discarded by species and by Division since last CAX report, in kg rounded to the nearest 100 kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //RJ/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

- b) in point 2 (Observer report - OBR)

*Activity detail; Catch discarded by species and by Division since last OBR report, in kg rounded to the nearest 100 kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //RJ/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

- With reference to the US field code, replace the "Requirement for the field" by the following text:

- a) in point 1 (Daily Catch report - CAX):

*Activity detail; Undersize catch by species and by Division since last CAX report, in kg rounded to the nearest 100 kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //US/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

- b) in point 2 (Observer report - OBR)

*Activity detail; Undersize catch by species and by Division since last OBR report, in kg rounded to the nearest 100 kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //US/speciesspaceweightspacespeciesspaceweightspacespeciesspaceweight//*

#### b) Annex XXIIc

- With reference to the field codes RJ and US under the "Chapter VII" section, move both lines to the "Activity details" section
- Replace the definition by the following text:

- a) with reference to the RJ field code

*Catch discarded by species and by Division in kilograms live weight*

- b) with reference to the US field code

*Undersize catch by species and by Division in kilograms live weight*

**Annex 25. Communication of catches - Daily declaration of discarded fish within the CAT message; Deletion of the CAX message; Identification of vessels with an observer on board - NAFO CEM –Chapter VII; Annexes X, XXa and XXIIc**  
(STACTIC Working Paper 11/26, Revision 2 now FC Doc. 11/29)

**1. Daily declaration of discarded fish by the Master, within the CAT message**

Catches retained on board must be reported on a daily basis by the Master (CAT message).

Discards are recorded in the fishing logbook (Annex VIII). They include the undersized fish which, in accordance with Article 14 of the NAFO CEM, must obligatorily and immediately be returned to the sea, without being subject to identification in the fishing logbook.

The reporting by the Master of discarded quantities, anytime such catch occur, on a daily basis along with the CAT message would improve transparency in fishing activities in NAFO waters, for the benefit of the management of the fisheries as well as in supporting a risk analysis approach for control purposes.

As a matter of simplification, since Masters are not committed to identify the undersize fish among the discarded quantities, it is logical that they should not be requested to edit a field code US in their CAT message. However, for management purposes, that US field code must still be provided by the compliance observer when on board, via the OBR report.

It is therefore proposed to add an RJ field code (discards) in the daily CAT message, following the proposed amendment:

*a) Annex X - point 2 (CAT message)*

- Insert the following row after the CA field code

Data element	Field code	Mandatory/Optional	Requirement for the field
Discarding  Species Live weight	<b>RJ</b>	<b>M</b>	Activity detail; Catch discarded by species and by Division since last CAT report, in kg rounded to the nearest 100 kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //RJ/speciesweightspacespeciesweightspacespeciesweight//

**2. Deletion of the CAX message**

When the daily CAX message was introduced the intention was to increase the flow of information from the fishing vessel when operating without an observer onboard and the unique name “CAX” was meant to make a distinction between vessel with and without an observer onboard. As NAFO has now taken up daily catch reporting for all fisheries in the NAFO Regulatory Area, it is possible to delete this type of message by including the RJ field code in the daily CAT message, as all the information requested on a daily basis under Chapter VII (CAX message) is now compulsory for any vessel fishing in the NAFO Regulatory area.

The OBR report to be send by the Observer is not affected.

It is proposed to adopt the following proposed amendments:

*a) Article 62, paragraph 6 – Replace the acronym CAX by CAT*

*b) Annex XXa*

- Delete the table under point 1: Daily Catch report – Chapter VII (CAX)
- Renumber the Observer report - OBR table accordingly

c) *Annex XXIIc*

- In the left column, replace "Chapter VII" by "Observer report – OBR"

**3. Identification of vessels with an observer on board**

For transparency in the fisheries activities in NAFO waters, it is necessary to introduce an indicator that a vessel is fishing with an observer onboard or not. To that end, a vessel carrying an observer should notify the presence of that observer in advance of its entry in the Regulatory area through a specific field code in their COE message.

It is proposed to adopt the following proposed amendments:

a) *Annex X*

- In point 1 "Catch on Entry" report, insert the following row after "directed species"

<b>Data element</b>	<b>Field code</b>	<b>Mandatory/Optional</b>	<b>Requirement for the field</b>
Observer on board	<b>OO</b>	<b>M</b>	Activity detail; "Yes" or "No"

b) *Annex XXIIc*

- Insert the following row after "Directed species"

<b>Category</b>	<b>Data element</b>	<b>Field code</b>	<b>Type</b>	<b>Contents</b>	<b>Definition</b>
	Observer on board	<b>OO</b>	Char*1	Y or N	Presence of a compliance observer on board

**Annex 26. Communication in case of defective VMS**  
(STACTIC Working Paper 11/28 now FC Doc. 11/30)

**NAFO CEM - Article 26 paragraph 5**

Although the VMS device should now ensure the communication of positions at least once every hour, it is noted from Article 26.5 that in case of defective VMS system on board, alternative reports must still be done "at least every 6 hours".

It is requested to reduce that alternative deadline from 6 to 4 hours.

**Possible amendment**

In CEM Article 26, paragraph 5, replace "6" by "4".

**Annex 27. Serious Infringements**  
(STACTIC Working Paper 11/28 now FC Doc. 11/31)

It is noted from the NAFO CEM that prosecution of the following elements:

- Concealing, tampering with or disposing of evidence related to an investigation, including the break or tampering of seals put at sea by NAFO inspectors to secure evidence of infringements, and
- presentation of falsified documents or information

fall under the lack of collaboration of the master during inspection but are not considered as separate serious infringement in Article 37, paragraph 1.

It is requested to insert both items in Article 37 paragraph 1.

**Possible Amendment**

Add the following items in Article 37 (1):

k) Concealing, tampering with or disposing of evidence related to an investigation, including the breaking or tampering of seals or gaining access to sealed areas

l) Presentation of falsified documents or providing false information to an inspector that would prevent a serious infringement from being detected.

**Annex 28. Annual Compliance Review 2011  
(Compliance Report for Fishing Year 2010)**  
(STACTIC Working Paper 11/38, Revised now FC Doc. 11/33)

## 1. Introduction

This compliance review is being undertaken in accordance with Rules 5.1 and 5.2 of the Fisheries Commission Rules of Procedure. The scope of the review is to determine how international fisheries complied with the annually updated NAFO Conservation and Enforcement Measures (NCEM) when fishing in the NAFO Regulatory Area (NRA), and assess the performance of NAFO Contracting Parties with regard to their reporting obligations.<sup>1</sup>

The current 2011 NAFO compliance review utilizes information for the years 2004 to 2010 from the following sources: vessel monitoring system (VMS) and hail messages delivered by the vessels, Port Inspection Reports, At-sea Inspection Reports and Reports on Dispositions of Apparent Infringements provided by the Contracting Parties, and Observer Reports sent to the Executive Secretary.

## 2. Fishing effort in the NAFO Regulatory Area

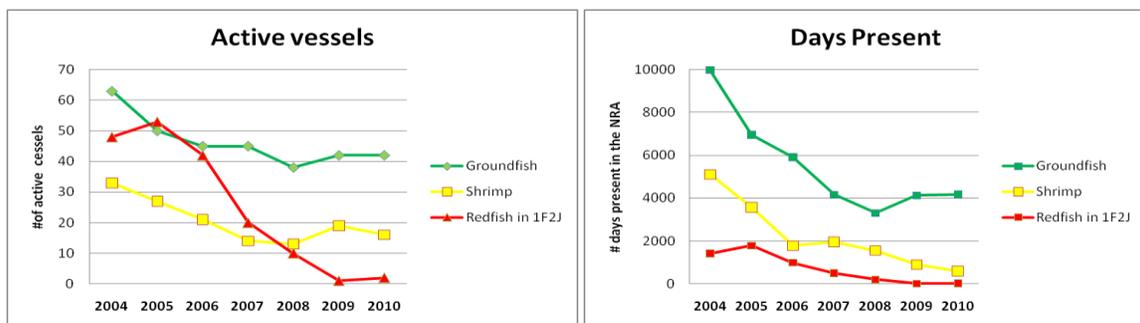
NAFO identifies three main fisheries: the groundfish (GRO - primarily in Div. 3KLMNO), shrimp (PRA - primarily in Div. 3LM) and pelagic redfish fisheries (RED - primarily in Div. 1F and 2J).

The fishing effort is measured by the number of active vessels and the days of presence by vessel per year in the NRA. Vessel-days are determined by the position reports transmitted by the vessels via the vessel's VMS system. The VMS reports are received by the Secretariat from the respective Fisheries Monitoring Centres (FMC) of the flag State Contracting Parties.

For the period 2004-2010, the overall fishing activities in the NRA show a declining trend, from 134 active vessels in 2004 to 53 in 2010, representing a 60 % decrease.

The decline is even more pronounced in terms of overall fishing days, with a 71% decrease for the same period, from 16,480 days in 2004 to 4,768 days in 2010. The average number of days each vessel operates in the NRA declined as well, from 123 days in 2004 to 90 days in 2010.

Figure 1 illustrates the evolution described above for each of the major fisheries. The general decline since 2004 is observed for the three fisheries, with the pelagic redfish fishery being close to disappearance in 2009. Relative stabilisation is noted since 2009. NAFO fisheries remain dominated by the groundfish category. In 2010, groundfish accounts for 82% of the total fishing effort, shrimp for around 17 %, and the pelagic redfish fishery represents less than 1 percent.



**Figure 1.** Number of vessels and vessel-days in the NAFO Regulatory Area by fishery type.

<sup>1</sup>For the purpose of this compliance analysis, fishing trips which ended in 2010 were considered. "Fishing trip" means the time beginning when the vessel enters the Regulatory Area and ending when the vessel leaves the Regulatory Area and all catch on board from the Regulatory Area is unloaded or transhipped (Article 2.5 of the NCEM)."

### 3. Compliance by Fishing Vessels

Through the at-sea and port inspections, NAFO monitors, controls and conduct surveillance of the fisheries in the NRA exposing infringements of the NAFO regulations and collecting evidence for the following prosecution within the legal system of each NAFO flag State Contracting Party.

#### *Position reports (VMS)*

Vessels in the NRA are required to transmit position reports at one hour intervals. In addition, the course and speed information must be included in the position reports. Examination of the position reports revealed that vessels were compliant to this requirement. The position reports were received by the Secretariat (through the FMCs) in practically real-time. When technical difficulties were encountered by the vessels in complying with the position reporting requirements, the position reports were transmitted electronically by other means (by email) and promptly entered into the VMS database by the Secretariat. Generally, the technical issues were resolved at most within a few days through the coordination and communication between the Secretariat and the FMCs. The timeliness of submission of position reports was not an issue since VMS reports (positions and hails) were being received by the Secretariat and CPs with inspection presence in real-time through satellite technology.

#### *Hail messages and catch reporting by vessels*

Vessels are required to report on their fishing trips by reporting various messages detailing their presence and the results of their fishing activity in the NRA. Catches are reported through the VMS channel by Catch-on-Entry (COE), daily catch notification (CAT)<sup>2</sup> and Catch-on-Exit (COX) messages.

COE and COX reports should account for each fishing trip. Ideally, a 100% coverage would mean that all expected COEs and paired up with all expected COXs. Figure 6 and Table 1 show the percentage coverage of hail messages (COEs and COXs). Since 2005, there has been a high degree of compliance with regards to VMS reporting (between 92% in 2006 and 98% in 2009). In 2010, the VMS hail reports accounted for 95% coverage of the fishing effort. Like the position reports, the timeliness of the transmission of hail reports was not an issue.

#### *At-sea inspections (Figure 2 and Table 5)*

The total number of at-sea inspections decreased from 401 inspections in 2004 to 214 inspections in 2010. This evolution follows the observed decrease in fisheries during the same period.

Although there is no target for at-sea inspection rates, figures show that the frequency of at-sea inspections in relation to the effort (number of inspections per vessel-days per year) actually increased from 2.4 percent in 2004 to 4.5 percent in 2010. That frequency has remained fairly stable since 2006, for groundfish and shrimp fisheries ranging from 4.2 to 4.8 percent, with a relatively sharper increase for pelagic redfish. There were no at-sea inspections of pelagic redfish trips in 2009 and 2010.

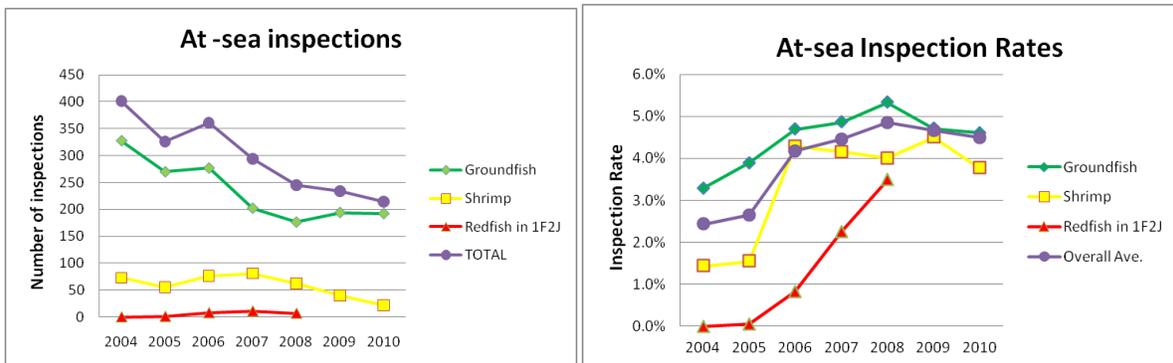
This evolution of inspection rates indicates that at-sea inspections were carried out in proportion to the fishing effort for each of the fishing category, suggesting equal treatment and equitable distribution of inspections.

The current report does not include inspection rates among Contracting Parties to evaluate whether inspections are being carried out in a manner that would ensure equal treatment between all Contracting Parties consistent with Article 29.6 of the 2011 NCEM. STACTIC has previously discussed methods used to calculate the objectivity of inspections, but suggested that the existing objectivity formula used is not very useful. The current report does not include inspection rates among Contracting Parties to evaluate whether inspections are being carried out in a manner that would ensure equal treatment between all Contracting Parties consistent with Article 29.6 of the 2011 NCEM.

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<sup>2</sup> In 2010, daily catch reporting requirement (CAT) applied only to shrimp fisheries and a weekly reporting was required for all other fisheries. The CAT reports were not evaluated in the context of fishing trips. Instead, the catch reports derived from fishing trips were evaluated by examining the COE and COX pairs. The dates of the COE and COX gave an indication of the duration of the fishing trips. In 2011, it became a requirement for vessels to report the daily catch by stock and division for all types of fisheries.

STACTIC has previously discussed methods used to calculate the objectivity of inspections, but suggested that the existing objectivity formula used is not very useful.



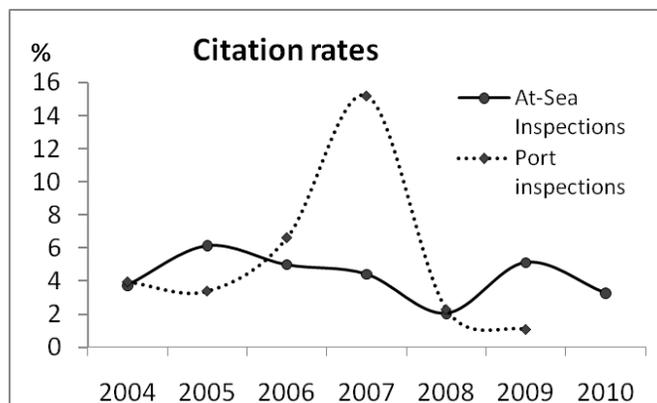
**Figure 2.** Number of At-Sea Inspections and Inspection rates (number of at-sea inspection/vessel-days) in the NAFO Regulatory Area by fishery type.

**Port inspections (Table 5)**

Prior to 2009, port State Contracting Parties were required to conduct port inspections on all vessels landing or transshipping fish species from the NRA. Since the adoption of the Port State Control measures in 2009, the 100% annual port inspection rate has been maintained for all vessels landing NAFO species under recovery plans, in particular GHL, and reduced to 15 % on vessels from other Contracting Parties for all other NAFO species is landed or transhipped. Port inspection on national vessels is not compulsory anymore in other cases. Inspections in port have also declined dramatically, from a 228 in 2004 to 100 in 2010, representing a 56 percent decline over the time period, but have not change substantially since 2008. This indicates that the Port State Control measures adopted in 2009 have not had a direct impact on the port inspection coverage rate by Contracting Parties.

**Citation rates (Figure 3 and Table 5)**

The annual citation rate (the number of citations issued in relation to the number of inspections conducted) for at-sea inspections ranges between 2.0 in 2008 and 6.1 in 2005. In 2010, the citation rate for at-sea inspections was 3.3, with a relative decrease from the previous year. In contrast, the citation rate for port inspections ranges between 15.2 in 2007 and zero in 2010.



**Figure 3.** Percentage of inspections that resulted in a citation at sea and in port.

### *Closed areas*

Since 2007, in total 18 areas in NAFO have been closed to bottom fishing including 11 significant coral and sponge areas, 1 coral protection zone and 6 seamounts. To control the presence of vessels in such areas, NAFO has adopted VMS position reporting at one hour intervals. Further conservation and enforcement measures concerning the protection of the VMEs are stipulated in Chapter Ibis of the NCEM.

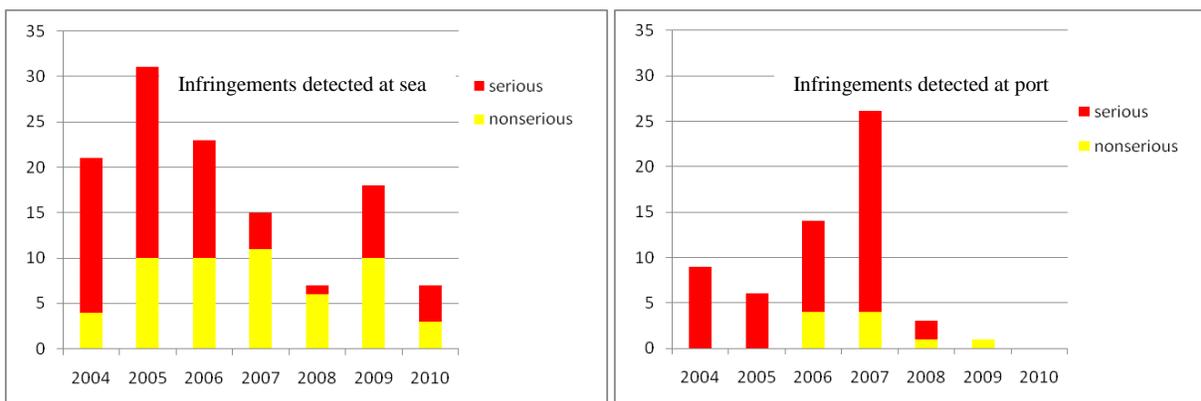
An examination of the VMS position reports revealed that all the closed areas were generally respected. However, some position reports have been recorded in Divisions 6G and, to a minor extent in 6H, and in the Corner Seamounts with a relatively low fishing effort. In 2010, two vessels spent 10 days in Division 6G which constitutes a negligible amount of effort compared to the total effort in the NRA. Moreover, it is not known whether the fishing gear used in the closed areas interacted with the sea bottom. STACTIC should explore the means to identify whether bottom fishing is occurring to enable more effective enforcement of closed area provisions.

### *Sharks*

Fishing for the purpose of collecting shark fins is prohibited under Article 17 of the NAFO Conservation and Enforcement Measures. Sharks species taken in NAFO fisheries are not associated with shark finning practices, and there has never been an incident of shark finning observed in the NRA. However, it has been noted that there has been a lack of species-specific reporting of shark catches in the NRA.

