

# NEAFC TECHNICAL MEETING TO EXAMINE THE EUROPEAN UNION'S PROPOSALS AND ANY OTHER RELEVANT SUBMISSIONS

NEAFC headquarters - 22 Berners Street, London W1T 3DY

Monday 31 March - Thursday 3 April

Chair: **Dr. Zbigniew Karnicki, Poland**

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## **1 Opening of the meeting**

The Chairman, Dr. Zbigniew Karnicki, Poland, called the meeting to order on 31 March. He welcomed delegates from all Contracting Parties. He went through the steps in the process of setting up regulations for deep-sea species in NEAFC. *Ad hoc* measures had been agreed at the 21<sup>st</sup> Annual Meeting together with a timetable for further progress and agreement that the EU should make a formal proposal to be discussed at this meeting. The Working Group to examine historic catches of deep-sea species and effort deployed had met and its report had been circulated. The outcome of this meeting and the Working Group to examine historic catches of deep-sea species and effort deployed will be reported to the Extraordinary Meeting in May 2003. He listed the documents that had been circulated and asked if there were any other papers from Contracting Parties. There were none.

## **2 Adoption of the agenda**

The Chairman suggested that item 4 should be moved to appear after item 6. This would allow discussions to start with the report of the Working Group to examine historic catches of deep-sea species and effort deployed. Item 6 should not restrict the meeting from going beyond the EU proposal.

The Norwegian representative congratulated the Chairman on his appointment. He knew his skills as Chairman from FAO. Norway agreed with the change in the agenda and broadening the discussion beyond the EU proposal. He would like to see those arrangements that are in place for 2003 discussed at some point in the meeting.

The EU proposed breaking down the item dealing with the substance of the EU proposal into sub items in order to structure the report. The EU accepted that the present arrangements could be discussed at some point. It was agreed to add this as a new item 4 and discuss them at the outset of the meeting. The agenda was then adopted as amended.

## **3 Arrangements for the meeting**

The Chairman informed delegates about the timetable of the meeting. He stressed the need for punctuality and would like to be informed in advance if any delegation needed additional time and consequently plenary meetings had to be delayed. The Secretariat informed delegates about practical arrangements and security issues.

## **4 Report on present conservation measures applied by the Contracting Parties for 2003**

Norway informed the meeting that the Ministry of Fisheries had introduced a regulation on deep-sea species comprising all species agreed upon in NEAFC. Effort was regulated by number of vessels and fishing days. The number of fishing days had been frozen at recent levels (675 fishing days). Vessels have to apply for permission three days in advance of deep-sea fishing trips.

Iceland based its regulation on the general TAC regulations of silver smelt, tusk, ling, Greenland halibut and blue ling. Quotas have been generally reduced this year and, based on

this, an effort system limiting fisheries on the high seas is applied. One vessel had been licensed this year.

The situation in the Faroe Islands was very much the same as in Iceland. Effort on deep-sea species is regulated under the general system for demersal fisheries limiting the number of fishing days. There had been no fishery in the Regulatory Area this year. Greenland reported that there had not been any fishery in the Regulatory Area in recent years, so no regulation had been imposed for the high seas.

The representative of the Russian Federation reported that the Russian Federation had had a very limited fishery in deep-sea international waters in recent years. The Russian effort for 2003 was frozen not to exceed the maximum historic catches by vessels of the USSR/Russia in the NEAFC Regulatory Area. National observers will be placed on board deep-sea fishing vessels.

Poland had regulated effort in deep-sea species by limiting the number of vessels to three.

The EU had introduced a wide spectrum of measures, freezing effort measured both in kilowatts and gross tonnage. In addition there were a number of catch limitations for different species. There was a lot of detail in the measures. The EU representative would prefer - and he invited other parties to do the same - to do a synopsis in brief presenting data on measures, which should be given to the Secretariat early in the meeting to form the basis for further discussions. The Chairman suggested that this should be done immediately. This was agreed and data sheets for each country are annexed as Annex A.

## **5 Results of the Working Group to examine historic catches of deep-sea species and effort deployed in catching these species by Contracting Parties**

The Chairman of the Working Group, Dr. Odd Aksel Bergstad, presented the report of the meeting. As this was the first NEAFC meeting of this kind, starting almost from scratch, results were provisional and there may be scope for improvement. He indicated that the meeting had been rather frustrating, because it had had difficulties in achieving its goals. He pointed out some of the problems, especially the rule that catches of more than 10 tons of any relevant deep-sea species had left the species list quite open ended. Effort data had been broken down on three gears: trawl, long line, and gill net. Data were available by ICES sub areas and divisions, but there was not much data by statistical rectangles. Sharks were a problem, but very few countries can present detailed data on shark catches by species and then only for the most recent years. Inconsistencies had been noted with respect to catch data from different sources. Effort data had been difficult because the definitions in the terms of reference had been quite vague. Guidance would be welcome. It had not been possible to compile a consistent set of effort data at the meeting and had been necessary to allow the submission of new and revised data after the meeting. This meant that the Working Group had not been able to discuss those data. The Chairman concluded that it is not possible at present to give overview tables giving a full picture of present levels of effort in these fisheries.

The presentation of the Chairman of the Working Group is annexed as Annex B.

The Chairman complimented the Chairman of the Working Group and his group and noted the problems and this meeting's responsibility to give outlines and guidance.

The EU representative suggested that delegations should be allowed to look more closely at the data. He also drew attention to the problem of by-catches of deep-sea species.

The Icelandic representative noted the difference in quality of data between species and wondered whether this would allow measures for some species, but not for others? Sharks in particular seemed to cause problems.

The Working Group Chairman explained the problems with sharks, which he had had to deal with in the context of ICES for years. Species are reported in differing amounts of detail by different countries. There has been improvement, but there are still great problems.

The Icelandic representative noted that this was specific for sharks, other species may be quite well described. The Working Group Chairman noted that the 10 tons rule caused problems of identification for many fishermen.

The Norwegian representative complimented the group and its Chairman, which had done a good job under difficult circumstances. In spite of this, the data as presented were too limited on which to base any regulations. He asked if the task would have been easier if the group had only had to deal with the Regulatory Area. The Working Group Chairman wanted to have a closer look at the data now available before making any conclusions in this respect.

The representative of the Russian Federation agreed with the Norwegian representative that it would be very difficult to use these data as a basis for regulations.

The Chairman did not think that this group could change the terms of reference of the Statistical Group. He suggested that the item was kept open and discussion under other items could contribute to further conclusions.

The EU representative agreed that the data did not seem to stand up at present to form the basis for management measures. He felt that the important point was to analyse the data and find out its strengths and weaknesses. The Norwegian representative felt it would be productive to concentrate on the Regulatory Area.

The Chairman drew attention to the Precautionary Approach. We should not postpone action because of lack of knowledge.

The Icelandic representative noted that it was up to the coastal states to decide if regulations should apply to national waters. He agreed with the EU that it was important to scrutinise the data and get a full picture of the stocks in question and their full range of distribution.

The EU representative associated himself with the views expressed by the Icelandic representative. The Norwegian representative did not want to restrict the analysis, but he thought that concentrating on the NEAFC Regulatory Area would speed up the process. He also suggested that the Chairman of the Working Group and those members of the Working Group present took a look at the data that had arrived last week and evaluate them. The Working Group Chairman suggested that, with some help, he produced some overviews. The data are on the NEAFC computer and are open to everybody to look at. This was agreed.

The representative of the Faroe Islands explained that they had not submitted data because of problems with the quality, but work was ongoing and data would be submitted in due course.

The Working Group Chairman at a later stage presented his analysis of landings and effort data including those submitted after his meeting. His overview tables on effort are annexed as Annex C. His main conclusion was that landings data are quite complete, but effort data are of very variable quality.

The discussion focused on the quality of the data and how they could be related to the *ad hoc* measures in place for 2003 and the attempts to establish more permanent measures for deep-sea species. The need to split data between the Regulatory Area and waters under national jurisdiction was noted. It was also noted that some countries that had accepted the freezing of effort in 2003 had not submitted data on effort or data were not broken down under fisheries zones

The EU representative pointed out that it would be necessary to compile more detailed data for future management systems. Detailed knowledge was not necessary to freeze effort in internal and international waters this year.

The Icelandic representative noted that we are already discussing measures for the future to be implemented this or next year and wondered whether there are really data to establish the system proposed. The EU saw it as a two step exercise: first freezing of global effort and then developing more detailed measures, broken down by areas, in a process over several years.

The Chairman noted that the discussion was a good introduction to agenda item 7. He thanked the WG Chairman and his group for their hard work.

At a later stage the analysis of the landings data was now available. The Secretariat introduced the analysis. It reported that there had been difficulties because reporting countries did not use standardised international codes. The data had now been aggregated by flag state and fishing zone. The representative of Denmark (in respect of the Faroe Islands and Greenland) thanked the Secretariat for providing the tables. He did not, however, recognise the figures - they were considerably lower than the real figures. Iceland and Norway made similar comments and wanted to scrutinise the data further. The Chairman asked all delegations to examine the data to make sure that the figures were correct.