### *Apparent infringements (Figures 4 and 5; Table 5)*

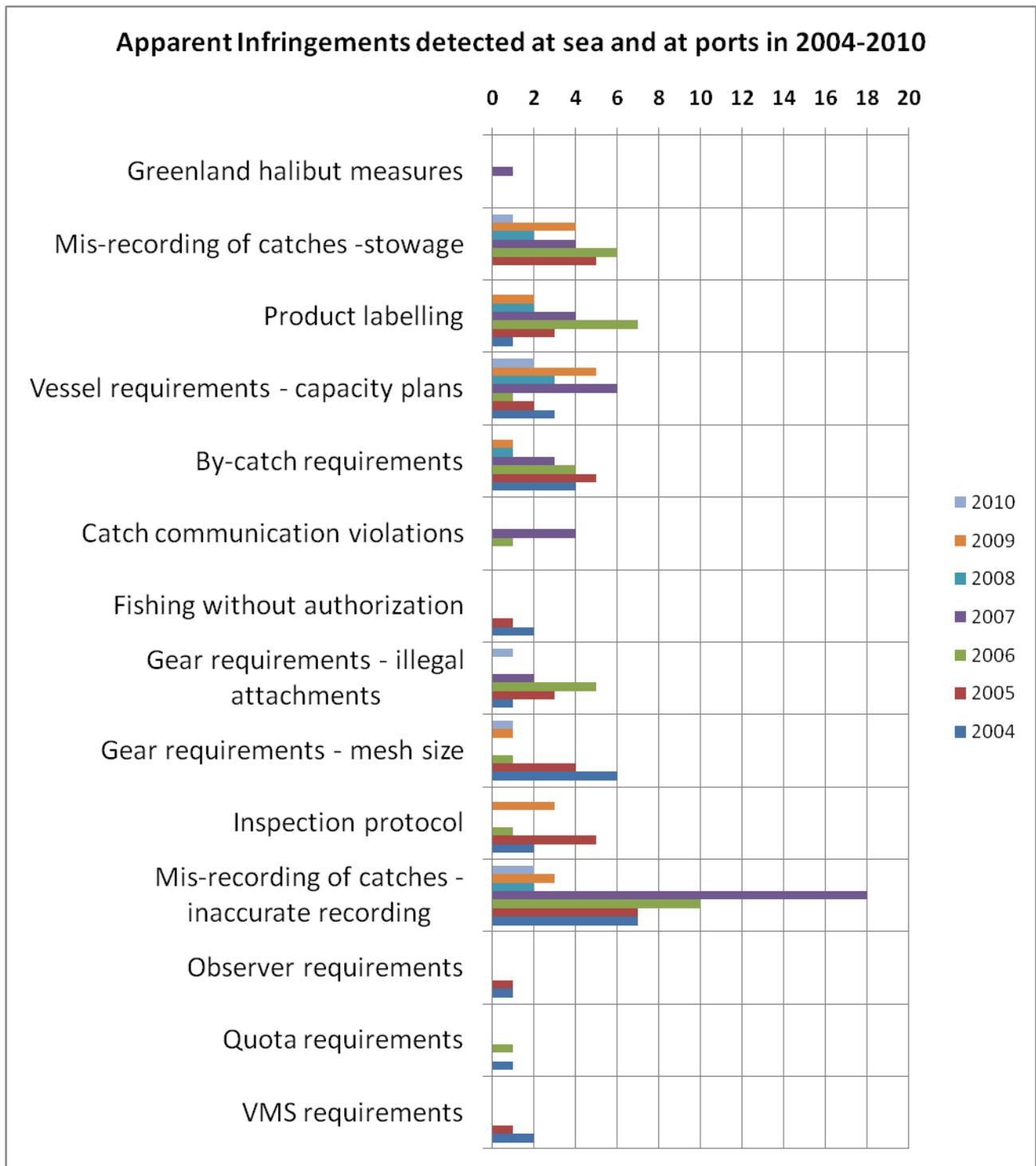
Each citation issued by NAFO inspectors can list one or more apparent infringements (AI), from which 10 are qualified as serious infringements (NCEM Article 37.1). Figure 4 shows the evolution of the total number of AIs that have been issued at-sea and in port for each year since 2004. In 2010, out of seven AIs detected at sea, three were considered serious, and two of them were detected on vessels fishing for groundfish (Table 5).



**Figure 4.** Number of Apparent Infringements detected by NAFO at-sea and port inspectors for 2004-2010.

The frequency of infringements by fishing type is presented in Figure 5. More details on these infringements for the years 2004 through 2010 are provided in Table 5. The most frequent infringement observed every year is inaccurate recording of catches, which is considered as a serious offence.

No apparent infringement for fishing in closed areas has ever been issued to a fishing vessel to date. Some contributing factors might be the absence of inspection patrol in some remote areas, the negligible fishing effort concerned and the difficulty in determining that vessels are engaged in “bottom fishing”.



**Figure 5.** *Apparent Infringements detected by NAFO at-sea and port inspectors. \*Please note that the first 4 are non-serious infringements and the remaining 10 are serious infringements.*

#### 4. Reporting obligations by NAFO Contracting Parties and Observers

NAFO CEM obliges vessels and Contracting Parties to provide reports on their activity within a determined time frame. The regular delivery of those reports in time is of key importance to evaluate compliance.

##### *Port inspection reports*

When vessels land their catches, the port inspectors report on the quantity of catches as well as the fishing trip details. However, the port inspection is not mandatory for all landings from NAFO fisheries: compulsory port inspections are required for any vessel landing species subject to a NAFO recovery plan, and for 15 % of landings by vessels of another Contracting Party, on an annual basis, in accordance with the Port State Measures adopted in 2009. However, the new requirement did not affect the actual percentage coverage of port inspections because of the importance of landings of groundfish species subject to recovery plan (GHL). Port inspection coverage ranges from 79% in 2005 and 2009 to 91% in 2008. The port inspection coverage in 2009 and 2010 falls within this range (see Figure 6).

##### *Observer reports*

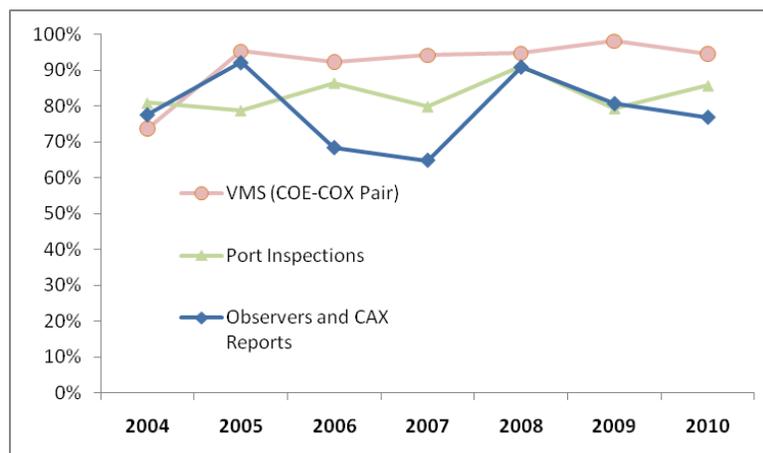
Vessels are required to have an independent compliance observer on board at all times in every fishing trip. Since 2007, Contracting Parties may allow their vessels adopting a daily electronic report of catch and discards which allows vessels to reduce the observer coverage down to 25% of the time spent in the NRA. Under this electronic scheme, observers are required to report daily their estimation of catches (OBR).

Observers are committed to deliver within 30 days after their assignment period their observer report, which contains information on date of fishing trip as well as catch and effort.

Observer coverage ranges from 77% in 2010 to 92% in 2005.

Observer reports may be crosschecked with port inspection reports, for relevant fishing trips, for a comparative analysis of catches.

According to Article 28, the observers shall record, among others, the catch and effort data for each haul. The Secretariat has noted that not all observers' reports contain the required information on catch and effort on a by haul basis.



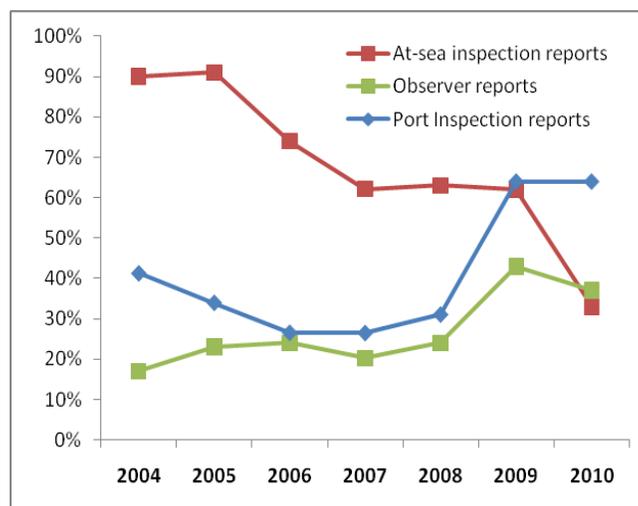
**Figure 6.** Percentage coverage of fishing effort by VMS, Port Inspection and Observer Reports.

### *Timeliness of submission of reports*

The timeliness of reports submitted to the NAFO Secretariat is an important issue: VMS messages are required to be provided every hour; hail messages at each entry and exit from the NRA and catch reports on a daily basis; observers and at-sea inspection reports are required to be submitted within 30 days and PSC3 forms for port inspections should be sent to the Executive Secretary “without delay.” For the purpose of timeliness analysis, PSC 3 forms received more than 30 days after the date of port inspection were considered late.

Figure 7 shows the timeliness of submission of at sea inspection, observer and port inspection reports. In 2010, two-thirds of the number of port inspection reports were received on time (64%). Timeliness in the submission of at-sea inspection and observer reports were 33% and 37%, respectively, representing declines from 2009.

At-sea and port inspection reports containing citations of infringements were always transmitted to the Secretariat without delay.

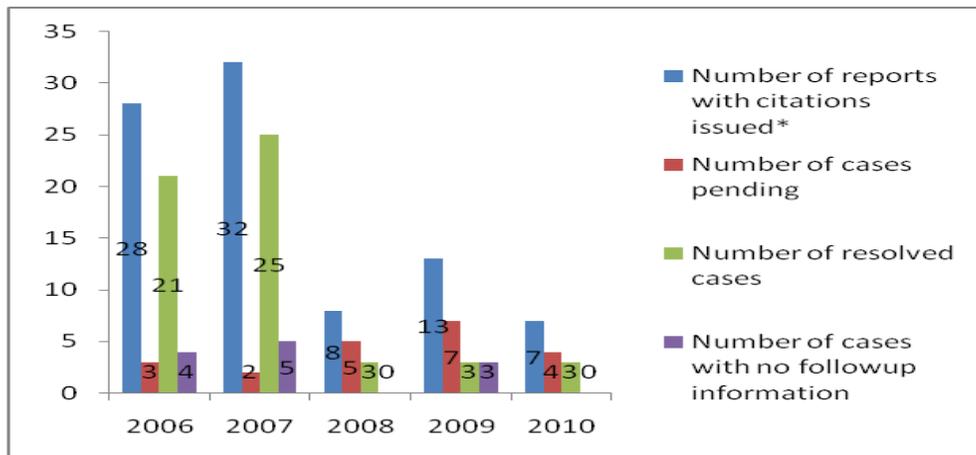


**Figure 7.** *Timeliness of submission of reports.*

### **5. Follow-up to infringements**

Contracting Parties are obligated to follow-up with further investigations and legal prosecution when NAFO inspectors issue a citation against a Contracting Party vessel. The status of each AI case must be reported to the Secretariat annually until the case is resolved, since the legal procedure can take longer than one year due to of the legal procedures in force in each Contracting Party. This information is reflected in Table 6.

As of July 2011, three of these cases were resolved, with four cases still pending. There were zero cases for which the Contracting Party failed to provide follow-up information in 2010. Contrary to the 2009 compliance report, lack of follow-up on apparent infringements appears to be less of a concern than expressed in the 2009 compliance report, particularly considering there are also zero cases lacking follow-up from 2008. To ensure this trend continues, it is important to continue to remind Contracting Parties to report the status of AIs to the NAFO Secretariat.



**Figure 8.** *Legal resolution of citations against vessels fishing in the NAFO Regulatory Area by year in which the citations were issued (as of July 2011). A citation is an inspection report (from at-sea or port inspectors) that lists one or more infringements. Inspections carried out for confirming a previous citation are not included.*

## 6. Observed Trends

- After a steady year on year decline since 2004, fishing effort appears to have stabilized at circa 500 days present in the NRA each year. In parallel the steady decline in vessel numbers active in the NRA appears to have leveled out at circa 50 vessels per annum.
- The number of at sea inspections has reduced from 401 in 2004 to 214 in 2010 but the inspection rate has actually increased from 2.4% in 2004 to 4.5% in 2010.
- Port inspection coverage of landings remains high owing to the high number of landings of species subjected to a recovery plan, particularly groundfish.
- A high rate of compliance with VMS hail messages and catch reporting has been achieved with 98% coverage in 2009 and 95% coverage of fishing effort achieved in 2010<sup>3</sup>.
- The most common apparent infringement detected at sea or in port has been mis-recording of catches with a steady increase in citations from 2004 to 2007. However, the number of citations for mis-recording has fallen dramatically since 2007.
- While all inspection reports were received, the timeliness of submission of at sea inspection reports has fallen in recent years whilst submission of port inspection reports has increased and submission of observer reports has improved slightly over the period 2004 – 2010.
- Overall, there appears to be a declining trend in the number of citations issued since 2006. Seven citations were issued in 2010, down from 13 in 2009 and a high of 32 in 2007.

<sup>3</sup> Based on VMS reports

## 7. Annexes: The “Report tables

**Table 1. Submission of Fishing Reports\***

Year	Days at the Regulatory Area (Effort)	Number of Days accounted by COE-COX pairs	Percentage of Effort accounted by COE-COX pairs	Number of Days accounted by Port Inspection and TRA reports	Percentage of Effort accounted by Port Inspection and TRA reports	Number of Days accounted by Observer and CAX reports	Percentage of Effort accounted by Observer and CAX reports
2004	16480	12156	74%	13327	81%	12779	78%
2005	12290	11706	95%	9679	79%	11326	92%
2006	8663	7991	92%	7488	86%	5921	68%
2007	6598	6210	94%	5269	80%	4276	65%
2008	5054	4785	95%	4613	91%	4596	91%
2009	5016	4920	98%	3981	79%	4047	81%
2010	4768	4510	95%	4084	86%	3665	77%

\*COE = Catch on entry, COX = Catch on exit, TRA = transhipment, CAX = Daily catch report

**Table 2. Timely submission of Port Inspection Reports**

Year	2004	2005	2006	2007	2008	2009	2010
Total Number of Port Inspection Reports received	228	177	151	125	133	94	101
Total Number of Port Inspection Reports received late	134	117	111	92	92	34	36
Percentage % of late Port Inspection Reports	59%	66%	74%	74%	69%	36%	36%

NB. Port Inspection reports are submitted to the Secretariat by the port States.

**Table 3. Timely submission of At-Sea Inspection Reports**

Year	2004	2005	2006	2007	2008	2009	2010
Total Number of at-sea Inspections	401	326	361	296	263	324	215
Number of at-sea Inspections received late	40	30	95	112	96	124	144
Percentage % of late at-sea Inspection Reports	10%	9%	26%	38%	37%	38%	67%

NB. At-sea Inspection Reports are submitted by the CP with inspection presence at NAFO Regulatory Area.

**Table 4. Timely submission of Observer Reports**

Year	2004	2005	2006	2007	2008	2009	2010
Total Number of Observers Reports	211	170	114	84	126	86	76
Number of Observers Reports received late	176	131	87	67	96	49	48
Percentage % of late Observers Reports	83%	77%	76%	80%	76%	57%	63%

NB. Observer Reports are submitted by the flag States of the fishing vessel.

**Table 5-2004, part 1. Effort, at-sea inspections and AIs by fisheries type**

<b>Fisheries*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	63	33	48	134**
Days Present in NRA	9966	5100	1414	16480
Number of at-sea inspections	328	73	0	401
Number of at-sea inspection report containing citation of one or more AIs	13	2	0	15
Number of vessels cited with AIs at sea	10	2	0	12
<b>AIs issued by category - from at-sea inspections***</b>				
Greenland halibut measures	0	0	0	0
Mis-recording of catches -stowage	0	0	0	0
Product labeling	0	1	0	1
Vessel requirements - capacity plans	3	0	0	3
<b>By-catch requirements</b>	3	0	0	3
<b>Catch communication violations</b>	0	0	0	0
<b>Fishing without authorization</b>	0	1	0	1
<b>Gear requirements - illegal attachments</b>	1	0	0	1
<b>Gear requirements - mesh size</b>	5	0	0	5
<b>Inspection protocol</b>	2	0	0	2
<b>Mis-recording of catches - inaccurate recording</b>	1	0	0	1
<b>Observer requirements</b>	0	1	0	1
<b>Quota requirements</b>	1	0	0	1
<b>VMS requirements</b>	0	2	0	2
<b>TOTAL</b>	16	5	0	21

\* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; REB = redfish in Divs. 1F2J

\*\* Some vessels switched directed species within the year.

\*\*\* AIs from citation reports serving to confirm an incident are not counted. AI categories in bold are considered serious.

**Table 5-2004, part 2. Effort, port inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	63	33	48	134**
Days Present in NRA	9966	5100	1414	16480
Number of port inspections	85	138	5	228
Number of port inspection report containing citation of one or more AIs	9	0	0	9
Number of vessels cited with AIs by port authorities	9	0	0	9
<b>AIs issued by category - from port inspections***</b>				
Greenland halibut measures	0	0	0	0
Mis-recording of catches -stowage	0	0	0	0
Product labeling	0	0	0	0
Vessel requirements - capacity plans	0	0	0	0
<b>By-catch requirements</b>	1	0	0	1
<b>Catch communication violations</b>	0	0	0	0
<b>Fishing without authorization</b>	1	0	0	1
<b>Gear requirements - illegal attachments</b>	0	0	0	0
<b>Gear requirements - mesh size</b>	1	0	0	1
<b>Inspection protocol</b>	0	0	0	0
<b>Mis-recording of catches - inaccurate recording</b>	6	0	0	6
<b>Observer requirements</b>	0	0	0	0
<b>Quota requirements</b>	0	0	0	0
<b>VMS requirements</b>	0	0	0	0
<b>TOTAL</b>	9	0	0	9

**Table 5-2005, part 1. Effort, at-sea inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	50	27	53	116**
Days Present in NRA	6948	3558	1784	12290
Number of at-sea inspections	270	55	1	326
Number of at-sea inspection report containing citation of one or more AIs	16	4	0	20
Number of vessels cited with AIs at sea	14	3	0	17
<b>AIs issued by category - from at-sea inspections***</b>				
Greenland halibut measures	0	0	0	0
Mis-recording of catches -stowage	5	0	0	5
Product labeling	2	1	0	3
Vessel requirements - capacity plans	2	0	0	2
<b>By-catch requirements</b>	2	0	0	2
<b>Catch communication violations</b>	0	0	0	0
<b>Fishing without authorization</b>	0	1	0	1
<b>Gear requirements - illegal attachments</b>	2	1	0	3
<b>Gear requirements - mesh size</b>	3	0	0	3
<b>Inspection protocol</b>	3	1	0	4
<b>Mis-recording of catches - inaccurate recording</b>	5	1	0	6
<b>Observer requirements</b>	0	1	0	1
<b>Quota requirements</b>	0	0	0	0
<b>VMS requirements</b>	0	1	0	1
<b>TOTAL</b>	24	7	0	31

\* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; REB = redfish in Divs. 1F2J

\*\* Some vessels switched directed species within the year.

\*\*\* AIs from citation reports serving to confirm an incident are not counted. AI categories in bold are considered serious.

**Table 5-2005, part 2. Effort, port inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	50	27	53	116**
Days Present in NRA	6948	3558	1784	12290
Number of port inspections	80	87	10	177
Number of port inspection report containing citation of one or more AIs	6	0	0	6
Number of vessels cited with AIs by port authorities	6	0	0	6
<b>AIs issued by category - from port inspections***</b>				
Greenland halibut measures	0	0	0	0
Mis-recording of catches -stowage	0	0	0	0
Product labelling	0	0	0	0
Vessel requirements - capacity plans	0	0	0	0
<b>By-catch requirements</b>	3	0	0	3
<b>Catch communication violations</b>	0	0	0	0
<b>Fishing without authorization</b>	0	0	0	0
<b>Gear requirements - illegal attachments</b>	0	0	0	0
<b>Gear requirements - mesh size</b>	1	0	0	1
<b>Inspection protocol</b>	1	0	0	1
<b>Mis-recording of catches - inaccurate recording</b>	1	0	0	1
<b>Observer requirements</b>	0	0	0	0
<b>Quota requirements</b>	0	0	0	0
<b>VMS requirements</b>	0	0	0	0
<b>TOTAL</b>	6	0	0	6

**Table 5-2006, part 1. Effort, at-sea inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	45	21	42	92**
Days Present in NRA	5908	1776	979	8663
Number of at-sea inspections	277	76	8	361
Number of at-sea inspection report containing citation of one or more AIs	11	5	2	18
Number of vessels cited with AIs at sea	10	4	2	16
<b>AIs issued by category - from at-sea inspections***</b>				
Greenland halibut measures	0	0	0	0
Mis-recording of catches -stowage	5	1	0	6
Product labelling	1	2	0	3
Vessel requirements - capacity plans	1	0	0	1
<b>By-catch requirements</b>	2	0	0	2
<b>Catch communication violations</b>	0	0	0	0
<b>Fishing without authorization</b>	0	0	0	0
<b>Gear requirements - illegal attachments</b>	2	2	1	5
<b>Gear requirements - mesh size</b>	0	0	1	1
<b>Inspection protocol</b>	0	1	0	1
<b>Mis-recording of catches - inaccurate recording</b>	4	0	0	4
<b>Observer requirements</b>	0	0	0	0
<b>Quota requirements</b>	0	0	0	0
<b>VMS requirements</b>	0	0	0	0
<b>TOTAL</b>	15	6	2	23

\* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; REB = redfish in Divs. 1F2J

\*\* Some vessels switched directed species within the year.

\*\*\* AIs from citation reports serving to confirm an incident are not counted. AI categories in bold are considered serious.

**Table 5-2006, part 2. Effort, port inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	45	21	42	92**
Days Present in NRA	5908	1776	979	8663
Number of port inspections	76	56	19	151
Number of port inspection report containing citation of one or more AIs	10	0	0	10
Number of vessels cited with AIs by port authorities	10	0	0	10
<b>AIs issued by category - from port inspections***</b>				
Greenland halibut measures	0	0	0	0
Mis-recording of catches -stowage	0	0	0	0
Product labeling	4	0	0	4
Vessel requirements - capacity plans	0	0	0	0
<b>By-catch requirements</b>	2	0	0	2
<b>Catch communication violations</b>	1	0	0	1
<b>Fishing without authorization</b>	0	0	0	0
<b>Gear requirements - illegal attachments</b>	0	0	0	0
<b>Gear requirements - mesh size</b>	0	0	0	0
<b>Inspection protocol</b>	0	0	0	0
<b>Mis-recording of catches - inaccurate recording</b>	6	0	0	6
<b>Observer requirements</b>	0	0	0	0
<b>Quota requirements</b>	1	0	0	1
<b>VMS requirements</b>	0	0	0	0
<b>TOTAL</b>	14	0	0	14

**Table 5-2007, part 1. Effort, at-sea inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	45	14	20	76**
Days Present in NRA	4158	1948	488	6594
Number of at-sea inspections	202	81	11	294
Number of at-sea inspection report containing citation of one or more AIs	4	5	4	13
Number of vessels cited with AIs at sea	4	5	4	13
<b>AIs issued by category - from at-sea inspections***</b>				
Greenland halibut measures	0	0	0	0
Mis-recording of catches -stowage	3	1	0	4
Product labeling	0	1	0	1
Vessel requirements - capacity plans	0	2	4	6
<b>By-catch requirements</b>	0	0	0	0
<b>Catch communication violations</b>	0	0	0	0
<b>Fishing without authorization</b>	0	0	0	0
<b>Gear requirements - illegal attachments</b>	0	1	1	2
<b>Gear requirements - mesh size</b>	0	0	0	0
<b>Inspection protocol</b>	0	0	0	0
<b>Mis-recording of catches - inaccurate recording</b>	2	0	0	2
<b>Observer requirements</b>	0	0	0	0
<b>Quota requirements</b>	0	0	0	0
<b>VMS requirements</b>	0	0	0	0
<b>TOTAL</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>15</b>

\* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; REB = redfish in Divs. 1F2J

\*\* Some vessels switched directed species within the year.

\*\*\* AIs from citation reports serving to confirm an incident are not counted. AI categories in bold are considered serious.

**Table 5-2007, part 2. Effort, port inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	45	14	20	76**
Days Present in NRA	4158	1948	488	6594
Number of port inspections	67	51	7	125
Number of port inspection report containing citation of one or more AIs	19	0	0	19
Number of vessels cited with AIs by port authorities	16	0	0	16
<b>AIs issued by category - from port inspections***</b>				
Greenland halibut measures	1	0	0	1
Mis-recording of catches -stowage	0	0	0	0
Product labeling	3	0	0	3
Vessel requirements - capacity plans	0	0	0	0
<b>By-catch requirements</b>	3	0	0	3
<b>Catch communication violations</b>	4	0	0	4
<b>Fishing without authorization</b>	0	0	0	0
<b>Gear requirements - illegal attachments</b>	0	0	0	0
<b>Gear requirements - mesh size</b>	0	0	0	0
<b>Inspection protocol</b>	0	0	0	0
<b>Mis-recording of catches - inaccurate recording</b>	16	0	0	16
<b>Observer requirements</b>	0	0	0	0
<b>Quota requirements</b>	0	0	0	0
<b>VMS requirements</b>	0	0	0	0
<b>TOTAL</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>27</b>

**Table 5-2008, part 1. Effort, at-sea inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	38	13	10	60**
Days Present in NRA	3302	1551	201	5054
Number of at-sea inspections	176	62	7	245
Number of at-sea inspection report containing citation of one or more AIs	2	3	0	5
Number of vessels cited with AIs at sea	2	3	0	5
<b>AIs issued by category - from at-sea inspections***</b>				
Greenland halibut measures				0
Mis-recording of catches -stowage	1	1		2
Product labeling	1			1
Vessel requirements - capacity plans		3		3
<b>By-catch requirements</b>	1			1
<b>Catch communication violations</b>				0
<b>Fishing without authorization</b>				0
<b>Gear requirements - illegal attachments</b>				0
<b>Gear requirements - mesh size</b>				0
<b>Inspection protocol</b>				0
<b>Mis-recording of catches - inaccurate recording</b>				0
<b>Observer requirements</b>				0
<b>Quota requirements</b>				0
<b>VMS requirements</b>				0
<b>TOTAL</b>	3	4	0	7

\* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; REB = redfish in Divs. 1F2J

\*\* Some vessels switched directed species within the year.

\*\*\* AIs from citation reports serving to confirm an incident are not counted. AI categories in bold are considered serious.

**Table 5-2008, part 2. Effort, port inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	38	13	10	60**
Days Present in NRA	3302	1551	201	5054
Number of port inspections	70	60	2	132
Number of port inspection report containing citation of one or more AIs	3	0	0	3
Number of vessels cited with AIs by port authorities	2			
<b>AIs issued by category - from port inspections***</b>				
Greenland halibut measures				0
Mis-recording of catches -stowage				0
Product labeling	1			1
Vessel requirements - capacity plans				0
<b>By-catch requirements</b>				0
<b>Catch communication violations</b>				0
<b>Fishing without authorization</b>				0
<b>Gear requirements - illegal attachments</b>				0
<b>Gear requirements - mesh size</b>				0
<b>Inspection protocol</b>				0
<b>Mis-recording of catches - inaccurate recording</b>	2			2
<b>Observer requirements</b>				0
<b>Quota requirements</b>				0
<b>VMS requirements</b>				0
<b>TOTAL</b>	3	0	0	3

**Table 5-2009, part 1. Effort, at-sea inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	41	20	1	51**
Days Present in NRA	4122	889	5	5016
Number of at-sea inspections	194	40	0	234
Number of at-sea inspection report containing citation of one or more AIs	8	4	0	12
Number of vessels cited with AIs at sea	6	4	0	10
<b>AIs issued by category - from at-sea inspections***</b>				
Greenland halibut measures				0
Mis-recording of catches -stowage	4			4
Product labeling	1			1
Vessel requirements - capacity plans	3	2		5
<b>By-catch requirements</b>	1			1
<b>Catch communication violations</b>				0
<b>Fishing without authorization</b>				0
<b>Gear requirements - illegal attachments</b>				0
<b>Gear requirements - mesh size</b>	1			1
<b>Inspection protocol</b>	2	1		3
<b>Mis-recording of catches - inaccurate recording</b>	2	1		3
<b>Observer requirements</b>				0
<b>Quota requirements</b>				0
<b>VMS requirements</b>				0
<b>TOTAL</b>	14	4	0	18

\* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; REB = redfish in Divs. 1F2J

\*\* Some vessels switched directed species within the year.

\*\*\* AIs from citation reports serving to confirm an incident are not counted. AI categories in bold are considered serious.

**Table 5-2009, part 2. Effort, port inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	41	20	1	51**
Days Present in NRA	4122	889	5	5016
Number of port inspections	73	21	0	94
Number of port inspection report containing citation of one or more AIs	1	0	0	1
Number of vessels cited with AIs by port authorities	1			
<b>AIs issued by category - from port inspections***</b>				
Greenland halibut measures				0
Mis-recording of catches -stowage				0
Product labeling	1			1
Vessel requirements - capacity plans				0
<b>By-catch requirements</b>				0
<b>Catch communication violations</b>				0
<b>Fishing without authorization</b>				0
<b>Gear requirements - illegal attachments</b>				0
<b>Gear requirements - mesh size</b>				0
<b>Inspection protocol</b>				0
<b>Mis-recording of catches - inaccurate recording</b>				0
<b>Observer requirements</b>				0
<b>Quota requirements</b>				0
<b>VMS requirements</b>				0
<b>TOTAL</b>	1	0	0	1

**Table 5-2010, part 1. Effort, at-sea inspections and AIs by fisheries type**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	42	16	2	53**
Days Present in NRA	4170	584	14	4768
Number of at-sea inspections	192	22	0	214
Number of at-sea inspection report containing citation of AIs	4	3		7
Number of vessels cited with AIs at sea				
AIs issued by category - from at-sea inspections***				
Greenland halibut measures				
Mis-recording of catches -stowage		1		
Product labelling				
Vessel requirements - capacity plans	1	1		
<b>By-catch requirements</b>				
<b>Catch communication violations</b>				
<b>Fishing without authorization</b>				
<b>Gear requirements - illegal attachments</b>	1			
<b>Gear requirements - mesh size</b>	1			
<b>Inspection protocol</b>				
<b>Mis-recording of catches - inaccurate recording</b>	1	1		
<b>Observer requirements</b>				
<b>Quota requirements</b>				
<b>VMS requirements</b>				
<b>TOTAL</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>

\* GRO = groundfish primarily in Divs. 3KLMNO; PRA = shrimp fisheries in Divs. 3LM; REB = redfish in Divs. 1F2J

\*\* Some vessels switched directed species within the year.

\*\*\* AIs from citation reports serving to confirm an incident are not counted. AI categories in bold are considered serious.

**Table 5-2010, part 2. Effort, port inspections and AIs by fisheries type.**

<b>FISHERIES*</b>	<b>GRO</b>	<b>PRA</b>	<b>REB</b>	<b>Total</b>
Number of vessels	42	16	2	53**
Days Present in NRA	4170	584	14	4786
Number of port inspections	86	14	0	100
Number of port inspection report containing citation of AIs				0
Number of vessels cited with AIs by port authorities				
AIs issued by category - from port inspections***				
Greenland halibut measures				
Mis-recording of catches -stowage				
Product labelling				
Vessel requirements - capacity plans				
<b>By-catch requirements</b>				
<b>Catch communication violations</b>				
<b>Fishing without authorization</b>				
<b>Gear requirements - illegal attachments</b>				
<b>Gear requirements - mesh size</b>				
<b>Inspection protocol</b>				
<b>Mis-recording of catches - inaccurate recording</b>				
<b>Observer requirements</b>				
<b>Quota requirements</b>				
<b>VMS requirements</b>				
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Table 6. Resolution of Apparent Infringement (AI) cases (as of July 2011)**

<b>Resolution of Apparent Infringement Cases</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Number of reports with citations issued*	28	32	8	13	7
Number of resolved cases	21	25	3	3	3
Percentage of resolved cases (as of July 2011)	75%	78%	38%	23%	43%
Number of cases pending	3	2	5	7	4
Number of cases with no follow-up information	4	5	0	3	0

\* Number of inspection reports with serious and non-serious AI citations. A report may contain one or more AIs. Reports serving to confirm identical cases are not counted.

**Annex 29. Follow-up of editorial redrafting of the NAFO CEM by EDG**  
(STACTIC Working Paper 11/40 now FC Doc. 11/34)

During the review of the NCEM, EDG identified several areas where further clarification and improvements may be required to support new measures, aiming at maximizing the effectiveness of the NAFO control and inspection scheme.

It is requested that the Fisheries Commission authorize STACTIC to continue the work of the EDG, with the scope to streamline the issues identified during the initial review and propose new measures to address them.

**Annex 30. NAFO Inspectors Web Area**  
(STACTIC Working Paper 11/7, Revised now FC Doc. 11/35)

At the September 2010 NAFO Annual Meeting , discussions were held in STACTIC on the possibility of NAFO having electronic accessibility available for inspectors to access all information regarding the fishing vessels operating in the NAFO Regulatory Area. A representative of Iceland presented STACTIC WP 10/16 as an introduction to the type of information that would be useful.

It was noted that NEAFC had implemented a system for their inspection service to access electronic versions of relevant information on a secure website. A number of Contracting Parties are members to both organizations and in keeping with the harmonization of the two, the NAFO Secretariat has consulted further with the NEAFC Secretariat on its experience in setting up and implementing its own Inspectors web area. Considering the benefits of NEAFC's experience in developing their Inspectors web area, and the possibility to replicate or adopt some of the functionality, the Secretariat deemed it appropriate to only pursue cooperation with NEAFC for the development of NAFO's Inspectors web area.

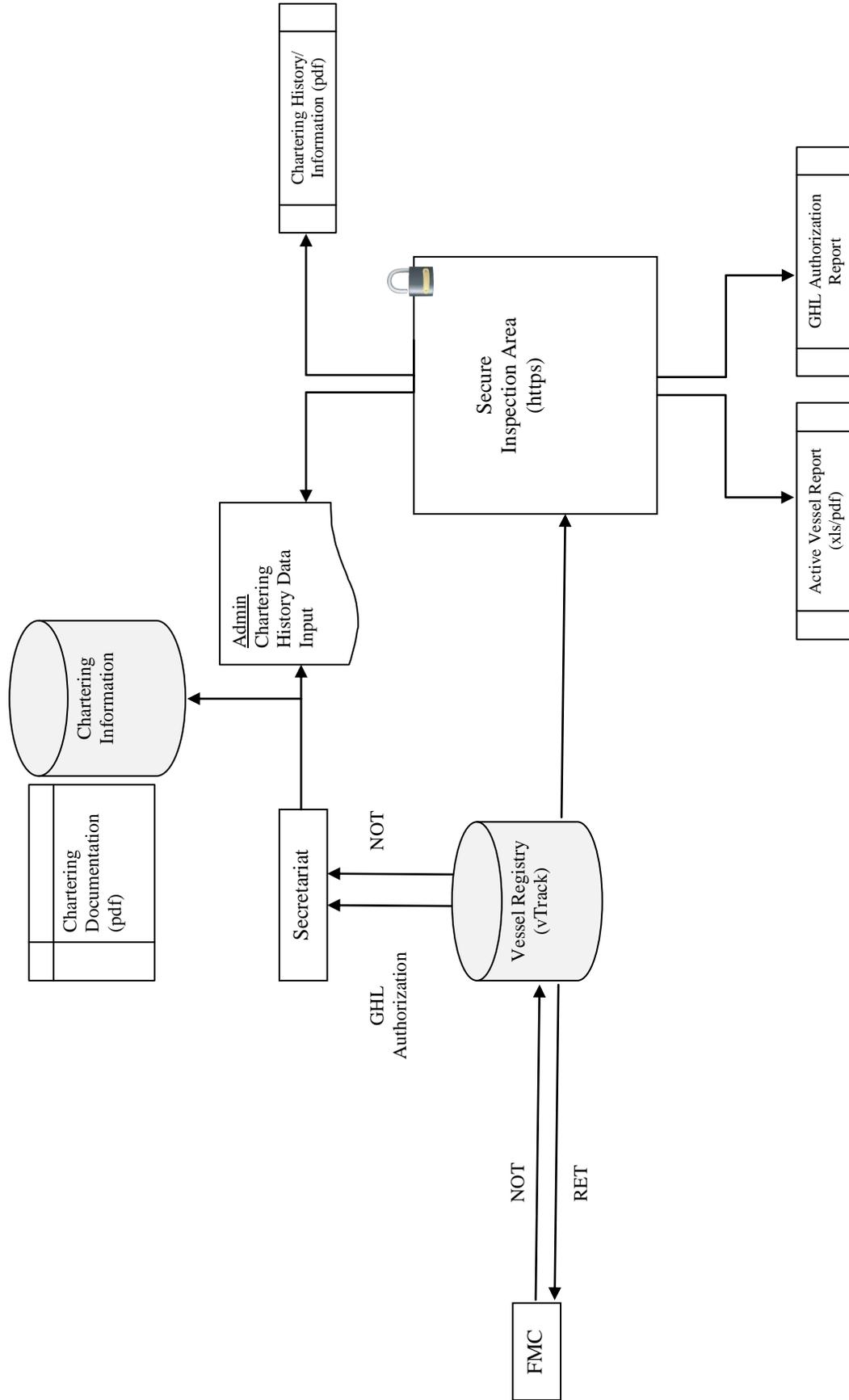
It was agreed that the NAFO Secretariat would develop a work plan with options and cost implications for presentation to STACTIC. We have reviewed the NEAFC Inspectors area in order for us to compare and elaborate what NAFO requirements would be. As this development would take several years to complete we have broken the work down into phases. We have identified Phase 1 as a starting point of the project. Included in the attached pages are:

- the NAFO requirements and comparison
- a Phase 1 workflow and process diagram
- cost estimate

### NAFO Inspectors' Web Area: Requirements and Expected Timeline.

Phase	NAFO Requirements	NEAFC's Web site	NEAFC-NAFO Comparison	Expected Timeline	Est. costs
<b>1</b>	<b>VESSEL REGISTER - Article 20 and OTHER DOCUMENTS</b>				
	List of Active vessels (either derived from VMS records or the Secretariat's database)	A list of notifications of vessels and authorizations. Ability to search, download and print.	This feature is good to have in the same way. (We could possibly expand if needed)	Development and Testing: by May 2012 to be presented at STACTIC Interseasonal.  Start of Implementation: July 2012.	£8360.00 (STACTIC WP 11/7, Revised)
	List of Research vessels -CEM Annex IV.B	Does not have	List of Research vessel information and ability to search.		
	Chartering Arrangements -Article 19.7 & 8 Relevant documentation of a charter arrangement .	Does not have	A database or list to contain relevant documentation of a charter arrangement to have the ability to search, download and print.		
<b>2</b>	<b>Inspection and Surveillance</b>				
	Information of inspection vessels location in order to coordinate activity. Article 30.	Active Inspection presence list	NAFO would need to show the names of inspection vessel, radio call sign, communication information. Possibly show the commencing and terminating of their duties. See Article 30.1 and 2.	Development and Testing: by May 2013 to be presented at STACTIC Interseasonal.  Start of Implementation: July 2013.	£8527.20 (STACTIC WP 11/7, Revised)
	Inspection Report -Annex XI . To have the ability to enter and submit the report electronically and information to go direct into a database. Make the inspection report interactive and able to input the required information to go direct into a database.	Inspections Tracking Reports  NEAFC is able to fill in their inspection reports and submit directly to this site.	NAFO at-sea inspectors to be able to accomplish their own inspection reports directly into a database.		
	An interface to lookup inspections during a selected timeframe. The ability to search the inspection reports and to query the information.	NEAFC has an interface to search for inspection reports	This feature would be good for NAFO to have in the same way.		
<b>3</b>	<b>Port State Measures</b>				
	PSC 1, PSC 2 and PSC 3 forms ability to enter information and have it stored in a database	Under a separate secured area from at-sea Inspectors. NEAFC has PSC forms stored in a database.			
<b>4</b>	<b>Real Time VMS access by Inspectors at Sea</b>				

Phase 1. Workflow and Process Diagram



## **Annex 31. International Monitoring, Control, and Surveillance Network (IMCS Network)**

(STACTIC Working Paper 11/33, Revised)

The Secretariat received a questionnaire from the International Monitoring, Control, and Surveillance Network (IMCS Network). Following consultation with the NAFO President and the STACTIC Chair it was suggested that STACTIC could include this item for discussion and comments regarding the possible involvement of NAFO in the IMCS. The Secretariat has drafted the following responses to the IMCS questionnaire for consideration by STACTIC.