**6 A draft proposal by the European Union to include a number of deep-sea species as “regulated resources and to introduce specific conditions under which deep-sea fishing vessels shall operate, including improved VMS provisions, and to land deep-sea species at designated ports in the Scheme of Control and Enforcement in respect of fishing vessels fishing in the areas beyond the limits of national fisheries jurisdiction in the Convention Area”**

The EU representative noted that there was a huge need to improve definitions of deep-sea fisheries, deep-sea species and a number of other concepts as the discussion on statistics had so clearly borne out. In addition there were elements of control and enforcement that had to be brought into place. The key element was to define a deep-sea fleet whose activity should be regulated and capped compared to earlier years. This definition should be open and transparent and it would not be sufficient to regulate on the number of vessels. The deep-sea fleet would have extended obligations with respect to detail in logbooks, provision of scientific data, etc.

The Chairman thanked the EU for the presentation on this complex and detailed proposal. He called for comments on the general aspects; details would be taken up later.

The Norwegian representative thanked the EU representative for producing the comprehensive proposal. They were in general agreement with the thrust of the proposal. Norway had problems in basing limitations in effort to engine power and tonnage. He asked if these measures were relevant for passive gears and if it would be possible to operate different measures for difficult vessel groups. With respect to control and enforcement, he had noted a number of constructive proposals, but questioned whether these measures were not just as relevant to other fisheries. He also noted the importance of port control.

The Icelandic representative also thanked the EU for the effort put into the proposal. He noted a number of positive aspects. He supported the plans for the compilation of more data, but was not completely in agreement with the idea of making one system for all the species mentioned. The species were quite a variable group and it was difficult to envisage one system fitting all. He drew attention to problems in using effort measures - the effort system introduced in NAFO for prawns was one example - if the definition of effort was not precise. He also saw added complications in the allocation aspects of the exercise. There was more to allocation than selecting the set of years to base these on.

The Chairman asked for more detail on the species problem. Iceland responded that there are some species about which we know almost nothing; others have been researched for years (sharks in contrast to ling, tusk, blue ling and Greenland halibut.) Deep-sea species such as oceanic redfish were already outside the equation. The representative of Denmark (in respect of the Faroe Islands and Greenland) had spoken at the Annual Meeting against selecting a certain periods of years as the basis for the exercise. He agreed that it would make progress easier if some species were taken off of the list.

The representative of the Russian Federation agreed with the position of Norway and Iceland. He did not accept designated ports. This could mean that some small by-catches would require vessels to go to specific ports, which they had not intended to do.

The Polish representative noted that Poland had only trawl fisheries. They foresaw problems in recording up to 20 species on board vessels. He found the list strange. For example, Polish vessels are not familiar with alfonsinos and orange roughy from the North Atlantic.

The Chairman noted that probably problems with deep-sea species were greater in other ocean areas. He suggested focussing discussion on the problem of by-catch, calculation of effort for different gears and a possible revision of the list of species to be included.

It was agreed to discuss the detailed elements of the EU proposal under five sub-headings. The Chairman asked the EU representative to make introductory remarks on each sub-heading.

### **6.1 Collection of data (including effort data) in support of scientific assessment**

The EU representative informed the meeting that the requirement stems from the ACFM advice, which calls for data to be collected before expanding fisheries and as a basis for reducing effort. Details are given in the proposal in appendix I, 5.

The Chairman asked for comments from other Contracting Parties. The Norwegian representative could support the general aim of the proposal, but had problems in the way it was suggested effort should be measured. He again raised the question to which zone the proposal applied. The Icelandic representative agreed with Norway. Although he did not have problems with kilowatt and tonnage he wondered if there were more efficient way to measure effort. The representative of the Russian Federation indicated that they also have a problem with kilowatt – tonnage in the calculation of effort.

The EU representative suggested that both GT-days and kW-days should be recorded as measures of effort. He inquired about the nature of the problems of kilowatts. The Norwegian representative indicated that this measure had never been used in Norway and would therefore cause practical problems when used in regulations. He had made the point earlier that, for long liners at least, kilowatts did not make sense. The Norwegian representative thought it would suffice just to refer to effort in a general way and leave the discussion of particular measures to a later stage when decisions had been made on which measures to apply. The EU representative pointed out that this was about data for scientific assessment, not regulatory measures. The Norwegian representative did not think that the compilation of data could be isolated from its use.