### **1. Would your organization be interested in participating in the Network in some status?**

*Contracting Parties of NAFO have been actively cooperating in fighting IUU fisheries, in particular by exchanging relevant information, in accordance with the existing NAFO rules. NAFO is also engaged in a close collaboration with the other RFMOs on this issue, and is open to extend that collaboration to other organizations concerned. In this context NAFO is interested to further improve international cooperation against IUU fisheries and collaboration with IMCS is considered as a possible way to achieve this.*

*Therefore, NAFO is prepared to consider involvement with IMCS but remains unable to provide any commitment until the status of IMCS is clarified.*

### **2. What form might this participation take, i.e., what activities or exchanges might you see your organization participating in?**

*Sharing of IUU List with other RFMOs. Sharing of other information concerning NAFO MCS measures.*

*NAFO has an IUU list that is shared with other RFMOs particularly the North East Atlantic Fisheries Commission (NEAFC). A non-Contracting Party vessel that has been sighted or by other means identified by a Contracting Party as engaging in fishing activities in the Regulatory Area is presumed to be undermining the effectiveness of the Conservation and Enforcement Measures. A vessel that has been placed on the NEAFC IUU list is presumed to be engaging in fishing activities in the NRA. The NAFO IUU list is posted on NAFO's website that the Network can access at [www.nafo.int/fisheries/fishery/iuu/list.html](http://www.nafo.int/fisheries/fishery/iuu/list.html)*

### **3. Please outline your RFMO's policy for accessing and sharing MCS-relevant information, including any relevant confidentiality policy that pertains to the protection of sensitive information.**

*Under the NAFO Conservation and Enforcement Measures, Annex XIX contains Rules on Confidentiality regarding treatment of electronic reports and messages transmitted pursuant to Articles 26-27 of the NAFO Conservation and Enforcement Measures. At-sea Inspection Reports and Observer Reports are treated with confidentiality. Notwithstanding the secure information described above, there is relevant information available on the NAFO public website such as the Annual Report on Compliance provided by STACTIC. Likewise the proceedings of the Annual meeting of NAFO, including the summaries from the various working groups are available for viewing.*

### **4. Please describe what value and use you believe could be provided to your organization, particularly as related to MCS, from a strengthened relationship with the Network.**

*Through the Network, NAFO can benefit from having more informed background in formulating and implementing MCS measures. Information could also be obtained relevant to trends in IUU fishing outside of the NRA.*

### **5. Please describe what value and use you believe could be provided to the MCS Network from a strengthened working relationship with your RFMO.**

*NAFO developed and is further improving the Annual Compliance Review. This Review was recently considered by Performance Assessment Panel, comprising of both internal and external experts, to be a high level document in comparison with similar efforts of many other fishery organizations.*

*Members of the MCS Network may benefit from this NAFO experience. Similarly information obtained through NAFO may lay the foundation for bilateral and Regional contact information.*

## PART II

### Report of the Standing Committee on International Control (STACTIC)

**33rd Annual Meeting  
Halifax, Nova Scotia, Canada  
September 19-23, 2011**

#### 1. Opening by the Chair, Gene Martin (United States)

The Chair opened the meeting at 1652 hrs on Monday, 19 September 2011, at the Westin Hotel in Halifax, NS Canada. The Chair welcomed representatives from the following Contracting Parties (CPs): Canada, Denmark (in respect of the Faroe Islands and Greenland) (DFG), the European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Norway, the Russian Federation, Japan, the Republic of Korea (Korea), and the United States. The NAFO Secretariat was also in attendance.

In his opening remarks, the Chair outlined the agenda items to be addressed by STACTIC, including possible recommendations resulting from the Performance Review Panel (GC WP 11/2 and FC WP 11/13).

#### 2. Appointment of Rapporteur

*Douglas Christel (US) was appointed Rapporteur.*

#### 3. Adoption of Agenda

Nine additional issues were proposed to be added to the agenda as follows:

- *Provisional Agenda Item 8 was split into two agenda items. Agenda Item 8a discussed ongoing edits and clarifications to the CEM described in STACTIC WPs 11/11, 11/15, 11/21, 11/22, 11/23, and 11/36; Agenda Item 8b discussed further revisions to the CEM to be explored by STACTIC that are of a more substantive nature.*
- *STACTIC WP 11/35 (posting of weekly catch) was added as a new issue for discussion under the existing Agenda Item 9a*
- *STACTIC WP 11/34 (amendments to Chapter 2 of the NAFO Conservation and Enforcement Measures (CEM)) was added as a new issue under the discussion of revisions to the CEM as Agenda Item 9g*
- *STACTIC WP 11/28 (alternative reporting for defective vessel monitoring systems (VMS)) was added as a new issue for discussion as Agenda Item 9h*
- *STACTIC WP 11/29 (reclassifying tampering with or disposing of evidence and falsifying documents as serious infringements) was added as a new issue for discussion as Agenda Item 9i*
- *Four other issues were added for discussion under Other Matters (Agenda Item 12), including (1) Clarifying the application of minimum mesh size requirements for the redfish fishery Area 3M (FC WP 11/9); (2) consideration of NAFO participation in the International Monitoring Control and Surveillance (IMCS) Network (STACTIC WP 11/33); (3) clarifying the relationship of NAFO with the Northeast Atlantic Fisheries Commission's (NEAFC) Advisory Group for Data Communication (AGDC) (STACTIC WP 11/32); and (4) consideration of recommendations from the Performance Review Panel (GC WP 11/2 and FC WP 11/13).*

*The agenda, with the addition of the nine issues listed above, was adopted (Annex 1).*

#### 4. Compliance Review 2010 including review of reports of apparent infringements

The Secretariat prepared a draft compliance report for 2010 based on the template from last year that incorporated revisions and improvements from comments from Contracting Parties (CPs) (STACTIC WPs 11/16 and 11/38). An ad-hoc working group, including representatives from the EU, Canada, and the US, reviewed the 2010 draft compliance report prepared by the Secretariat, and drafted section 6 of the report that summarized basic trends in fishing activities within the NAFO Regulatory Area. This group also ensured that

the 2010 compliance report incorporated suggestions emanating from the May 2011 STACTIC intercessional meeting. The US noted that discussions of compliance with vulnerable marine ecosystem (VME) measures are included in the discussion of the compliance of closed area restrictions, and that a summary of chartering arrangements is presented in FC WP 11/1 REV 2. The Chair asked for comments and questions about the draft compliance report. After a brief discussion, the working group made minor editorial changes resulting in a final draft 2010 compliance review report (STACTIC WP 11/38 (Revised)) that was found acceptable to all CPs.

***STACTIC approved the final draft of the 2010 compliance review report (STACTIC WP 11/38 (Revised)) for submission to the FC.***

## **5. Review and Evaluation of NAFO Practices and Procedures**

Following a recommendation from the May 2011 intercessional meeting, the Secretariat developed a draft web page entitled “NAFO Practices and Procedures” to allow CPs to share information on individual practices and procedures employed to enforce the CEM. The Secretariat presented a draft web page to STACTIC, noting that the infrastructure was ready to post this on the NAFO member page upon approval. CPs indicated that the web page would be very useful as a resource tool. CPs agreed that the contents of the web page should consist of documents sent by CPs to the Secretariat which would be posted without review by STACTIC except on an annual basis as part of this agenda item.

***STACTIC recommends that the FC approve the creation of the “practices and procedures” web page on the NAFO members’ web site, with the understanding that the web page would be reviewed annually.***

Several CPs highlighted the successes of recent joint inspection efforts, and supported promoting further cooperation in future planned patrols. CPs noted that the following patrols involving inspectors from multiple CPs have occurred, or will occur, during 2011:

- US inspectors participated in three patrols aboard Canadian Coast Guard vessels *Leonard J. Cowley* and *Cygnus*
- Inspectors from the EU and the Russian Federation joined two other patrols aboard Canadian Coast Guard vessels
- The U.S. Coast Guard cutter *Willow* conducted a patrol in September involving Canadian inspectors
- The EU-chartered patrol vessel *Tyr* is planning a patrol in October involving a French inspector from St. Pierre et Miquelon and Canadian inspectors
- Joint port inspections were conducted by Canadian inspectors and a French inspector from St. Pierre et Miquelon
- Port inspections involving Canada and the EU observers are planned for later in the fall of 2011

## **6. Review of current IUU list pursuant to NAFO CEM Article 57.3**

Two vessels were removed from the Northeast Atlantic Fisheries Commission (NEAFC) illegal, unregulated, or unreported (IUU) list because they were scrapped (STACTIC WP 11/19). Following a 30-day comment period by CPs as provided for in the NAFO CEM, these two vessels were deleted from the NAFO IUU list because no objections to removing these vessels were raised (GFS/11-177 dated 03 June 2011). There have been no other vessels identified to be included on the IUU list since the last annual meeting. No other issues regarding the NAFO IUU list were raised by CPs during STACTIC discussions at the 2011 NAFO annual meeting.

***STACTIC noted continued improvements in addressing IUU in the NAFO Regulatory Area. At this time, STACTIC did not recommend any further action on issues related to the NAFO IUU list.***

## **7. Inspectors Web Page**

The Secretariat provided an update on the development of a three-phase plan to create and implement an inspectors web page based upon the NEAFC inspectors web page.

This plan was outlined in STACTIC WP 11/7 presented at STACTIC’s May 2011 intercessional meeting. The web page would provide information that could assist with at-sea or port inspection efforts by CPs. The

Secretariat presented cost estimates to develop such a web page as part of STACTIC WP 11/7 (Revised) as requested by STACTIC at the intercessional meeting. The Secretariat stated that phase 1 of the web page would involve a vessel registry and could be ready for testing by May 2012, with implementation by July 2012. The Secretariat confirmed that STACFAD had allocated sufficient funds to cover the costs of the implementation of phase 1 of the inspector's web page.

*STACTIC recommends that the FC approve the creation of the inspector's web page, as outlined in STACTIC WP 11/7 (Revised).*

## **8. Editorial Drafting Group (EDG) of the NAFO CEM**

### **a. Ongoing Edits and Clarifications to the NAFO CEM**

During the past two years, the EDG has been working to comprehensively revise existing NAFO CEM to enhance organization and structure, eliminate redundancy, and clarify existing NAFO measures. The EDG completed a draft of the recommended revisions and circulated it to CPS for review prior to this annual meeting. Based on comments received from other CPs, the Scientific Council, and further work by the EDG, STACTIC WPs 11/21 (a comprehensive set of revisions to the CEM), 11/22 (points of clarification based on comments received from CPs on STACTIC WP 11/21), 11/23 (recommendations by the Scientific Council (SC) to revise existing references within the CEM), and 11/36 (additional editorial modifications to the CEM) were presented to STACTIC for discussion and possible adoption. Following a brief discussion, STACTIC considered and accepted minor revisions to some text proposed within these WPs. The EDG prepared a final WP summarizing all accepted revisions to the CEM for consideration by the FC (STACTIC WP 11/21 (Revised) and STACTIC agreed to forward the WP to the FC for its adoption. CPs indicated their preference to present the WP without editorial comments and notations. However, the EDG reported that it would not be possible to revise the document prior to the end of the annual meeting. The EDG will work with the Secretariat in making the proposed revisions to the NAFO CEM.

The Chair and several CPs joined in expressing their appreciation and congratulations to the EDG for completing STACTIC WP 11/21 Revised, noting that it would significantly improve and enhance the utility of the NAFO CEM.

*STACTIC agreed to forward the STACTIC WP 11/21 (Revised) to the FC for consideration and approval.*

### **b. Further Revisions to the NAFO CEM for Exploration by STACTIC**

Canada presented STACTIC WP 11/37 proposing the need for the continuation of the EDG to make further revisions to the NAFO CEM as part of Phase II to the work conducted by the EDG. Canada included a list of the types of measures that needed further review, including stowage, labeling, bycatch reporting, and inspector interference measures. The EU and other CPs expressed concern that the scope and type of revisions contemplated by STACTIC WP 11/37 may be too broad and beyond the mandate of the original purpose of the EDG and its work. Further, they suggested that the WP did not include the possible revision of some parts of the NAFO CEM identified by the EDG during its work. Concerns were also expressed that the proposed scope of revisions suggested by the WP were more substantive than the more editorial and clarification revisions of STACTIC WP 11/21. Canada clarified that the proposed second phase of work by the EDG would be to identify issues that impede the implementation and effective enforcement NAFO CEM, and to identify possible revisions needed to strengthen the effectiveness of the NAFO CEM and to close loopholes that detract from achieving the objectives and management goals embedded in the CEM. The Chair pointed out that the second phase could also be used to address recommendations of the NAFO performance review panel (GC WP 11/2).

While there was a consensus that exploration of revisions to other measures was necessary, after lengthy discussions, several CPs were concerned that the original mandate of the EDG (FC Doc. 09/21) was not explicit enough to allow the group to continue working on such issues, and that STACTIC WP 11/37 could not be adopted as drafted. EU and Canada agreed to work together to draft general terms of reference for follow-up of editorial redrafting of the NAFO CEM, which was presented in STACTIC WP 11/40. This WP requests that the FC authorize the EDG to continue work with the intent to streamline the issues identified during the initial

review of the NAFO CEM that could not be addressed and propose new measures to address them. It was understood that this follow-up may also entail addressing recommendations of the performance assessment review including those already forwarded to STACTIC by the FC, as reflected in FC WP 11/13.

DFG recommended that a process be established that would ensure that any future revisions to the NAFO CEM would be consistent with the style and format of revised NAFO CEM.

*STACTIC requests that the FC authorize STACTIC to continue the work of the EDG to streamline issues identified during the initial review of the NAFO CEM and propose new measures to address issues identified, including issues raised by the performance assessment review (STACTIC WP 11/40).*

## **9. Possible revisions of the NAFO CEM**

### **a. Discussion points on "Communication of Catches"**

Several issues regarding the communication of catches required by the CEM were discussed based upon proposals submitted by Iceland and the EU in STACTIC in WPs 11/25 (harmonizing field codes for catch reports throughout the CEM), 11/26 (streamlining communication of catch), and 11/35 (weekly posting of catch).

Some CPs were concerned with part of the proposal included in STACTIC WP 11/26, which proposed that a vessel only need an observer for 25 percent of its time in the NAFO Regulatory Area because all vessels and observers would have the capability to submit electronic observer reports and daily catch reports. The US cautioned STACTIC that not all vessels of CPs may be able to comply with mandatory electronic reporting requirements proposed in STACTIC WP 11/26.

Based on concerns raised and the need for modifications of the proposals EU and Iceland submitted, revised versions of STACTIC WPs 11/25 (Revised 2) and 11/26 (Revised 2) were prepared. Of note, STACTIC WP 11/26 (Revised 2) deleted the proposed revision regarding the editorial reference to observer coverage. CPs approved these revised WPs for FC consideration.

*STACTIC recommends that the FC approve changes to the communication of catches, as outlined in STACTIC WPs 11/25 (Revised 2) and 11/26 (Revised 2).*

Under this agenda item, DFG presented STACTIC WP 11/35, which would require the Secretariat to email to CPs updated catch statistics (reported catch, estimated catch not reported, and estimated catch available) for each stock listed in Annex 1.A of the CEM. These updates would be distributed on a weekly basis and would be based on vessel catch reporting requirements outlined in Article 27. Russia noted that they could not agree to this WP until after implementation of a cancel report. Discussion regarding this proposal centered on the utility of this proposal. The EU expressed concern that this proposal would be unduly burdensome on the Secretariat, and noted that not all CPs have the same access to daily catch data as others. Accordingly, Iceland, with the support of the EU, suggested that making daily catch reports available on the proposed inspector's web page (see Agenda Item 7 above) would accomplish DFG's purpose in proposing STACTIC WP 11/35, without unnecessarily burdening the Secretariat. CPs felt that further reflection was needed on this proposal and to postpone further consideration until the next STACTIC meeting.

*STACTIC agreed to postpone further consideration of STACTIC WP 11/35 until the next STACTIC meeting, and suggested that CPs discuss the purpose of this proposal with other CPs.*

### **b. Amendment of Article 15.2**

According to Article 15.2 of the NAFO CEM, all fishing for shrimp within Division 3L must be conducted in depths greater than 200 meters. This article then specifies certain coordinates to apparently reflect the 200 meter depth contour with three coordinates. However, these coordinates did not accurately reflect the 200 meter depth contour for reasons unknown to CPs. DFG states that the current coordinates do not accurately outline the 200 meter depth contour in Division 3L where shrimp fishing can occur. STACTIC WP 11/1, offered by

DFG, proposed to specify different coordinates designed to more accurately outline the 200 meter contour. Following discussions with Canada, the coordinates were further refined such that all coordinates are now outside the 200 meters and better reflect the overall 200 meter contour through STACTIC WP 11/01 Rev 2.

***STACTIC recommends that the FC adopt the proposed revisions to the coordinates outlined in Article 15.2 of the NAFO CEM, as specified in STACTIC WP 11/01 Rev 2.***

#### **c. Modification to Shark Bycatch Reporting Provisions**

The US presented STACTIC WP 11/10 (revised) proposing a revision to Article 27, paragraph 1 (f) which allows the reporting of the total quantity of species amounting to less than 1 ton to be done without specifying the species. The US proposal would change the amount triggering this exception to 100 kg, and would require that shark species in amounts less than 100 kg to be reported by species. This WP, as revised, deleted the prohibition against shark finning that was in the original WP submitted at the intercessional meeting and removed the expanded definition of sharks to include sharks, skates, rays, and chimeras.

Japan suggested adding “to the extent possible” to the proposed text because of the difficulty in identifying shark species. DFG suggested that a generic shark 3-Alpha code could be used instead of a species-specific code when species could not be ascertained. To address the concerns raised by Japan and partially incorporate the suggestion made by DFG, the US revised their proposal to state that when it is not possible to identify shark species, an observer or master must identify species as either large sharks or dogfishes using the applicable existing 3-Alpha code (STACTIC WP 11/10 (Revision 3)). The US also offered to lead the development of a shark species identification guide to facilitate observer identification of shark species and improve the accuracy of shark bycatch data.

***STACTIC recommends that the FC adopt the proposed revisions to the shark bycatch reporting measures of the NAFO CEM in Article 27, as outlined in STACTIC WP 11/10 (Revision 3).***

#### **d. Cancel Message**

At the May 2011 intercessional meeting, STACTIC decided that a Russian proposal to implement a cancel report in the communication of catches (STACTIC W.P. 10/15 Rev) would be referred to the NEAFC’s AGDC for technical review, and that consideration of its adoption would be deferred to this meeting. The Secretariat provided updates on this proposal in STACTIC WPs 11/30 and 11/31. This update indicated that the AGDC agreed that the creation of a cancel message was technically feasible and suggested the format. While most CPs acknowledged the need for cancel messages, several CPs, including the EU and Iceland, opposed allowing the master to submit cancel reports, suggesting that it was the duty of the fishery monitoring center instead. Norway suggested that it might be helpful to explore whether cancel messages are needed for other types of messages. After a short discussion, STACTIC was unable to come to a consensus on the issues raised by CPs at this meeting, and deferred further consideration of the WP until the intercessional meeting.

***STACTIC concluded that further discussion on the proposed cancelation message was necessary, and postponed action until their next intercessional meeting. Russia agreed to develop a revised proposal for consideration at that meeting.***

#### **e. Modification of Annex V.A of NAFO CEM**

Article 2.1 of the NAFO CEM defines “fishing vessel” very broadly to include vessels actively harvesting fish, transshipping fish, or engaging in any other activity related to fishing activities. However, Annex V.A of the NAFO CEM does not specify fishing vessel codes for support vessels, bunker vessels, or other non-fishing vessels. Therefore, Russia proposed to create fishing vessel codes for these types of vessels following the FAO vessel codes, as described in STACTIC WP 11/17. Following a brief discussion, CPs agreed that the proposed codes for other types of fishing vessels were needed.

***STACTIC recommends that the FC adopt changes to Annex V.A of the NAFO CEM, as outlined in STACTIC WP 11/17.***

#### **f. Amendment of Article 27 of NCEM**

Noting the broad definition of fishing vessels as described above, Russia also proposed to clarify that only vessels taking part in catch harvesting or transportation of catch from the fishing areas are required to submit the reports outlined in Article 27.1 (STACTIC WP 11/18).

Although many CPs supported the underlying intent of the proposal to reduce unnecessary reporting requirements, some CPs (Canada, France-in respect of St. Pierre et Miquelon, Norway) were concerned that the proposal, as written, would unintentionally exempt more vessels from reporting requirements than desirable. Norway indicated that it was important to know, for example, which support vessels are operating within the NAFO Regulatory Area. Several CPs, including Canada, Iceland, Korea, and Norway explored ways to exempt particular vessels from specific reports outlined in Article 27.1, particularly the catch report (CAT), and suggested revisions to STACTIC WP 11/18 that would be acceptable while still addressing some of Russia's concerns. Russia prepared a revised proposal (STACTIC WP 11/18 (Revised)) in response to these suggestions. However, despite these efforts, several CPs did not think the revised proposal was specific enough to address their concerns. Consensus could not be reached on this WP.

*STACTIC did not adopt changes proposed in STACTIC WP 11/18 (Revised). It is STACTIC's understanding that Russia may submit a new paper at the next STACTIC intercessional meeting on this issue.*

#### **g. Revisions to Article 18 of the NAFO CEM Regarding Authorization to Fish**

DFG offered STACTIC WP 11/34 with the intent to improve the transparency and effectiveness of inspection. In this proposal, CPs would be required to authorize vessels to fish for specific species in designated areas within the NAFO Regulatory Area, as listed in Annex I.A. This list would be required to be transmitted to the Secretariat in electronic format before 1 January of each year and include the information listed in Annex IV.B for each authorized vessel. The Secretariat would be required to make this vessel registry available to all CPs.

Several CPs were confused as to the intent of this proposal and whether it was redundant with existing authorization requirements. DFG clarified that it was intended to provide more fishery/area-specific information on the authorized operations of a particular vessel to facilitate inspections. The EU observed that such information already exists in the reports submitted when a vessel enters or exits the NAFO Regulatory Area. Norway favored the proposal, stating that it would offer more specific information of a vessel's activity, would not cause an excessive burden on flag states, and would not affect quota management. Canada expressed general support for the proposal, as it would facilitate inspections. Korea offered edits to the text to clarify that CPs are not obligated to authorize any vessel to fish for any species or in any area. A question was also raised about the cost of implementing this proposal. Because of the concerns expressed DFG and CPs agreed to defer further consideration of this WP until the intercessional meeting.

*STACTIC agreed to defer further consideration of this proposal (STACTIC WP 11/34) until the next intercessional meeting. Further, STACTIC requested that the Secretariat explore any costs associated with the additional messaging requirements.*

#### **h. Alternative Reporting for Defective VMS Devices**

Currently, the NAFO CEM requires VMS devices to communicate vessel position at least once per hour. Article 26.5 states that if a VMS device is defective, alternative reports must be submitted at least every six hours. In STACTIC WP 11/28, the EU proposed to reduce the alternative reporting deadline from six hours to four hours. Canada, France, Iceland, Norway, and Russia supported the proposal by the EU, and consensus was reached to accept this proposal.

*STACTIC recommends that the FC approve the alternative reporting requirements for defective VMS units outlined in STACTIC WP 11/28.*

### **i. Reclassifying Tampering with Evidence and Falsifying Documents as Serious Infringements**

In STACTIC WP 11/29, the EU proposed to classify concealing, tampering with, or disposing of evidence related to an investigation, or presenting falsified documents or false information as “serious infringements” under Article 37.1. Korea stated that it was concerned that these infringements did not include an intentionality element and suggested adding language to reflect that these infringements must first be based on intentional wrongdoing. Russia expressed a similar concern. Korea mentioned that without the intentionality element, a master may inadvertently make a mistake on a catch report and be cited for a serious infringement under the EU’s proposal.

The EU preferred not to insert text regarding the intention of a vessel master, stating that a vessel master would always claim that an activity was unintentional to avoid a citation, and that listing the aforementioned activities as serious infringements would help ensure that such activities are minimized. The US, Norway, Canada and others supported the EU, suggesting that inserting references to a master’s intention introduces ambiguity into the NAFO CEM and make it difficult to enforce. Norway cautioned that if STACTIC added reference to a master’s intention for classifying these activities as serious infringements, it is likely that similar additions would be necessary for other activities considered serious infringements.

After considerable discussion, Korea and Russia indicated they could support the proposal regarding paragraph k relating to tampering with evidence and seals, but not paragraph l regarding false information. EU suggested revising paragraph l to specify that providing falsified documents or false information would only be a serious infringement if the activity would prevent a serious infringement from being detected (STACTIC WP 11/29 Revised 2). This revision appeared to address concerns previously expressed by CPs, as no further objections were offered to the proposal, although the Chair recognized that Korea’s and Russia’s reservations would be noted in this report.

***STACTIC recommends that the FC approve reclassifying tampering with evidence and falsifying documents as serious infringements, as outlined in STACTIC WP 11/29 Revision 3.***

### **10. Observers Scheme – NAFO CEM Chapter VII and Article 28**

The EU proposed revising Article 28 and Chapter VII of the NAFO CEM regarding the observer program requirements for participating vessels (STACTIC WP 11/27). The EU contends that the existing observer requirements are very costly to implement, produce very little usable data to control the fishery, and do not contribute to the scientific data used by the Scientific Council. The EU indicated that observer reports are often late and have never been used to identify apparent infringements. Therefore, the EU recommended that the observer program be restructured to more strategically deploy observers in fisheries. They contend that this risk-based approach would more effectively achieve the management objectives of the NAFO CEM.

DFG and Norway supported considering revising the observer program measures in light of the new requirement for daily catch reports and comments from the Scientific Council concerning the utility of observer information (STACTIC WP 11/20), but noted that additional data needs to be collected before a truly risk-based scheme can be employed for distributing observer coverage. Specifically, DFG advocated for the collection of haul-by-haul catch data by both vessel masters and observers to evaluate reporting accuracy. Norway recognized that efforts are underway to move away from traditional observer programs and move toward electronic monitoring techniques. Canada acknowledged Norway’s observations, and suggested that the current observer program could be improved. However, Canada is reluctant to move away from the existing observer program at this time. CPs agreed that the proposal of EU needs further development and consideration. At the suggestion of some CPs, the Chair encouraged CPs to conduct an operational analysis of data collected from current observer requirements and explore whether any changes to current observer program are warranted by the next meeting.

***In light of the discussion described above, STACTIC agreed to further consider the concept of the proposal in STACTIC WP 11/27 at the next intercessional meeting.***

## 11. HTTPS NAF Gateways

At the May 2011 STACTIC intercessional meeting, Norway highlighted challenges when its security certificate expired (STACTIC 11/2). The Secretariat was asked to review current procedures for data communication via HTTPS to determine if existing systems are operating according to accepted best practices. Guidance on appropriate protocols was also sought from the NEAFC's AGDC. The Secretariat's response (STACTIC WP 11/24) highlights a suggested strategy to apply encryption protocols and ensuring that digital certificates correctly identify and validate the party submitting information electronically. Following a brief discussion, all CPs supported implementing the Secretariat's proposal.

*STACTIC recommends that the FC adopt the proposal to improve the security of data communications, as recommends by Secretariat in STACTIC WP 11/24.*

## 12. Other Matters

### a. Clarifying the application of minimum mesh size requirements for the redfish fishery Area 3M

In FC WP 11/9, the FC is considering revising the minimum mesh size for the redfish fishery when using mid-water trawl gear. Russia noted that there are several references to the use of mid-water trawl gear throughout the NAFO CEM. However, there is currently no definition of mid-water trawl gear within Article 2 of the NAFO CEM. If the FC's redfish mesh size proposal is adopted, Russia contends that a definition of mid-water trawl gear would be necessary to help enforce effectively this provision.

Canada agreed that a definition for this gear type is needed, and agreed to help draft of a proposed definition for this gear type which was put forth in STACTIC WP 11/39, as follows:

Mid-water trawl (pelagic trawl) means trawl gear that is designed to fish for, is capable of fishing for, or is being used to fish for pelagic species, no portion of which is designed to be, or is operated in, contact with the bottom at any time. The gear may not include discs, bobbins, or rollers on its footrope, or chafing gear as part of the net.

Japan did not oppose the definition, but suggested eliminating reference to chafing gear in the definition. This suggestion was accepted by Russia and incorporated into STACTIC WP 11/39 (Revision 1). However, the EU disagreed that a definition for this gear type be adopted at this time, noting that it is not the role of STACTIC to provide international definitions of fishing gears. They felt that additional gear definitions to distinguish other gear types would likely also be necessary before deciding on the definition of only mid-water trawl gear. Given that this proposal was only presented for the first time at this meeting and for other reasons noted above, the EU suggested more time is necessary to consider the implications of this proposal. Norway could accept the revised version of the proposal (STACTIC WP 11/39 (Revision 1)), but expressed sympathy to the arguments made by the EU. CPs agreed to defer consideration of mid-water trawl gear to the intercessional meeting.

*STACTIC deferred further consideration of this proposal (STACTIC WP 11/39 (Revision 1)) until the next STACTIC intercessional meeting.*

### b. Consideration of NAFO participation in the IMCS Network

The IMCS Network is a voluntary organization providing an informal way for fisheries monitoring and enforcement experts to cooperate, share experiences, and exchange information to address IUU fishing practices. The IMCS sent a questionnaire to the Secretariat seeking information on NAFO's interest in participating in the IMCS network. The Secretariat prepared draft answers to the IMCS questionnaire for consideration by STACTIC (STACTIC WP 11/33).

After a brief introduction to the IMCS Network by the Chair, CPs reviewed the Secretariat's draft responses to the IMCS questionnaire. CPs expressed general support for NAFO participation in the IMCS Network in some capacity, noting that many individual CPs already send representatives to IMCS workshops. Like other CPs, EU supported the overall concept of the network, but suggested that it is not

clear at this stage how NAFO would derive benefits from participating in the network. The EU highlighted that NAFO has been actively engaged in collaborative efforts to address IUU fishing practices for many years, and has demonstrated that there are many means to address IUU through other collaborative mechanisms. The IMCS Network could offer a means to further improve international collaboration against IUU fisheries. Both the EU and Canada noted that it would be beneficial to express NAFO's interest in participating in IMCS network to reinforce NAFO's commitment to addressing IUU fishing practices. However, the EU recommended some caution before NAFO offers any formal commitment to the IMCS Network and the status of IMCS needs to be clarified before any formal commitments are made. Korea expressed support for the position offered by the EU. CPs were invited to offer edits to the proposed answers to the questionnaire prepared by the Secretariat which were incorporated into STACTIC WP 11/33 (Revised).

*STACTIC recommends that the FC approve the responses to the IMCS Network questionnaire, as presented by the Secretariat in STACTIC WP 11/33 (Revised).*

**c. Clarification of the relationship of NAFO with the NEAFC's AGDC**

NAFO has recently utilized the NEAFC's AGDC, a technical advisory group, to review NAFO initiatives that involve technical issues and data management. In October 2011, the AGDC will update its terms of reference and rules of procedure to give NAFO a more formal role and status in the AGDC. The Secretariat sought STACTIC's input regarding the role of NAFO in the AGDC, the role of NAFO Secretariat participation in the AGDC, the exchange of information between the two groups and the reporting of results, and STACTIC's interest in the AGDC, as outlined by the Secretariat in STACTIC WP 11/32.

STACTIC briefly discussed the questions raised by the Secretariat regarding NAFO roles in the AGDC. The EU emphasized the importance of AGDC to STACTIC, noting that they are the only source of technical advice for electronic data issues. The EU indicated that it was in STACTIC's key interests in work with this group and to be fully integrated into AGDC process. The Chair suggested that STACTIC has an interest in participating in the AGDC to extent necessary. While STACTIC did not address each of the topics identified in STACTIC WP 11/32, the Chair offered to provide further feedback to the Secretariat at a future STACTIC meeting, as necessary.

*STACTIC recommends that the FC approve participation of the NAFO Secretariat in meetings of the AGDC.*

**d. Consideration of Recommendations from the Performance Assessment Review Panel**

The FC requested STACTIC to consider several recommendations specified in FC WP 11/13. STACTIC briefly considered the recommendations of the review panel and agreed to take them up at the intercessional meeting because there was insufficient time to take action on the recommendations at this meeting.

*STACTIC agreed to consider recommendations of the Performance Assessment Review Panel specified in GC WP 11/2 and FC WP 11/13 at STACTIC's next intercessional meeting.*

**e. STACTIC WPs Adopted**

The following WPs have been adopted by STACTIC at the 2011 NAFO Annual Meeting:

<b>STACTIC WP</b>	<b>TITLE</b>
11/01 REV 2	Proposal to Amend Article 15.2
11/7 REV	NAFO inspector's web site
11/10 REV 3	Modifications to Shark By catch reporting
11/14 REV	NAFO CEM - Annex XX c - Product Form Codes (STACTIC May 2011)
11/17	Proposal to improve NCEM – Vessel type
11/21 REV	Proposed Revisions to NAFO's Conservation and Enforcement Measures – Final Product of the Editorial Drafting Group (EDG) (Printed separately)
11/24	Security provisions in NCEM –ISO 27001 Best Practices
11/25 REV 2	Communication of catches – Editorial correspondence for CA,OB,RJ and US field codes – NCEM Annexes X; XXa and XXIIc
11/26 REV 2	Communication of catches - NCEM Chapter VII; Annexes X, XXa, and XXIIc
11/28	Communication in case of defective VMS
11/29 REV 3	Serious infringement
11/33 REV	IMCS Network questionnaire
11/38 REV	Annual Compliance Review 2011
11/40	Follow-up of editorial redrafting of the NCEM by EDG

### **13. Time and Place of Next Meeting**

The Chair reported that the EU has indicated it is willing to host the next meeting of STACTIC in Brussels, Belgium in May 2012. STACTIC will solicit input from CPs as to the best date for the meeting, with the intention of holding a 3-day meeting in close coordination with the meeting of the NEAFC's Permanent Committee Control and Enforcement (PECCOE). Tentative dates of 2-4 May 2012 were proposed by the Chair. Given existing time constraints, it is not possible to host the STACTIC intercessional meeting during the same week.

### **14. Adoption of Report**

STACTIC agreed that the first draft of the meeting report will be completed and circulated for review by the morning of September 22, 2011. Following the review by CPs and the incorporation of edits, the report was adopted on September 22, 2011.

### **15. Adjournment**

Participants expressed thanks to the Chair, Rapporteur, and the Secretariat for the efficient conduct of the meeting. The meeting was adjourned at 1348 hrs on 22 September 2011

**Annex 1. Agenda**

1. Opening by the Chair, Gene Martin (United States)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Compliance Review 2010 including review of reports of apparent infringements
5. Review and Evaluation of NAFO Practices and Procedures
6. Review of current IUU list pursuant to NAFO CEM Article 57.3
7. Inspectors Web Page
8. Editorial Drafting Group of the NAFO CEM (EDG)
  - a) Ongoing Edits and Clarifications to the NAFO CEM
  - b) Further Revisions to the NAFO CEM for Exploration by STACTIC
9. Possible revisions of the NAFO CEM
  - a) Discussion points on "Communication of Catches"
  - b) Amendment of Article 15.2
  - c) Modification to Shark Bycatch Reporting Provisions
  - d) Cancel Message
  - e) Modification of Annex V.A of NCEM
  - f) Amendment of Article 27 of NCEM
  - g) Revisions to Article 18 of the NAFO CEM Regarding Authorization to Fish
  - h) Alternative Reporting for Defective VMS Devices
  - i) Reclassifying Tampering with Evidence and Falsifying Documents as Serious Infringements
10. Observers Scheme – NCEM Chapter VII and Article 28
11. HTTPS NAF Gateways
12. Other Matters
  - a) Clarifying the application of minimum mesh size requirements for the redfish fishery Area 3M
  - b) Consideration of NAFO participation in the IMCS Network
  - c) Clarification of the relationship of NAFO with the NEAFC's AGDC
  - d) Consideration of Recommendations from the Performance Assessment Review Panel
  - e) STACTIC WPs Adopted
13. Time and Place of Next Meeting
14. Adoption of Report
15. Adjournment

**SECTION IV**  
(pages 185 to 202)

**Report of the GC Working Group on the Development of Plans of Action  
for the Implementation of the Recommendations of the  
NAFO Performance Review Panel  
20-22 March 2012  
Halifax, Nova Scotia, Canada**

Report of the GC Working Group on the Development of Plans of Action for the Implementation of the Recommendations of the NAFO Performance Review Panel .....	187
1. Opening .....	187
2. Appointment of Rapporteur .....	187
3. Adoption of Agenda.....	187
4. Prioritization of Performance Review Panel (PRP) Recommendations.....	187
5. Determination of Actions for the Implementation of PRP Recommendations .....	187
6. Working Group Recommendations to be forwarded to the General Council .....	187
7. Other Matters .....	187
8. Adoption of Report .....	188
9. Adjournment .....	188
Annex 1. List of Participants .....	189
Annex 2. Agenda.....	191
Annex 3. Draft Action Plan for the Implementation of the Performance Review Recommendations Concerning Several NAFO Bodies (as approved by the GCWG) .....	192



**Report of the GC Working Group on the Development of Plans of Action for the  
Implementation of the Recommendations of the NAFO Performance Review Panel**  
(GC Doc. 12/1)

**20-22 March 2012  
Halifax, Nova Scotia, Canada**

**1. Opening**

The meeting was opened by the Chair, Veronika Veits, European Union, at 1000 hrs on Tuesday, 20 March 2012 at the Four Points by Sheraton Hotel, in Halifax, NS, Canada. The Chair welcomed representatives from the following Contracting Parties to the meeting: Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Union (EU), Norway, Russian Federation and the United States of America (USA) (Annex1). The Secretariat was in attendance.

**2. Appointment of Rapporteur**

The Executive Secretary, Dr. Vladimir Shibanov, was appointed the rapporteur.

**3. Adoption of Agenda**

The provisional agenda was adopted without change. (Annex 2)

**4. Prioritization of Performance Review Panel (PRP) Recommendations**

Regarding the timeframe in the table, the WG agreed that they be designated as short term (ST) – one to two years, medium term (MT) – two to three years and long term (LT) – more than three years and that the ST in general should be considered high priority items.

The WG also recognized that timing and priority were each unique variables and some high priority issues might take more than a year to accomplish.

It was the understanding of the WG that the recommendations must be approved by the General Council at the Annual Meeting, however the GC may decide to commence work on addressing some particularly urgent recommendations inter-sessionally, such as resolving the catch discrepancy issue identified by the PRP.

**5. Determination of Actions for the Implementation of PRP Recommendations**

The Chair presented GCWG WP 12/1. The WG reviewed the document, and following extensive discussion, refined and developed proposed actions.

**6. Working Group Recommendations to be forwarded to the General Council**

The WG adopted a draft plan of actions to be presented to the General Council for adoption at the Annual Meeting in 2012 (Annex 3).

**7. Other Matters**

Presentation of the GCWG WP 12/2 by the FC Chair (Sylvie Lapointe, Canada)

In accordance with FC decision (FC Doc. 11/38, item 21) the FC Chair presented a draft action plan prepared inter-sessionally. The WG discussed the document. In cases of Panel recommendations addressed to FC which overlapped with the recommendations addressed by this WG it was agreed that the text should be consistent between both documents.

### **8. Adoption of Report**

The report was adopted by the WG at the conclusion of the Meeting.

### **9. Adjournment**

The meeting was adjourned on 22 March 2012, at 1055 hrs. The Chair thanked the participants for a successful meeting and thanked the Secretariat for their excellent assistance.