The Icelandic representative noted that there was a clear relationship between data for scientific use and data for management. He understood that the EU wished to follow the advice of ICES to manage effort rather than catches, but there were a number of effort measures that could be looked into. He asked what was meant by the reference to record depth. The EU representative informed that there had been internal discussions at which stage depth should be recorded and this should probably be decided at the operational

level. The Polish representative thought that it would be necessary to break down effort into smaller time or depth intervals to make depth recording make sense. He also mentioned the problem of splitting fishing effort by species. The EU representative stated that this goes back to the definition of a deep-sea species and effort should be related to total catch not individual species.

The representative of Denmark (in respect of the Faroe Islands and Greenland) found that the text in 5.a implied that catch and effort should be broken down according to the same criteria. The EU responded that this was the intention in the proposal. The Chairman noted that this would lead to a very large amount of data.

Iceland wished to seek some clarification bilaterally in order to understand the proposal.

## **6.2 Improved vessel monitoring procedures**

It was indicated from the outset that it was not the intention to have observers on all vessels. The representative of Denmark (in respect of the Faroe Islands and Greenland) drew attention to the requirement for sampling plans approved by NEAFC. The EU representative did not find it necessary to have uniform sampling plans for all Parties. The Chairman noted the strong requirements for NEAFC approval while the Icelandic representative doubted that NEAFC was the appropriate body to decide on scientific sampling plans and observers. The Norwegian representative questioned the last sentence in paragraph b. It seemed that this requested full observer coverage. The EU representative noted that the requirement could be met by groups of vessels allowing observers aboard over certain periods. The Norwegian representative wanted to keep the item open for closer scrutiny. The representative of the Russian Federation also found strange the requirement not to start fishery unless monitoring was in place.

The Norwegian representative asked about the language “independently” in connection with the scientific observers. The EU representative informed that he envisaged a separate logbook for scientific observers. Norway suggested that this specific logbook should be directly mentioned in the text. The Chairman asked if this would be compared with the ordinary logbook later. The EU representative indicated that this was not the case - this was input to the scientific process and it was not really necessary to mention a logbook.

The Icelandic representative raised the general question of the level of coverage. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked what the NEAFC Secretariat is supposed to do with reports from scientific observers. The EU representative responded that they should be sent to scientific bodies. He also informed the meeting that discussions on levels of coverage had taken place. Some fisheries were stable and homogenous and other exploratory fisheries had a lot of new information. The level of coverage would be different in these two cases and it was very difficult to predefine the level of coverage. The representative of the Russian Federation asked what data should be sampled. The Chairman referred to the earlier discussion.

## **6.3 Increased VMS coverage**

The EU representative indicated that details are given in Appendix III of the EU proposal. These will of course depend on the outcome of the discussions on management measures.

The first step is to define a group of vessels that will be authorised to fish for deep-sea species. Improved VMS provisions are needed, i.e. to return to port if the transponder does not function and, in the meantime, report with the same frequency by other means. He also referred to discussion at the October 2002 meeting of PECCOE and the conclusions of the Chairman of PECCOE, especially on the need to separate the activity of vessels in deep-sea from other fisheries.

The Norwegian representative doubted that it was necessary to make a distinction between deep-sea fisheries and other fisheries. The Norwegian position was that amendments to the Scheme should apply to all fisheries. The EU representative would like to consider what Norway suggested, but did not see how the definition of at least a deep-sea fishing trip could be avoided. The representative of Denmark (in respect of the Faroe Islands and Greenland) associated itself with Norway. It should not be necessary to divide the Scheme for this purpose. The Chairman asked for clarification on the position of a deep-sea trip. He was informed that, at present, vessels could fish for several regulated resources on the same trip. The representative of the Russian Federation informed the meeting that Russian vessels were authorised to fish for several groups of fish on a single trip.

The Icelandic representative understood the intention of the authorisation for retaining deep-sea species. He felt that accepting discards meant lost information and less limitation in effort. The representative of Norway agreed. The EU felt this was a difficult issue, but they did not see a way of stopping other vessels fishing deep-sea species other than banning landings. The representative of the Russian Federation agreed with Norway and had a problem with the 100-kilo limit to catches retained. One tonne was more in accordance with requirements for reporting to ICES.

The representative of Denmark (in respect of the Faroe Islands and Greenland) asked about the lists of species and especially ling and tusk. The EU representative reported that if ling and tusk were included (in list b) they would inflate the list of deep-sea vessels. The Norwegian representative suggested language which avoided the implicit reference to discards (to avoid the word “retain”). The important point was the authorisation. The EU representative felt that this was a question of enforceability. The Norwegian representative did not agree and considered catches should be brought to shore.

The representative of Iceland asked if a system could be set up for directed and by-catch fisheries like in NAFO as he foresaw conflicts in the proposal as it stood. The EU would like to consider this idea. In NAFO a directed fishery was defined for different groups of vessels, which may be a way forward. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that only authorised vessels should be allowed to perform directed fisheries. The EU representative thought the problem was more to restrict vessels not authorised to fish for deep-sea species than the opposite. If catches were brought to shore and sold under normal conditions, the limitation would be lost. He noted that fisheries in depths from 500-800 metres were rarely accidental.

The Chairman noted the points raised and the problem of different regulation with respect to discards in Contracting Parties.

The Norwegian representative observed once again that rules in the Scheme should be uniform for all fisheries and noted the majority decision at the 21<sup>st</sup> Annual Meeting to increase reporting frequency. The representatives of Iceland, Denmark (in respect of the Faroe Islands and Greenland) and the Russian Federation agreed.

The EU representative asked about specific regulations on what to do when transponders break down and wondered whether Contracting Parties were in agreement with those as this is an important enforcement issue. Norway had seen the proposal as a soft compromise solution. In Norwegian regulations, exemptions were not possible. The representative of Denmark (in respect of the Faroe Islands and Greenland) informed Faroese regulations did not allow exemptions either. The Russian Federation allowed an exemption period of 10 days, but reports by other devices should be transmitted in that period. The representatives of the Russian Federation and Iceland thought that the discussion was beginning to fall under PECCOE's remit and would prefer details to be discussed in that Committee.

#### **6.4 A designated ports scheme and other changes to the Scheme**

The EU presented the proposal, which it found self-explanatory, but an essential element in monitoring these fisheries. The Norwegian representative stated that Norway has the problem of a very long coastline and large number of ports. He thought this was an issue of trade. Designated ports would distort trade and ports omitted could sue the government. He suggested a port notification system instead. The representative of the Russian Federation agreed, as it is not economically sensible to go to a designated location. The representative of Denmark (in respect of the Faroe Islands and Greenland) did not want this provision to be specific for deep-sea fisheries as designated ports or other systems should apply to all fisheries. In the Faroe Islands landing ports were certified and had to meet given criteria. Vessels had to notify their intention to land. The representative of Iceland informed that the same system for ports applied in Iceland.

The Polish representative drew attention to the discussion in PECCOE on port control and that there is no port control scheme in place in NEAFC. The origin of deep-sea species would also have to be controlled. The proposal included all origins, also catches in EEZs. The EU representative outlined why they felt this was necessary. In the intermediate stage more information is necessary to be able to define sensitive areas. Peculiar to deep-sea fisheries is the fact that monitoring by VMS is almost the only tool; therefore more effort has to be put into monitoring. He stressed that the proposal was one of notification of ports where deep-sea species could be landed and control and monitoring were in place.

The Chairman noted the arguments made on long coastlines and economic considerations. The EU had made the case for efficient monitoring. Norway's idea of a notifying procedure should be discussed further.

#### **6.5 Limitation of the size of the fleet fishing for deep-sea species**

The EU representative indicated that the idea is to limit the catching power of the fleet fishing for deep-sea species. There were various ways to do this, but the limitations had to be subtle to meet problems of the increase in fishing power. The EU solution was a maximum for tonnage and maximum kilowatt. The short time period used as a reference had been chosen to avoid the problem of increased fishing power. Three years (1998-2000) had been

found appropriate to reflect present levels of fishing power. Any vessel that had caught over 10 tons of deep-sea species in any year of these three would be included in the aggregate measure of fishing power. The regulation aimed at controlling the total fishing power, rather than establishing a list of individual vessels.

The Norwegian representative had earlier pointed out the problem they had with introducing kilowatt limitation measures in national regulation. He noted that the proposal deviated somewhat from the terms of reference of the Working Group to examine historic catches of deep-sea species and effort deployed and the discussions at the 21<sup>st</sup> Annual Meeting. He advocated using number of vessels times fishing days. The representative of Denmark (in respect of the Faroe Islands and Greenland) reserved its position on the time period used as a reference. He noted that years after the discussion on limitations had started should not be included. He also noted that Greenland would not accept that the lack of a track record would prevent deep-sea fishing activity in the Regulatory Area. The representative of the Russian Federation could not accept using only the years 1998-2000.

The Icelandic representative found the text confusing and wondered whether a total of fishing power for all Contracting Parties would be calculated to be allocated afterwards or whether was the aim just to freeze total effort.