## Annex 1. List of Participants

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**Annex 2. Agenda**

1. Opening by the Chair, NAFO President (Veronika Veits, EU)
2. Appointment of Rapporteur
3. Adoption of the Agenda
4. Prioritization of Performance Review Panel (PRP) Recommendations
5. Determination of Actions for the implementation of PRP recommendations
6. Recommendations to be forwarded to the General Council
7. Other Matters
8. Adoption of Report
9. Adjournment

**Annex 3. Draft Action Plan for the Implementation of the Performance Review Recommendations  
Concerning Several NAFO Bodies (as approved by the GC WG)**

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
<b>1</b> <b>Chapter 3,</b> <b>3.2.5</b> <b>#2, p. 22</b> <b>Also</b> <b>Chapter 4,</b> <b>4.8</b> <b>#1, p. 114</b>	Urges NAFO to consider policy measures to bolster its commitment to ensuring the compatibility of measures adopted for the conservation and management of straddling stocks within the Convention Area. Consideration should also be given to clarifying the respective responsibilities of the coastal State and the Fisheries Commission in coordinating their respective measures and actions, so as to ensure that compatibility.		✓				✓	The WG recommends that: <ul style="list-style-type: none"> <li>FC clarify the requirement laid down in Article XI.3 (1978 Convention) with regard to the scope and deadline for coastal State reporting.</li> <li>FC develop mechanisms for the application of Article VI.11 of the 2007 NAFO Amended Convention which ensure consistency of measures adopted for the conservation and management of straddling stocks within the Convention Area following the Amended Convention's entry into force.</li> </ul>
<b>2</b> <b>Chapter 3,</b> <b>3.2.13</b> <b>#1, p. 43</b>	Notes that the provisions addressed in Part VII of the UNFSA have not been taken into account in the 2007 NAFO Amended Convention. While recognizing that this has not been an issue for NAFO, NAFO should, as appropriate, take into account the special requirements of developing States, in accordance with relevant international instruments, including UNFSA. It is suggested that the General Council may wish to further reflect on the matter.	✓						LT  The WG recommends that the GC keep this issue under review and consider developing mechanisms, as appropriate, to assist any developing State Contracting Party to participate fully in NAFO.
<b>3</b> <b>Chapter 3,</b> <b>3.2.13</b> <b>#1, p. 42</b>	Encourages NAFO to continue developing, strengthening and enhancing cooperation with other RFMOs and international organizations where appropriate.	✓						ST  The WG recommends to GC to continue developing and strengthening cooperation with other RFMOs and international organizations in line with Article XVII of the NAFO amended convention. <i>See also recommendation 4</i>

<sup>1</sup> ST: short term or high priority (1-2 years)

MT: medium term or medium priority (2-3 years)

LT: long term or lower priority (beyond 3 years)

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
4 Chapter 6, 6.3 #1, p. 132	Encourages NAFO to continue developing cooperative relationships with other RFMO/As and International Organizations, as appropriate, to achieve its objectives and facilitate its work.	✓	✓	✓			ST	<i>See recommendation 3</i>
5 Chapter 4, 4.4.1 #3, p. 86	Notes that high priority should be given to encouraging the timely submission of data essential for stock assessment purposes. The PRP therefore urges Contracting Parties to ensure the accuracy of the data and information collected and the timeliness their submission to NAFO. In this regard, the potential introduction of sanctions for data submission infringements, including the denial or reduction of fishing opportunities until outstanding data submissions are supplied, should be considered.	✓	✓			✓	ST	The WG urges CPs to comply with data submission obligations in terms of timing and quality. (ST) The WG recommends that: (MT)
4.4.1 #7, 8 & 9 p. 87							MT	• The Secretariat compile a comprehensive overview of the various data reporting requirements (e.g. who, what, when);
							MT	• FC assess the overall submission of data and identify problem areas (e.g. type of data, nature of shortcoming, scope – i.e. one CP or broad); and
							MT	• FC consider options to address gaps including a system of monitoring compliance with data submission obligations and introducing sanctions if appropriate. <i>See also recommendation 6</i>
6 Chapter 5, 5.1 #4, p. 119	The timeliness and quality of data submitted by Contracting Parties		✓			✓	ST	<i>See recommendation 5</i>
7 Chapter 4, 4.4.3 #5, p. 92	Careful consideration should be given to developing and consolidating NAFO fishery resources data-access and utilization rules. These should take into consideration intellectual property rights related to scientific analyses as well as industrial confidentiality provisions to be attached to certain categories of data (e.g. detailed fishing location).		✓	✓		✓	ST	The WG recommends that: • FC, possibly upon input from the SC/STACREC, develops and consolidates rules to facilitate access and utilization of data hosted by the Secretariat including in particular, VMS data, for scientific

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
								<p>purposes;</p> <ul style="list-style-type: none"> <li>FC encourages the SC to use VMS data for preparation of advice</li> <li>FC strengthens rules on secure and confidential treatment of data taking into consideration intellectual property rights and commercial sensitivity of information taking into account experiences in other RFMOs.</li> </ul> <p><i>See also recommendations 8 and 9</i></p>
<b>8</b> <b>Chapter 4,</b> <b>4.4.1 #6</b> <b>p. 87</b>	The PRP noted the potential utility of VMS information in verifying stock assessment input data. It suggested that this potential should be further investigated and, in particular, possible rules should be considered to govern the use of VMS data. Such rules would be in the interests of reaching a common understanding on how and why VMS data should be used as well as on avoiding overly-restrictive usage conditions.		✓	✓			MT	<i>See recommendation 7</i>
<b>9</b> <b>Chapter 4,</b> <b>4.4.3</b> <b>#2, p. 91</b>	From the information available, the PRP noted that it was largely unable to determine to what extent Contracting Parties directly share fishing and research vessel data. However, the manner in which such data are used by the Scientific Council for assessment purposes strongly suggests close and significant sharing/ exchanging of such data by the NAFO body corporate.			✓		✓	ST	<i>See recommendation 7</i>
<b>10</b> <b>Chapter 4,</b> <b>4.4.2 3 &amp; 4</b> <b>p. 90</b>	Encourages NAFO to continue to address the data requirements attached to implementation of UNGA Resolution 61/105, with some urgency.  All efforts should be expended to encourage the timely submission of marine living resources information to expedite the comprehensive collection of essential data to improve		✓	✓		✓	MT	<p>Taking into account the progress made in 2011 the WG recommends that:</p> <ul style="list-style-type: none"> <li>FC, upon recommendation of the SC and the FC WGFMS-VME, reviews data requirements for the implementation of UNGA Resolution 61/105 on a regular basis and at the latest in 2014 as foreseen</li> </ul>

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
	knowledge of the benthos, and benthic environment, in the NAFO Convention Area as a whole.							by NAFO CEM (Article 21), once the information from the NEREIDA project is available (MT);  In addition the WG urges CPs to comply with reporting requirements as laid down in Chapter II of NAFO CEM (ST).
<b>11</b> <b>Chapter 4,</b> <b>4.2.2</b> <b>#1, p. 74</b>	Suggests that NAFO consider enhancing its application of risk-based assessment approaches (e.g. the Greenland Halibut Management Strategy Evaluation and Kobe Matrix) when evaluating management strategies.		✓	✓			MT	The WG recommends that the FC mandates the FC WGFMS-CPRS to consider the broader use of the PA framework, extension of management strategy evaluation and/or other risk-based management approaches (e.g. Kobe matrix) including conservation plans and rebuilding strategies, as appropriate.  <i>See also recommendation 12</i>
<b>12</b> <b>Chapter 4,</b> <b>4.6.6</b> <b>#3, p. 110</b>	Encourages NAFO to broaden consideration of MSE-type approaches to managing other fisheries for which it is responsible.		✓	✓			MT	<i>See recommendation 11</i>
<b>13</b> <b>Chapter 4,</b> <b>4.2.3</b> <b>#5 &amp; 3</b> <b>4.2.4</b> <b>#1, p. 76</b>	Encourages NAFO to consolidate its policy to address ecosystem management considerations, including by compiling the information necessary for evaluating trends in the status of dependent, related and associated species specifically. A consolidated list of bycatch species, for instance, should be included in the NCEM to assist monitoring of bycatch during directed fishing.		✓	✓			MT	The WG recommends that:  • SC prepares recommendations on how to implement the next steps of the Roadmap for Developing an Ecosystem Approach to Fisheries for NAFO based on its ToR and in line with the recommendations of the Performance Review Report and that it examines the application of the Ecosystem Approach to Fisheries in other RFMOs to that end;  • SC consider the usefulness and practicability of identifying the different types of ecosystems present in the NAFO

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
							<p>area;</p> <ul style="list-style-type: none"> <li>• SC continues to take into account environmental factors impacting on NAFO fisheries;</li> <li>• FC and SC jointly develop the definition of bycatch, compile a consolidated list of the main relevant bycatch species (commercial, non-commercial, targeted, non-targeted, VMEs, ...) and consider the issue of bycatches in the framework of conservation plans and rebuilding strategies, management plans and other management measures; (ST)</li> <li>• The SC, as appropriate, adjusts the data collection requirements to include the information necessary for evaluating trends in the status of dependent, related and associated species to address ecosystem management considerations.</li> </ul> <p><i>See also recommendations 14, 15 and 16</i></p>	
<b>14</b> <b>Chapter 4,</b> <b>4.3</b> <b>#6, p. 81</b>	<p>Recommends that NAFO consider augmenting its efforts to implement a more EAF friendly management approach as well as to embrace the PAF more widely. If bycatch continues to be a problem, then NAFO ecosystem-based management and its EAF may fall short of best practice.</p>		✓	✓			<p>MT</p> <p><i>See recommendation 13</i></p>	
<b>15</b> <b>Chapter 4,</b> <b>4.3</b> <b>#7, p. 81</b>	<p>Strongly encourages the development, and consolidation, of the Scientific Council's EAF Roadmap. It also encourages NAFO as a whole to give strategic consideration as to how the Roadmap may assume a more holistic focus so that it addresses ecosystem components more widely, not just those for harvested, or associated, species alone. In these terms, NAFO should focus on the sustainable use of the entire</p>		✓	✓			<p>MT</p> <p><i>See recommendation 13</i></p>	

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
	ecosystem for which it is responsible rather than just fishery-target species.							
<b>16</b>  <b>Chapter 4,</b> <b>4.6.2</b> <b>#5, p. 97</b>	Endorses NAFO's continuing execution of its customary (target species-directed) management requirements and assessments for the stocks that it manages. It should also strive to address new challenges associated with further development of the EAF (Section 4.3) and increased formalization of the PAF (Section 4.6.2) etc. The use of standardized, well-understood and scientifically robust approaches must continue while the needs of fishery-directed and broader ecosystem management should remain balanced.		✓	✓			MT	<i>See recommendation 13</i>
<b>17</b>  <b>Chapter 4,</b> <b>4.6.3 #3</b> <b>p. 107</b>	Encourages NAFO to review the Exploratory Fisheries Protocol with a view to developing a strategic framework for conservation and management measures for all potential new and exploratory fisheries. In this respect, NAFO may wish to take account of the way in which CCAMLR has approached the issue in terms of developing a unified regulatory framework.		✓	✓			MT	The WG recommends that, the FC mandates the WGFMS-VME to review the Exploratory Fisheries Protocol with a view to developing a strategic framework for conservation and management measures for all potential new and exploratory fisheries.
<b>18</b>  <b>Chapter 4,</b> <b>4.6.4</b> <b>#2, 3 &amp; 4</b> <b>p. 108</b>	Recognizes that a NAFO strategic imperative should be to articulate a specific plan aimed at developing ways to conserve biodiversity. NAFO, in general, and the Scientific Council in particular, are also encouraged to formally determine the potential effects that areas closed to fishing are likely to exert in terms of affecting fishing, protecting habitats and conserving biodiversity in the NAFO Convention Area.		✓	✓	✓		LT	Taking into account the recommendations on the Ecosystem Approach and the mandate of the 2007 NAFO amended Convention, the WG recommends that the FC mandates the WGFMS-VME to analyse, based on an overview provided by the Secretariat, the way other RFMOs address the need to conserve biodiversity as a basis for discussions in the FC on a possible strategy for biodiversity. <i>See recommendation 19</i>
<b>19</b>  <b>Chapter 4,</b> <b>4.6.4</b> <b>#2, p. 108</b>	NAFO's efforts to address potential threats to biodiversity in the Convention Area are largely linked to the management of relevant fisheries and their likely impacts. In this respect, NAFO has not articulated any specific plans aimed at developing ways to conserve biodiversity. The PRP sees the development of such plans as a strategic imperative for		✓	✓			MT	<i>See recommendation 18</i>

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
	NAFO.							
<b>20</b> <b>Chapter 4,</b> <b>4.6.4</b> <b>#3, p. 108</b>	The PRP notes that NAFO has not yet attempted to formally determine the potential effects that areas closed to fishing are likely to exert in terms of affecting fishing, protecting habitats and conserving biodiversity in the Convention Area. NAFO in general, and the Scientific Council in particular, are encouraged to consider such matters.		✓				LT	<i>See recommendations 19 and 21</i>
<b>21</b> <b>Chapter 4,</b> <b>4.6.4</b> <b>#4, p. 108</b>	Encourages NAFO to consider whether activities other than fishing in the NAFO Convention Area may impact the stocks and fisheries for which NAFO is responsible as well as biodiversity in the NAFO Regulatory Area. Such activities might include oil exploration, shipping and recreational activities.		✓				LT	The WG recommends that the FC considers the need to gather information on activities other than fishing that may impact the stocks and fisheries in the NAFO Area.  <i>See also recommendation 20</i>
<b>22</b> <b>Chapter 4,</b> <b>4.7</b> <b>#2, p. 112</b>	Urges the Fisheries Commission to further consider how the management of fishing, particularly of excess capacity, may augment stock sustainability and the meeting of the Convention's objectives.		✓				MT	The WG recommends that the FC continues to examine the need for effort/capacity management measures to ensure that effort is commensurate with available resources.
<b>23</b> <b>Chapter 4,</b> <b>4.3</b> <b>#9, p. 81</b> <b>and</b> <b>4.6.5</b> <b>#2, p. 109</b>	Urges NAFO to deal with lost or abandoned fishing gear in a more consistent manner. It should also consider efforts to introduce management measures to deal more widely with environmental protection issues (e.g. pollution, discarding of packaging bands etc.) likely to arise from fishing activities in the NAFO Convention Area.		✓				ST	The WG recommends that the FC, following advice from STACTIC, considers establishing rules for retrieving lost gear and adopting management measures to deal with environmental pollution, in particular to minimise waste and garbage.
<b>24</b> <b>Chapter 4,</b> <b>4.4.1</b> <b>#4, p. 87</b>	Recommends that the Fisheries Commission and the Scientific Council promptly resolve any discrepancies between STATLANT 21A catch estimates and those of STACFIS, if possible, or at least provide some guidance on how they arise, including underlying assumptions made and/or consequences anticipated.	✓	✓	✓			ST	The WG recommends that GC submits the issue of catch discrepancy between STATLANT 21A catch estimates and those of STACFIS to an external peer review process.

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
25 Chapter 4, 4.5 #1, p. 96	<p>Consideration should be given on how dialogue between the Scientific Council and the Fisheries Commission could be strengthened, while still maintaining the intended 'philosophical' separation between them. The content of any such dialogue should be considered in terms of providing both groups with the best information available so that decisions, or actions, are based on interpretable, unambiguous and informed understanding. The detailed recommendations below outline two possible areas to be considered in the interests of improving the use of the Scientific Council's advice by the Fisheries Commission.</p> <p>These include:</p> <p>Tabular presentation of key management decisions to be taken rather than decisions being obscured in other documentation. This would serve as a 'targetted framework' and could extend the use of standardized management procedures by providing more risk-based, or risk-determined scientific advice.</p> <p>Developing consolidated descriptions of the scientific approaches models and underlying assumptions used by the Scientific Council. This could be in the form of a users' manual outlining, with attached lay explanations, the various assessment being undertaken.</p>		✓	✓			<p>The WG recommends that:</p> <ul style="list-style-type: none"> <li>FC considers more regular inter-session meetings between managers and scientists for issues requiring discussion (e.g via WebEx or teleconference),</li> <li>a joint meeting of the FC and SC be held at the upcoming Annual Meeting or as soon as possible thereafter, to discuss the appropriate means to address, amongst other issues, broader implementation of the PAF, updating the framework for provision of advice, updating the template for the presentation of advice and recommendations, and the improvement of the process to develop questions to the SC.</li> <li>FC develop a framework for the presentation of key management decisions.</li> </ul>	
26 Chapter 4, 4.5 #7, p. 98	<p>Suggests that NAFO as a whole may wish to reflect on the use, and allocation, of its scientific capacity from time-to-time, although the burden of scientific input appears to be shared by all NAFO Contracting Parties in proportion to their respective fishery activities.</p>		✓	✓		✓	<p>The WG recommends the FC and SC analyse the availability of and the need for scientific capacity and identifies possibilities to extend scientific expertise by specific schemes (e.g. scholarship, meeting participation fund, etc).</p> <p>The Working Group recommends that:</p> <ul style="list-style-type: none"> <li>STACTIC continues to identify ways to ensure equitable sharing between Contracting Parties of inspection coverage as launched at the 2003 Annual Meeting, and that,</li> <li>CPs cooperate in the deployment of</li> </ul>	
27 Chapter 5, 5.1 #4, p. 119	<p>Notes that there is a need to further address the issues of equitable sharing between Contracting Parties of inspection coverage (and/or related costs - as was suggested at the 2003 Annual Meeting).</p>		✓			✓	<p>The WG recommends the FC and SC analyse the availability of and the need for scientific capacity and identifies possibilities to extend scientific expertise by specific schemes (e.g. scholarship, meeting participation fund, etc).</p> <p>The Working Group recommends that:</p> <ul style="list-style-type: none"> <li>STACTIC continues to identify ways to ensure equitable sharing between Contracting Parties of inspection coverage as launched at the 2003 Annual Meeting, and that,</li> <li>CPs cooperate in the deployment of</li> </ul>	

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
	There is also a need to address the timely and effective follow-up of infringements.		✓					inspectors and the coordination of areas and vessels to be inspected. The WG encourages CPs to follow-up timely and effectively on infringements and to report regularly on the action taken as foreseen by Article 37 of NCEM. <i>See recommendation 28</i> <i>See recommendation 27</i>
<b>28</b> <b>Chapter 5,</b> <b>5.4</b> <b>#1, p. 126</b>	Urges that the quality and timeliness of Contracting Party infringement follow-up reporting be improved so that Contracting Parties better meet their obligations under the Convention and NCEM. In this respect, the situation where reports are only available for 12 out of 88 citations between 2006 and 2010 is not only unsatisfactory, but should be urgently addressed.* * It was noticed that the Panel has inadvertently taken the statistics in an opposite context. Actually, 12 citations did not have follow-up reports on infringement, i.e. 76 out 88 have follow-up reports.		✓			✓	ST	
<b>29</b> <b>Chapter 5,</b> <b>5.2</b> <b>#4 &amp; 5,</b> <b>p. 121</b> <b>Also 3.2.8</b> <b>#2, p. 27</b>	Recommends further harmonization of relevant NAFO rules with applicable provisions of the FAO Port States Measures Agreement. Considering that NEAFC is currently undertaking similar work, the PRP suggests that the NEAFC experience in this regard be taken into account by NAFO. To the extent possible, NAFO should also cooperate with other RFMOs to enhance the efficiency of its Port State Measures.	✓	✓				ST	The WG recommends that: • STACTIC assess the consistency of NAFO CEM with the FAO PSM Agreement, and develop any necessary amendments, taking into account PSM measures adopted by NEAFC as appropriate. • FC should cooperate with other RFMOs to enhance the efficiency of its PSM.
<b>30</b> <b>Chapter 5,</b> <b>5.5</b> <b>#3, p. 128</b>	Encourages NAFO to continue to cooperate with other RFMOs in the establishment and dissemination of the NAFO IUU fishing vessel list.	✓	✓				ST	The WG notes that NAFO cooperates with NEAFC on compatible IUU lists and exchanges information with CCAMLR and SEAFO. WG encourages the continuation of this cooperation, extending it to other RFMOs as necessary and appropriate. If necessary, Article 51.6 of the NAFO CEM may be amended to this end.