The representative of the EU responded to the representative of the Russian Federation that it was not possible to include 2002 because discussions on limitation had started in 2001. With respect to the reference period, there was a problem of increasing efficiency.

Iceland saw two exercises involved. One was in general reducing effort following scientific advice. In this respect the proposed method may be appropriate. With respect to allocation, international conventions and quite different principles were relevant.

## **6.6 Steps toward calculation of appropriate fishing opportunities**

The EU representative noted that the process has been started by compiling catch data and disaggregated effort data. He accepted Iceland's remark on what affected allocation but that should not hinder progress in setting up measures securing some kind of biological sustainability for deep-sea species.

The Chairman stated that this concluded the first reading of the EU proposal and all sub-items should be kept open. Areas of agreement and disagreement had been disclosed. He would like to prepare some kind of conclusion on the EU documents and asked delegations to consider the structure of such conclusions, especially indicating clearly areas of agreement and disagreement. Smaller groups to draft text could be considered. The EU representative suggested that the scientists should comment on data collection. The Norwegian representative drew attention to the ongoing attempts by the Working Group Chairman to analyse all data submitted. He would probably want to discuss his findings with his colleagues.

The Norwegian representative drew attention to the planning of the timetable at the 21<sup>st</sup> Annual Meeting. It was obvious that advice to the Extraordinary Meeting was expected and

that should be a part of the ordinary report. The EU representative found it difficult to prejudge the outcome before the major points of contention had been discussed further.

## **7 Proposal for a draft NEAFC Recommendation concerning Management Measures for Deep-sea Species**

The Chairman indicated that he would like to base the discussion on a Secretariat paper “Draft summary of position on main elements of the EU proposal”. He suggested changing the title to “Draft summary of conclusions of discussions”. The document was kept open for amendments and alterations and he suggested going through it, bullet point by bullet point, and closing items as we went along.

The title of the document was agreed.

The Chairman then opened the discussion of general matters. Norway suggested that the final discussion should be left open until after specific issues had been discussed. The Chairman did not like leaving items open, but accepted the proposal.

### **7.1 General**

**Purpose:** The EU representative suggested the following text: The purpose was to establish harmonised and transparent implementing measures for commitments reached in November 2002 concerning effort limitations and to establish data collection and control systems laying the foundation for an improved deep-sea management system.

The Icelandic representative pointed out that the November 2002 meeting had not decided on any commitments concerning effort limitations although the *ad hoc* temporary measures were effort based. Agreement was on the timetable. The decision for 2003 was without prejudice for the form of future management systems. It was agreed to take out this reference to effort limitations.

**Non-controversial implementation:** The Norwegian representative suggested adding a reference to closed areas and fishing seasons. Iceland pointed out that it was factually wrong to state that ICES advises effort measures in all instances.

The EU suggested staying with the purpose and dropping the two controversial – non-controversial headings. Instead a heading ‘Scope’ should be introduced. He wanted to strengthen the text on the need for harmonisation of measures undertaken in NEAFC and by the coastal states.

The Norwegian representative found the process somewhat confusing. It was agreed to continue finding out where the different element should be inserted.

**Scope:** The uncertainty expressed with respect to treating all species the same was kept in. It was also agreed to state to which area measures were applicable.

The Norwegian representative queried under which heading of the species list the species we attempt to regulate should be discussed further. The Chairman suggested that the list from the Annual Meeting, which this meeting cannot alter, should be appended to the report.

The Norwegian representative pointed out that the list agreed at the 21<sup>st</sup> Annual Meeting was not the same as the list in the EU proposal and that it may be a good idea to discuss the species list under the general heading. The EU representative asked for more detail about the doubts on the species list.

## **7.2 Collection of data**

The EU wanted to expand the reference to ACFM advice and felt it was also necessary to collect data where reductions in effort were recommended. He would submit a more specific text in writing. The Chairman suggested including scientific observers under this heading. The Norwegian representative agreed but wanted more specific text on the doubts raised on depth recording and the area of application. He saw some scope for getting more consensus. The EU representative would accept certain changes with respect to measuring effort for static gear and others.

The Icelandic representative had doubts about the level of aggregation of the data. He noted that the proposal did not respond to requests from ICES to record depth. The Norwegian representative queried whether Iceland asked for data on a haul-by-haul or set basis. The Icelandic representative stated that detailed data like this give the option to aggregate at whatever level managers wished. The representative of the Russian Federation suggested that this discussion may be better handled by an appropriate ICES Group. The EU representative noted that the proposal did not restrict the level of detail in the compilation, but what was specified was the level of aggregation when reporting to NEAFC.

The Norwegian representative wondered whether some text with respect to scientific observers implied two separate systems. The EU answered that control and scientific tasks were separated.

## **7.3 Authorisation to fish**

**Purpose:** The EU representative stated that 1998-2000 were the years used as base years in their proposal. He suggested adding text on the obligations to comply with data collection and additional control requirements for vessel authorised to fish for deep-sea species.

The Norwegian representative felt that, before anything was drafted, there was need for more discussion. He would prefer a direct reference to the vessel authorised and avoiding reference to the 100-kilo by-catch. He would table a revised proposal.

The Icelandic representative pointed out that there were still large outstanding problems in the system proposed, which had to be sorted out. The EU representative acknowledged the need for better text, but asked Iceland to specify their problem in more detail. The Norwegian representative felt that the whole point was controversial as authorisation was already part of the NEAFC Scheme. The Chairman asked if a specific deep-sea authorisation was needed. The Icelandic representative felt it was not necessary to define a deep-sea fishing vessel. Fishing opportunities, expressed in catch or effort would be specified in the authorisation. The EU representative felt that the 100-kilo rule was a measure for controlling non-authorised vessels and stressed the importance of that. The Norwegian representative thought that this would be covered by domestic legislation and the

NEAFC Scheme. The EU representative accepted that implementation of the rules was the responsibility of the flag state, but it was necessary to know the rules at the NEAFC level.

The Icelandic representative wanted his remarks included under 'purpose'. He could agree on the calculation of total effort but Iceland maintained the view that the issue of allocation was quite different. The Norwegian representative pointed out that these remarks pertained to a chapter on effort restriction that had not yet been drafted. The Icelandic representative had understood that we were discussing allocation.

The representative of Denmark (in respect of the Faroe Islands and Greenland) asked why there was a reference to a certain range of years. Russia also had doubts about this. The longevity of deep-sea species called for use of an age range of up to 20 years.

The Icelandic representative had assumed that the meeting was discussing future management systems not the ad hoc measures for 2003. The EU representative stated that the meeting was to discuss the EU proposal, which was based on the ad hoc measures for 2003. The proposal was not the final system, but an intermediate stage. More information would be gained in the process to refine management. The Chairman asked delegations to provide the Secretary with written proposals for text.

The Icelandic representative noted that the EU and Iceland seemed to have big differences in opinion. He wanted to comment on that and referred to the covering letter with the EU proposal. He did not see anything here indicating that the proposal deals with intermediate measures. The Icelandic position is that they could not accept the EU proposal with respect to the allocation of fishing opportunities.

The Chairman had had difficulties with the terms of reference of the meeting. The discussion had to be based on the EU proposal, to find areas of consensus and areas of disagreement before reporting to the Extraordinary Meeting in May 2003. The EU representative was happy with the way the meeting was progressing, step-by-step.

The Chairman informed delegates that two documents had been circulated: a draft summary of conclusions of discussions, Part I and Part II. Part I had been drafted by the Secretariat with the help of the friends of the Chairman. This was tabled for consideration by the Parties and would be taken up later. He wanted to discuss Part II in the same way as Part I. He hoped to have final versions of the summaries ready at the end of the day

The meeting then went through Part II of the draft summary of conclusions of discussions.

#### **7.4 Vessel monitoring procedures**

**Purpose:** Agreed

**Non-controversial implementation:** The EU representative drew attention to the need for PECCOE to look into the technicalities of VMS requirements overall.

**Controversial implementation:** None

## 7.5 Effort restriction

**Purpose:** The Icelandic representative thought that the text did not reflect the purpose but the means to achieve it. Iceland still wanted to separate discussions about limiting effort and allocation.

The EU representative suggested that the purpose could be to limit fishing mortality in deep-sea fisheries.

**Non-controversial implementation:** The EU representative suggested that the text originally under ‘purpose’ was moved to ‘non controversial’, but the species names be taken out. The Chairman inquired about the species lists involved. The EU representative replied that they had started with the list from the Annual Meeting, and then taken ling, tusk and Greenland Halibut out of their list b. The Norwegian representative noted that the only decision that had been made on species was the list from the Annual Meeting. The EU representative noted that there had been disagreement about the tonnes involved and the reference year period. The Icelandic representative once again repeated that they had accepted the approach as a means to limit effort. Effort could be measured in many ways; one process is the use of different reference year periods. The allocation of fishing opportunities was a completely different process based on international law, involving a number of principles other than the track record.