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
31 Chapter 5, 5.5 #4 & 5 p. 128	Encourages Contracting Parties to further consider possible improvements to NAFO trade or market-related measures, in accordance with the requirements of international law. In the PRP's view this is crucial for the prevention, deterrence and elimination of IUU fishing in the NAFO Regulatory Area. To the extent possible, NAFO efforts for trade related measures should take into consideration similar measures being implemented elsewhere.		✓			✓	MT	The WG recommends the FC consider trade related measures, including considering approaches in other RFMOs.
32 Chapter 7, 7.1 #5, p. 140	Urges NAFO to apply the provision contained in Article XVI of the 1978 Convention, whereby a Contracting Party which has not paid its contributions for two consecutive years, shall not enjoy the right of casting votes and presenting objections until it has fulfilled its obligations.	✓				✓	ST	The WG considers this recommendation implemented, and recommends that the GC continue to apply the provision contained in Article XVI of the 1978 Convention whereby a Contracting Party which has not paid its contributions for two consecutive years, shall not enjoy the right of casting votes and presenting objections until it has fulfilled its obligations, when necessary.
33 Chapter 7, 7.1 #9, p. 140	Notes that although reimbursement of the budget surplus in one year to the following year's contributions is in keeping with many other international organizations, consideration should be given to withholding any reimbursement of budget surplus amounts to Contracting Parties which are in arrears of their full contributions.	✓				✓	MT	The WG recommends that the GC requests STACFAD to consider amending Rule 4.6 of the NAFO Financial Regulations
34 Chapter 7, 7.5 #2, p. 148	Highlights the point that, reports should be as succinct as possible and confined to matters of substance only to improve documentation of meeting outcomes. Technical details can be provided in appendices and as far as possible reports should represent a distillation of collective views, unless otherwise decided for controversial/high priority subjects. Executive summaries of key conclusions and decisions should be provided if possible.	✓	✓	✓		✓	ST	The WG recommends that all NAFO bodies strive for clear and succinct reporting as recommended by the review panel and that the Secretariat provides proper guidance to rapporteurs and Chairs to that end.
35 Chapter 4, 4.9	If the situation should evolve, the PRP suggests that the above Resolution conditions may need to be reviewed in respect of NAFO addressing all the explicit provisions of UNFSA Article 11 that need to be taken into account when allocating		✓				LT	The WG recommends that NAFO reconsider previous work undertaken by the Working Group on the Allocation of Fishing Rights to Contracting Parties of NAFO and review the

Number/ PA Report Chapter	Recommendations	NAFO body responsible					Priority <sup>1</sup>	Proposed way forward
		GC	FC	SC	SECR	CPs		
#3, p. 115	fishing opportunities to new Members.							Resolution to Guide the Expectations of Future New Members with Regard to Fishing Opportunities in the NAFO Regulatory Area (NAFO GC Doc. 99/8), should new members join the organization or new fisheries come under NAFO management.

**SECTION V**  
(pages 203 to 227)

**Report of the Standing Committee on International Control (STACTIC)**  
**2-4 May 2012**  
**Brussels, Belgium**

Report of the Standing Committee on International Control (STACTIC).....	205
1. Opening by the Chair, Gene Martin (USA) .....	205
2. Appointment of Rapporteur .....	205
3. Adoption of Agenda.....	205
4. Consideration of Recommendations from the Performance Assessment Review Panel.....	205
5. Compilation of fisheries reports for compliance review (2004-2011), including review of Apparent Infringements .....	206
6. Review and evaluation of Practices and Procedures .....	206
7. Review of current IUU List pursuant to NAFO CEM Article 51.3 .....	207
8. Half-year review of the implementation of new NCEM measures .....	207
9. Inspectors Web Page.....	207
10. Issues arising from the Editorial Drafting Group of the NAFO CEM (EDG) .....	207
11. Possible revisions of the NAFO CEM .....	208
12. Advisory Group on Data Communication (AGDC) Update .....	211
13. NAFO VMS .....	212
14. Role of STACTIC in the evaluation and interpretation of VME-related provisions in the CEM.....	212
15. Other matters.....	212
16. Time and Place of next meeting.....	213
17. Adoption of Report .....	213
18. Adjournment .....	213
Annex 1. List of Participants .....	214
Annex 2. Agenda.....	218
Annex 3. NAFO 2011 Fisheries Profile and Trends.....	219
Annex 4. EDG presentation.....	226



**Report of the Standing Committee on International Control (STACTIC)**  
(FC Doc. 12/2)

**2-4 May 2012**  
**Brussels, Belgium**

**1. Opening by the Chair, Gene Martin (USA)**

The Chair opened the meeting at 1005 hrs on Wednesday, 2 May 2012 at the Centre Albert Borschette in Brussels, Belgium. The Chair thanked the EU for hosting the meeting and welcomed the representatives for the following Contracting Parties (CPs): Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Union (EU), France (in respect of St. Pierre and Miquelon), Iceland, Japan, Norway, the Russian Federation and the United States. A representative of the NEAFC Secretariat was also in attendance as an observer. (Annex 1)

**2. Appointment of Rapporteur**

Amy Williams (Canada) was appointed rapporteur.

**3. Adoption of Agenda**

The following changes were made to the agenda:

1. The Secretariat requested that two items be added to agenda item #15:
  - a. Should NAFO become a member of the International Monitoring Control and Surveillance Network?
  - b. Should NAFO become a sponsor of the International Fisheries Observer and Monitoring Conference?
2. Russia requested that the following items (and related working papers) be removed from the agenda:
  - a. Fishing vessels communicating VMS hail reports (agenda item 11.b.ii)
  - b. "Cancel" message (agenda item 11.c)
3. The EU requested that STACTIC WP 12/6 (withdrawal report) be added to discussion under 11a: authorization to fish due to overlap.
4. The EU requested time to present an IT application designed to improve port inspections under the "Review of Practices and Procedures" (agenda item #6)
5. The EU requested time to give a presentation on electronic reporting system under the agenda item on the "Advisory Group on Data Communication" (agenda item #12)
6. Canada requested to table four papers previously discussed at the 2011 intersessional under agenda item #11.
7. Canada requested that STACTIC have an introductory discussion on the standardization of conversion factors under agenda item # 15.

*These changes were agreed to and the agenda was modified accordingly. (Annex 2)*

**4. Consideration of Recommendations from the Performance Assessment Review Panel**

The Fisheries Commission in FC WP 11/13 identified three items that STACTIC was to provide recommendations on:

1. With respect to the incorporation of the FAO Port State Measures Agreement into the NCEMs, Iceland pointed out that NEAFC is already doing this work. It was noted that an ad hoc working group on port state control under PECCOE intend to have a recommendation on this issue made at the annual meeting in November. In order to facilitate STACTIC's work, NEAFC have shared an analysis document that they created, and in addition NEAFC will, if possible, keep NAFO informed of progress on this issue.

*It was agreed that STACTIC should wait for that work to be completed to benefit from their work undertaken and facilitate a common approach within both NAFO and NEAFC.*

2. With respect to standardizing the methods for recording shark weight, many CPs support using green/live weight only: however Japan noted that other RFMOs have regulations on shark finning that we could learn from.

*It was agreed that the Secretariat compile this information for further discussion at the annual meeting in September.*

3. With respect to product labelling, Canada pointed out that this relates to other issues that impact traceability and compliance monitoring. Given that, Canada agreed to reflect this recommendation in the new working papers that they would present under agenda item 11.

*After discussion of STACTIC WP 12/18 presented by Canada, it was agreed to defer this item and Canada's proposal until the annual meeting in September.*

It was also raised that there were new recommendations brought forward in March in the meeting of the Working Group on Performance Review that related to STACTIC, however, the Chair clarified that STACTIC will not consider these until they have been officially assigned by the Fisheries Commission.

#### **5. Compilation of fisheries reports for compliance review (2004-2011), including review of Apparent Infringements**

The Secretariat provided a presentation on NAFO compliance profiles and trends from 2004 – 2011 and preliminary results from the report on apparent infringements (Annex 3).

Based on the compilation, the Secretariat highlighted the following issues:

- COE is the only report where directed species are indicated. When vessels indicate numerous species as directed in the COE report, it presents difficulties in assigning fishery activity.
- If port reports are not submitted, the Secretariat does not know if it is a compliance issue or if a port inspection was not required.
- Reporting follow-up action on apparent infringements must be improved.

In addition, CPs raised the following concerns that were highlighted by the compilation report:

- Some discrepancies in landings versus what is on board may be due to partial offloads, not because there is a compliance issue. Canada committed to prepare a new working paper suggesting that a new 'check box' be added to the port inspection form to clarify this issue.
- There is concern with the limited information in the report (table C6) on actions taken with respect to apparent infringements. CPs expressed preference for more detailed account on follow-up on apparent infringements.
- Some CPs expressed preference for more detailed account for every landing; however the EU questioned the nature of table 1 and the use of partial landing for compliance evaluation.
- Canada expressed concern that most of the citations of 2011 have been closed without any significant consequence and without effective and strong deterrents these measures will be ineffective.

*The Chair requested that CPs reflect on what items should be included in a follow-up report and perhaps develop a proposal to that effect for the September annual meeting.*

#### **6. Review and evaluation of NAFO Practices and Procedures**

This is a new standing item to be discussed as necessary, and it provides an opportunity for CPs to present on domestic practices and procedures that they may wish to share with other CPs.

The EU gave a presentation on "Weighing Application for NAFO Port Inspections". The objective of the application

is to increase efficiency of port inspection and make the inspection framework within NAFO more cost effective. Although the application was developed for NAFO, it could be adapted for use anywhere. EU called for cooperation of other CPs and the NAFO Secretariat in testing and improving this application, which will be made available on the Practices and Procedures page of the NAFO members' site for any other CPs that would like to use it or make improvements to it. In addition, the EU noted that they have a various check-lists that they will provide for posting on the website.

### **7. Review of IUU List pursuant to NAFO CEM Article 51.3**

The Secretariat presented STACTIC Working Paper 12/7. This list was last reviewed at the Annual Meeting in September and no changes have been made since that point. All information is available on the website.

The EU expressed discomfort that vessels that are known to be inactive have not been removed from the list and that it is uncertain how such vessels should be removed. The Chair reminded participants that new criteria for delisting vessels were adopted last year (51.3.e) that puts the onus on CPs to provide sufficient evidence to STACTIC that vessels have been sunk, scraped or permanently reassigned in order for them to be delisted. Some CPs expressed concern with delisting vessels at all, given that evidence is often not official and vessels return to service after being delisted. Norway suggested that CPs, and especially those which have reported last known location of IUU vessels, should investigate and try to produce documentation that could be discussed based on the criteria for delisting.

*CPs were asked to review the list and bring evidence to the meeting in September on any vessels that may meet these criteria in order to update the list. The Chair encouraged CPs to try and ensure that any evidence provided is as official as possible.*

### **8. Half-year review of the implementation of new NCEM measures**

The Secretariat presented STACTIC Working Paper 12/8 which describes the Secretariat's observations and experiences with these new measures. Although information does not always arrive in a timely manner, especially during the beginning of the year, it does appear that CPs are in compliance with these new measures. It was noted that it may be worthwhile for STACTIC to consider reviewing the procedure and timeline of implementation for VMS changes as it is sometimes difficult for service providers, FMCs and the Secretariat to implement the changes prior to the new measures coming into force.

### **9. Inspectors Web Page**

The Secretariat provided a report on the status of the development of the inspectors' webpage. The Chair reminded participants that this is a four-phase project - phase 1 is completed, phase 2 has been approved, and phases 3-4 will be developed in the future.

The Secretariat presented Phase 1 of the webpage, which includes all vessel registration information and chartering information. It was noted that this is an independent and secure website from NAFO members area requiring a separate log-in to access the site.

CPs discussed who should have access to the website and how that access should be determined in order to preserve confidentiality.

*It was agreed that users should be identified by each CP's head of delegation and the NAFO Secretariat will provide individual usernames and passwords to each person. Once the website is further developed, the issue of levels of access should be revisited. It was also agreed that CPs should provide comments on any changes or concerns by June 1<sup>st</sup> on phase 1 and introductory comments on phase 2. (Temporary log-in information is available from the Secretariat.)*

### **10. Issues arising from the Editorial Drafting Group of the NAFO CEM (EDG)**

The Secretariat presented STACTIC WP 12/9 which describes two issues requiring further clarification after the EDG revised the NCEM:

Article 25.5.b – forwarding the POR report to all CPs contradicts Article 26.10.b which states that VMS data should only be sent to CPs with an inspection presence. After discussion, it was concluded that there is no contradiction because, even though the POR, and other types of manual reports under Article 25, are transmitted over the same communication network as VMS messages, it is not to be considered as a VMS report under Article 26. It was pointed out that restricted access is only due for VMS reports automatically created under Article 26.

***It was agreed that the EDG would conduct an evaluation to identify other references of VMS that refer to positional data or activity data or both.***

Article 27.b.8 - Observer Program – the CAT report is missing a field for undersized catch. The EU reminded the group that this issue was clarified last year by explaining that the master includes the undersized fish in the RJ field code of the CAT message (along with other types of discards), and that it is the task of the observer to identify undersize fish in the OBR report or observer report.

The US, on behalf of the EDG, presented the proposed EDG approach for phase 2. The proposal is divided into 3 sections – core issues for reorganization, clarification of existing measures, and issues for further discussion (Annex 4). EDG recommends that CPs reflect on the category 3 items in order to have more substantive discussions on them at the annual meeting, as appropriate and necessary. EDG will meet in Canada in June to start preparations on work items.

CPs pointed out that the work plan was ambitious, but they supported EDG in their work.

***It was agreed that the EDG should continue its work consistent with the EDG presentation.***

## **11. Possible revisions of the NAFO CEM**

### **a) Authorization to Fish**

i. DFG presented STACTIC WP 12/1 which proposes expanding Article 22.3 to add new sections on authorization, limited authorization, withdrawal and suspension to the NCEMs.

Japan expressed concern that they may not be able to issue specific authorizations under their domestic regulations and they would need time to carefully examine the proposal to consider how they could incorporate it into their licensing system. The EU questioned the rationale of the proposal, and was unsure how these changes could improve inspections or increase transparency. EU also questioned the procedure if the vessel changes its directed species, as well as the need for specific authorizations.

Canada reminded the group that some of the components in this proposal were raised in a proposal by Canada in 2009 to require that vessels maintain authorizations on board to ensure that inspectors can be confident that the vessel has proper authorizations.

Iceland supported the proposal and pointed out the importance that at-sea inspectors always have the information necessary for effective inspections, and suggested this information could be housed on the inspectors' webpage.

DFG conceded that they were willing to remove the concept of limited authorizations from the proposal as requested. Once placed in a strict format, it should make access to information easier.

***It was agreed that DFG and the EU would work intersessionally to prepare a new proposal for discussion at the annual meeting in September which may include Russia's proposal for withdrawal code (STACTIC WP 12/6) described below.***

ii. Russia presented STACTIC WP 12/6 on the implementation of a withdrawal report which would solve a gap in Article 22.3. The proposal suggests the creation of a new WIT report that would remove the corresponding NOT report where a vessel authorization has expired. This is the current process in NEAFC.

It was recognized that there was some overlap between this and the previous DFG proposal. The EU favoured this

proposal because it directly solves a gap in the NCEM and because it allows the CPs to make the changes themselves, currently any changes must be done by the Secretariat. However, other CPs, including Iceland and Norway stated their preference to consider the broader picture of authorizations and notifications together.

*It was agreed that this issue would be dealt with in the revised proposal by DFG at the annual meeting in September.*

**b) Monitoring of Catch**

**i. Weekly monitoring**

DFG presented STACTIC WP12/2 which aims to create more public access to quotas and quota uptakes of different fisheries, which would require an amendment to Article 25 (25.5.e). It was proposed that the Secretariat compile and make this information available weekly on secure website so CPs can have the most up-to-date information of status of quotas.

Several CPs, including Iceland and Norway, fully supported the proposal.

The US supported the intent of this and the utility of having updated information; however they expressed concern with protecting the confidentiality of this information.

The EU and France (SPM) were concerned with the rationale behind this proposal and indicated that the proposal would impose an unnecessary burden on the Secretariat to provide information on a more regular basis without adding any clear value or by providing any additional benefit to inspectors. The EU stated that the Secretariat has no responsibility for quota control. The EU also stated that this goes against the current limited access of catch data to CPs with an inspection presence. France (SPM) concurred with the views of the EU.

The Secretariat indicated that they could accommodate the request for the Secretariat to compile and make this information available weekly on a secure website.

*It was agreed that a revised proposal would be developed for discussion at the annual meeting in September.*

**c) Mid-water trawl**

**i. Definition of mid-water trawl**

Russia presented STACTIC WP 12/4 proposing a general definition of a mid-water trawl to be included in Article 1.

The EU questioned whether it was the role of STACTIC to define fisheries gear in a general way when there is already a definition in an FAO technical paper referred to in STACTIC WP 12/4; it was suggested that the NCEM should just reference the FAO definition rather than developing its own. However, it was noted that the FAO definition still allows the possibility of gear coming in contact with the bottom, whereas the definition proposed by Russia does not. The Chair and other CPs stated that it was appropriate to consider definitions of gear in the NCEM context if it is necessary to clarify measures.

Concern was expressed for the potential for mid-water trawl gear to come into contact with the bottom, and the smaller mesh being used to direct for groundfish. Therefore, it was agreed that it was a preferable approach to define mid-water trawl gear in the specific context of the fishery referred to in Article 13.2(f) rather than developing a general stand-alone definition in Article 1.

After consultations with the EU on wording, Russia presented STACTIC WP 12/4 rev which included a definition of a mid-water trawl within the text of Article 13.2(f). Following discussion on this new proposal, it was agreed that the reference to “3M” should be bracketed, as it was not STACTICs role to decide on mesh sizes and it was also agreed to add a sentence to the end to include a general prohibition on adding any attachment to the trawl that facilitates contact with the bottom. Japan expressed concern that this additional wording would inappropriately exclude chafing gear which is necessary to protect the net when it is hauled onboard a vessel.

*It was agreed that Japan, Russia and the EU would work together to develop new language that would satisfy the chafing gear issue for discussion at the annual meeting in September.*

**ii. Reduction of mesh size of mid-water trawl in the redfish fishery in Division 3M**

Russia presented FC WP 11/9 proposing the reduction of the mesh size from 130 to 90mm for the pelagic redfish fishery in 3M. It was clarified that the Scientific Council had advised that such a reduction would not have an impact on the redfish stock, and also, as this fishery is believed to be clean, it likely not lead to an increase in bycatch.

*It was decided that this issue was accounted for in the revised STACTIC WP 12/4 by Russia.*

**d) Observer Program**

The EU explained the purpose of STACTIC WP 11/27, introduced at last year's STACTIC intersessional regarding proposed changes to the observer program. The EU indicated that it is not necessary to have another substantive discussion during this meeting. However, they also reminded CPs that at the annual meeting CPs were asked to do an analysis of their compliance observer program and presenting the results and their views on continuing the current observer program as is at the next meeting. The EU pointed out that progress can best be made on this issue by CPs conducting such analyses and deciding on what aspects of the current observer program should be continued or modified.

Norway supported the views expressed by the EU and pointed out that changing the observer program should be on the agenda until a more cost effective system is established.

DFG offered to make a presentation describing its observer program but it was decided that there was not time for such presentations at this meeting. DFG and Canada provided an overview of their compliance observer program. It was noted that various components of observer programs have both advantages and disadvantages that need to be considered and it is a significant challenge to decide on what changes need to be made in the current observer program.

*CPs were asked to submit short (preferably 1 page) summaries of their observer programs to the Secretariat at least 30 days prior to the annual meeting for posting on the Practices and Procedures webpage and for discussion at the annual meeting in September. CPs were also invited to submit short white papers on their views regarding how the compliance observer program could work in the future.*

**e) Reporting Requirements within existing fishing areas**

The US presented FC WP 11/23 that proposed to require observers to identify VME indicator species to the lowest taxonomic level possible throughout the NAFO Regulatory Area, not just new fishing areas. This proposal was originally presented to the Fisheries Commission at last year's annual meeting. The Fisheries Commission referred it to STACTIC for evaluation.

Iceland noted that this is a policy decision for managers, rather than STACTIC. Other CPs agreed with this position and noted that STACTIC can only evaluate how this proposal could be worded and integrated in to the NCEM. It was also noted that if the FC decides to implement this, STACTIC recommends that the amendments would be more appropriately made in Article 27 – Duties of Observers.

*It was agreed that STACTIC would explain to the Fisheries Commission that the addition of these new reporting requirements is a Fisheries Commission policy decision and that if the Fisheries Commission agrees to adopt these requirements, STACTIC has no problems with recommending wording for the NCEMs.*

**f) Product labelling by division and date of capture**

Canada, noting that this WP combines many of Canada's earlier proposals, presented STACTIC WP 12/18 which recommends that product be identified by species, product category, date of capture and division of capture in order to increase traceability as well compliance monitoring. Canada noted that this proposal is consistent with the recommendation made by the Performance Review Panel

Generally CPs were in favour of the proposal, although many requested more time to review it in detail.

*It was agreed to defer this item until the annual meeting in September.*

**g) Product labelling and stowage**

Canada presented STACTIC WP 12/15 proposing minor modifications to Article 24 which would ensure that labels are placed on packages in such a way that they are readily visible.

Generally CP's supported the proposal, although it was questioned why it was separate from STACTIC WP 12/18. Canada clarified that the proposals were developed separately because STACTIC WP 12/18 was a response to a Performance Review Panel recommendation; they can easily be combined if that is preferred.

*It was decided to defer this item until the annual meeting in September to allow CPs more time to reflect on it.*

**h) Catch recording in log books**

Canada presented STACTIC WP 12/16 recommending that vessels be required to record catches on a tow-by-tow basis in order to allow for more effective compliance monitoring.

Many CPs, including DFG, Iceland, Russia and Norway had no immediate concerns with the proposal as they already do tow-by-tow recording domestically. The EU and the US requested more time to reflect on the proposal to determine how it will fit with current domestic reporting systems.

*It was decided to defer this item until the annual meeting in September.*

**i) Communication of catch in cases where bycatch limits are exceeded**

Canada presented STACTIC WP 12/17 which would require vessels to send a report to the Secretariat outlining the date, time, catch composition, tow duration, start and end positions of any tow that required them to move 10 nautical miles (nm) due to exceeding bycatch. Vessels are currently required to log this information and this proposal would require them to submit such information to the Secretariat so that the Secretariat could compile this information which in turn could be used to identify trends and perhaps high bycatch areas.

Iceland requested that this item be deferred to September to allow more time to look at proposal, in particular the tables. Iceland also noted that the proposal was incomplete. Several CPs also noted that they are reluctant to make changes to existing reporting system right now given that STACTIC is moving towards an electronic reporting system.

*It was decided to defer this item until the annual meeting in September.*

**12. Advisory Group on Data Communication (AGDC) Update**

The Secretariat presented STACTIC WP 12/11, which provided an update on AGDC matters. Giving NAFO a formal status in the AGDC is still ongoing; the Terms of Reference are being modified and will be presented at the NEAFC annual meeting in November. The outcome of the meeting will be conveyed to NAFO and the Secretariat will continue to work with NEAFC Secretariat to finalize the new Terms of Reference.

The 3<sup>rd</sup> party CA certificate update is almost complete; there were no issues. The meeting of security and confidentiality is an ongoing matter.

***No action required.***

Related to this issue, the EU gave a presentation on their electronic reporting system (ERS). The EU highlighted the difficulties and costs associated with using multiple systems and noted that they aim to cooperate with as many parties as possible collecting best practices and preferences in order to facilitate the development and use of standardized data systems.

***A copy of the presentation will be posted on the Practices and Procedures page of the NAFO members' site.***

### **13. NAFO VMS**

The Secretariat presented STACTIC WP 12/12 regarding whether NAFO should renew the contract with the current VMS service provider (Visma) or retender when it expires at the end of the year. Generally, the Secretariat is satisfied with current provider; but they wanted to hear the views of STACTIC.

Many CPs indicated that this is not a decision for STACTIC, however STACTIC could provide a recommendation based on operational considerations. Generally, CPs were satisfied with the service provided by Visma, but questions were raised regarding cost sharing and how that would affect CPs domestic contracts with Visma, and whether it was advisable to sign a new five-year contract if STACTIC in light of the ever changing nature of technical requirements in moving to a new electronic reporting system.

***It was agreed that the Secretariat would look into the cost sharing issue, and they would also investigate information about and perhaps options for shorter contracts and provide an update at the annual meeting in September.***

### **14. Role of STACTIC in the evaluation and interpretation of VME-related provisions in the CEM**

The Secretariat introduced a discussion on STACTIC's role regarding the VME provisions in the NCEMs. This question is being asked in response to a letter sent by the EU to all CPs regarding what steps are necessary for a vessel to begin exploratory fishing activities.

The group discussed various options for STACTIC role regarding the VME revisions in the NCEMs and it was decided that while it was the role of the VME Working Group to clarify the intent of any measures they develop, it is STACTIC's role to ensure that all measures are clear and not contradictory not only for this issue but for all issues.

***It was decided that STACTIC could not make a specific recommendation until the VME Working Group clarified the intent of the measures; however it should be noted that STACTIC does have a role in ensuring that the language in any measures being contemplated in NAFO are unambiguous.***

### **15. Other matters**

#### **a. International Monitoring, Control and Surveillance (IMCS) Network**

The Secretariat attended the Business Meeting of the IMCS Network in March and gave a brief presentation on the meeting (STACTIC WP 12/10). At the meeting, the Network adopted a new constitution which now allows RFMOs to be members and they invited NAFO to become a member. It was agreed that while it may be beneficial for CPs to be members of the Network, there is no obvious benefit for NAFO and there would likely be some level of financial commitment required. Some concern was raised about the extent of NAFO's involvement in other organizations and RFMOs.

*It was decided that CPs would reflect further on whether STACTIC should recommend that NAFO become a member of this network and to have a further discussion at the annual meeting in September.*

**b. International Fisheries Observer and Monitoring Conference (IFOMC)**

In response to the request to NAFO to sponsor a March 2013 meeting of the IFOMC, the Secretariat presented information on this meeting as contained in STACTIC WP 12/14.

Although NAFO is in a good position to share experiences within an organization such as this, it was agreed that NAFO probably does not have sufficient funds to become a sponsor. Also, some CPs were concerned that becoming a sponsor for this meeting may set an undesirable precedent leading to requests from other organization to be a sponsor.

*It was agreed that STACTIC would recommend that NAFO should not become a sponsor at this time due to funding limitations and concerns regarding the over-extension of NAFO in attending these events.*

**c. Standardized conversion factors**

Canada introduced this general discussion item on standard conversion factors. Canada explained the benefits to compliance monitoring of having standardized conversion factors and asked if this issue had previously been discussed by STACTIC.

DFG noted that NEAFC attempted to do this; the outcome was that the NEAFC CPs shared their domestic conversion factors for each product. Currently in NEAFC there is only one situation where they are standardized – pelagic redfish in international waters – because the variation among NEAFC CPs was too significant.

The EU noted that they have a public regulation which establishes conversion factors to be used.

The US noted that this item has been included on the EDG phase two priority list and agreed that the issue should be investigated.

There was concern expressed that any NAFO conversion factors may be relegated to the lowest common denominator.

It was concluded that this is a very complex issue, and that further study of other CP conversion factors is needed.

*It was agreed that CPs should send information on their domestic conversion factors to the Secretariat for further discussion at the annual meeting in September.*

**16. Time and Place of next meeting**

The next STACTIC meeting will be held in St. Petersburg, Russia, during the 2012 NAFO Annual Meeting.

**17. Adoption of Report**

The report was adopted by Contracting Parties on May 4, 2012.

**18. Adjournment**

The Chair adjourned the meeting at 1250 hrs on 4 May 2012.

## Annex 1. List of Participants

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**Annex 2. Agenda**

1. Opening by the Chair, Gene Martin (USA)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Consideration of Recommendations from the Performance Assessment Review Panel
5. Compilation of fisheries report for compliance review (2004-2011), including review of Apparent Infringements
6. Review and evaluation of NAFO Practices and Procedures
7. Review of current IUU List pursuant to NAFO CEM Article 51.3
8. Half-year review of the implementation of the new NCEM measures
9. Inspectors Web Page
10. Issues arising from the Editorial Drafting Group of the NAFO CEM (EDG)
11. Possible revisions of the NAFO CEM
  - a) Authorization to Fish
  - b) Monitoring of Catch (Article 25)
    - i. Weekly monitoring
  - c) Mid-Water Trawl (Articles 1 and 13)
    - i. Definition of mid-water trawl
    - ii. Reduction of mesh size of mid-water trawl in the redfish fishery in Division 2M
  - d) Observer Program (Article 27)
  - e) Reporting Requirements within existing fishing areas (Article 20.1.i)
  - f) Product labeling by division and date of capture
  - g) Product labeling stowage
  - h) Catch recording in log books
  - i) Communicatin of catch in cases where bycatch imits are exceeded
12. Advisory Gorup on Data Communication (AGDC) Update
13. NAFO VMS
14. Role of STACTIC in the evaluation and interpretation of VME-related provisions in the CEM
15. Other matters
  - a) International Monitoring Control and Surveillance (IMCS) Network
  - b) International Fisheries Observer and Monitoring Conference
  - c) Standardized conversion factors
16. Time and Place of next meeting
17. Adoption of Report
18. Adjournment

**Annex 3. NAFO 2011 Fisheries Profile and Trends**

**NAFO 2011 FISHERIES  
PROFILE and TRENDS**  
(from the Compilation of NAFO  
Fishing Reports for STACTIC  
Compliance Review)

STACTIC International Meeting –Brussels, Belgium May 2011

1

In this presentation . . .

- The big Table 1 – overview of fishing trips
- Vital Statistics 2011 – Groundfish (GRO), Shrimp (PRA), and pelagic redfish (REB)
- Trends 2004 – 2011
  - Effort – days-at-sea
  - Number of vessels
  - At-sea inspections
  - Inspection Rate
- Apparent Infringements in 2011 and disposition
- Issues identified during compilation
- Next steps towards the finalization of the STACTIC Annual Compliance Review.

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2

**Table 1. Overview of fishing reports from vessels and CP in the NRA.**  
 (Please refer to the distributed hard copy)

## What is Table 1?

- Metadata – fishing reports
  - VMS Hails – COE, COX, ENT, EXI, CAT
  - Port Inspection Reports
  - Observer Reports
  - At-sea inspection Reports
- Identifies missing reports (except Port Inspections)
- Allows derivation of basic statistics – e.g. how many boats, how many days on fishing ground?

### 2011 Fishing Effort Profile in NAFO Regulatory Area

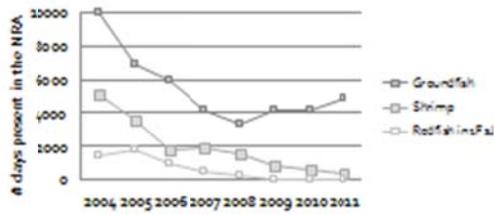
				TOTAL
	Groundfish	Shrimp	Redfish	
 Number of vessels	47	8	2	56
 Effort (Days present)	4920	372	18	5310

**Note:**

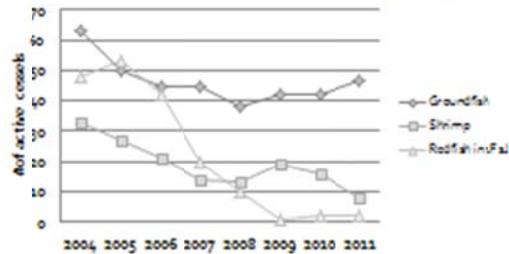
- Groundfish fishing effort back to 2006 – 2007 level
- Pelagic redfish effort prior to the moratorium in July 2011

### TRENDS 2004 - 2011

Fishing Effort in the NRA (2004-2011)



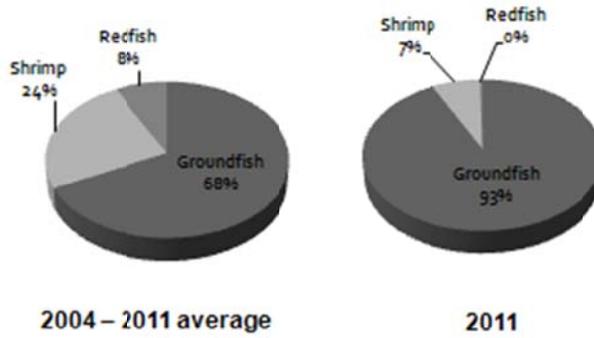
Active vessels in the NRA (2004-2011)



TRENDS 2004 - 2011

Comparative fishing effort (vessel days) in the NRA

Comparative fishing effort (vessel days) in the NRA (2004-2011 average)

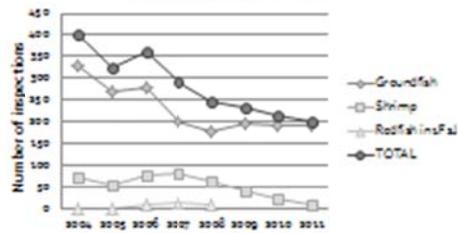


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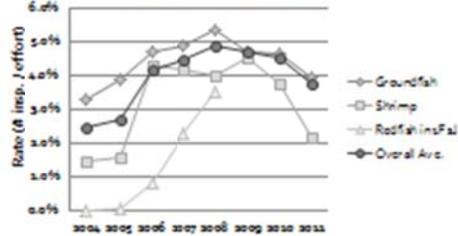
7

TRENDS 2004 - 2011

At-sea inspections



Inspection Rates



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8

### Apparent Infringements and disposition in 2011

Vessel	Insp Date	DFR ch (according to COE)	Apparent Infringement	Article (2011 NCBA)	Disposition / Follow up update as of April 2012 (Article 37.4 requirement)	STATUS as of April 2012
7	07-Mar-11	OOD RED GHL	By-catch requirements	Art. 12.3.a	[awaiting disposition report]	No information
4	24-Apr-11	GHL RED	Stowage plans	Art. 24.6	The AI was not confirmed during port inspection in Vigo	Closed
6	01-May-11	OOD	Stowage plans	Art. 24.6	Strong verbal rebrief	Closed
7	21-May-11	RED GHL	Product Labelling	Art. 23	[awaiting disposition report]	No information
5	29-Jun-11	GHL RED SKA	Stowage Plans	Art. 24.6	Captain fined 40 Euros.	Closed
1	02-Jul-11	GHL RED	Stowage Plans	Art. 24.6	Pending	Pending
2	02-Aug-11	OOD RED GHL	Mesh Size	Art. 13.1	Could not be confirmed during port inspection at Vigo on July 20 11.	Closed
3	24-Oct-11	PRA	Capacity Plans	Art. 21.3	Pending	Pending

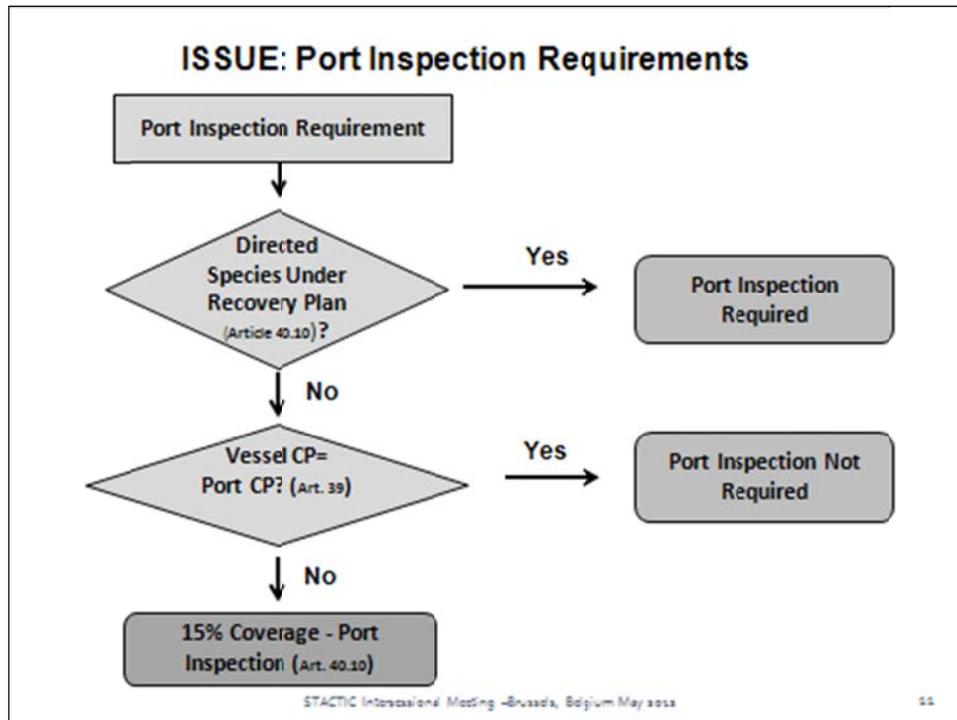
- \* 8 cases involving 7 vessels from two CPs – 1 serious, 7 non-serious.
- \* Bycatch requirements (1), stowage plans (4), product labelling (1), capacity plans (1), mesh size (1)

### ISSUE: Directed Species and bycatch

Examples of Directed Species as reported in the Catch-On – Entry (COE)

<u>HAL</u>
<u>COD</u>
<u>YEL</u>
<u>PRA</u>
<u>RED</u>
<u>GHL</u>
<u>COD</u>
<u>GHL SKA RED HKW</u>
<u>RED HKW RNG SKA</u>

Stocks not mentioned in COE considered bycatch? How should Article 6 be applied?



### ISSUE: Follow-up on AIs – Article 37.d requirement

Incident	Exploiter	Offfish (according to OOI)	Approved Enforcement	Article 37.d (1) (a) (b) (c)	Disposal of the vessel (Article 37.d requirement)	SEA 1/3/aa of April 2012
7	07-Mar-11	COG RED GIL	Bycatch requirements	Art. 123.a	Penalty deposit made	No information
4	24-Apr-11	GIL RED	Storage plan	Art. 24.6	Penalty deposit made	Closed
6	07-May-11	SEA	Storage plan	Art. 24.6	Penalty deposit made	Closed
7	27-May-11	RED GIL	Bycatch loading	Art. 20	Penalty deposit made	No information
8	06-Jun-11	GIL RED GIL	Storage plan	Art. 24.6	Penalty deposit made	Closed
1	02-Jul-11	GIL RED	Storage plan	Art. 24.6	Penalty deposit made	Closed
2	02-Aug-11	COG RED GIL	Bycatch	Art. 51.1	Penalty deposit made	Closed
3	28-Oct-11	SEA	Storage plan	Art. 24.6	Penalty deposit made	Closed

- # of cases: 8
- # of closed: 4
- # of pending: 2
- # of cases with no follow-up information: 2

PRP recommendation: Reporting follow-up actions must be improved.

**NEXT STEPS (STACTIC WP 10/38):**

1. CPs, particularly those with inspection presence shall present compliance issues/concerns at this meeting.
2. STACTIC to discuss these issues at this meeting.
3. Secretariat prepares the compilation tables to be transmitted to STACTIC by 18 June 2012 (90 days before Annual Meeting and in accordance with Rules of Procedure 5.1.e).
4. Secretariat compiles additional information forwarded 60 days before the Annual Meeting.
5. Secretariat prepares draft Annual Compliance Report
6. STACTIC to review draft; insert conclusions; finalize the Annual Compliance Review for presentation at FC during the 2012 Meeting

## **Annex 4. EDG Presentation**

### **Phase II Priorities**

- Builds upon Phase I efforts
- Divided into 3 groups:
  1. Core issues for reorganization
  2. Clarification of existing measures
  3. Issues for further discussion

#### **Core Issues for Reorganization**

- 1. Bycatch (Article 6)**
  - Redraft section into new style and organization
  - Clarify how bycatch ratios are applied (trip, cumulative, etc.)
  - Consider applying bycatch provisions to total catch (including discards) versus only what is retained.
- 2. Non-contracting party scheme (Articles 45-53)**
  - Redraft section into new style and organization
- 3. Catch limitation (Article 5)**
  - Redraft section into new style and organization

#### **Clarification of Existing Measures**

- Article 1 - Define terms (groundfish, regulated species, fishery, etc.)
- Article 14.4 – Discuss whether to make relocation rules consistent
- Article 16 - Insert map of seamount, coral and sponge protection zones
- Article 24 – Increase the precision of labeling requirements
- Article 25.1.d.iv – Clarify duration of production logbook retention
- Article 25.1.h – Standardize format of stowage plans
- Article 26.9.a – Evaluate feasibility of data report submission timing
- Article 28.8 – Decide if inspectors should have firearms when boarding non-CP vessels
- Article 30.2.b – Assess whether surveillance reports are obsolete
- Article 36.2 – Clarify language regarding applicability of notices of infringements
- Correct several inaccurate references

### **Issues for Further Discussion**

1. Are chartering arrangements still necessary if quota transfers exist (Article 23)?
2. Define which skate species are referenced in Annex I.A
3. Specify uniform conversion factors to convert product weight to live/round weight for all stocks.