The EU representative asked for more detailed comments to their proposal or specific alternative proposals. The Icelandic representative felt he could agree to the first step of the process with the present text omitting reference to years and tonnes of species. The representative of the Russian Federation noted that the Annual Meeting had agreed to limit effort without any reference to base years. The Chairman suggested that each party should state their position and have it reflected in the conclusions.

The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that, if the purpose was to find a basis for allocations, he would associate himself with the remarks of the representative of the Russian Federation. The Icelandic representative suggested changing the initial sentence to “a group of vessels that have been fishing for deep-sea species”. He would not prejudge which vessels would be authorised in future. The EU representative suggested splitting the text into two parts: one describing the pool to be limited and the other how to allocate according to vessels’ track records. The Chairman had a difficulty referring to vessels because it seemed to limit the access of vessels without track record. The Icelandic representative agreed. The text as amended will go into the draft.

The Chairman then asked about the reference period. The representative of the Russian Federation had indicated that no decision has been made in this respect. The other contentious issue was the qualifying quantity defining a deep-sea vessel. The EU repeated its concern about changes in efficiency over time and the Polish representative agreed. The Norwegian representative reserved its position on the reference period and wanted this to be reflected in the conclusions. The Icelandic representative asked if there should be reference to the problem of lack of data exposed by the Working Group to examine historic catches of deep-sea species and effort deployed. The Chairman agreed that it should be

mentioned that the data were unsatisfactory, but wondered where this should be included. The Icelandic representative thought it could either be in the effort section or in the general part. It was agreed that text on the insufficient data should be inserted under non-controversial implementation in the effort restriction section.

The EU representative felt that the data were sufficient to support their proposal, but on the other hand called for more collection of data. The Norwegian representative thought the fact that it was not possible to allocate effort to the NEAFC RA was a problem. The EU representative did not feel it consistent that the Norwegian and Icelandic representatives supported the EU text and then stated that its proposal cannot be achieved because of lack of data. The Icelandic representative pointed out that they accepted the proposal but regretted that data were not satisfactory. The Norwegian representative noted that the solution was right in theory, pending appropriate data.

## **7.6 Port state control/designated ports**

**Purpose:** The EU representative indicated that the idea was one of transparency and consistency across the NEAFC Contracting Parties with respect to information on ports, which should lead to, improved control and wondered whether any Contracting Party had a problem with this. The Norwegian representative suggested that their proposal on pre-notification could be merged with the proposal on designated ports. The EU representative saw scope for merging. Norway could designate all ports and share information with other Parties on the control measures in place. The representative of the Russian Federation agreed with the Norwegian representative

The Chairman saw possibilities for agreement. Parties seemed to be willing to agree in principle, but had problems with designated ports. If the EU wanted to maintain the proposal for designated ports it should go under 'controversial'. It was agreed that the Norwegian pre-notification system should be merged into the text. The Icelandic representative felt that a port control system should be general and not apply just to deep-sea species. The EU suggested that this applied to deep-sea fisheries but would also be useful for other fisheries. PECCOE is already looking into a general port control scheme.

The amended Part I and Part II of the draft summary of conclusions of discussions were scrutinised by the meeting, paragraph by paragraph, introducing amendments in the process.

The following general points were made at this juncture:

The Norwegian representative questioned the reasons for excluding ling and tusk from the list. These species needed protection as much as others in the Regulatory Area. The EU representative explained that they were aware of the need to protect ling and tusk but had brought TAC regulations into place. The problem was that including these fisheries in effort regulations would bring a lot of effort from shelf fisheries into the deep-sea capacity pool.

The Norwegian representative questioned the reference to annexes in the EU proposal. They had understood that the only list agreed was N1 from the 21<sup>st</sup> Annual Meeting. The EU explained the reasoning behind the two additional list b "commercial species" and c. c "potential commercial species". At this stage they were primarily related to data collection.

The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that the c list may not be contentious; it was the b list that that caused disagreement amongst Contracting Parties.

The Norwegian representative drew attention to the differences between different lists: Annex I in the Scheme, the EU proposal to extend Annex I with b and c and N1 from the Annual Meeting, which included Greenland halibut. The Icelandic representative suggested that there should be one list for scientific purposes clearly separated from lists for management.

The EU representative wanted to retain specific text on which means were appropriate for the measurement of effort for trawlers and static gear. This was important for the work of the Working Group to examine historic catches of deep-sea species and effort deployed, which needed guidance. The means should be agreed at NEAFC level. The representative of the Russian Federation drew attention to the fact that the statistics group at the 21<sup>st</sup> Annual Meeting had not discussed kilowatts as a measure.

The Icelandic representative, supported by the representative of the Russian Federation, stated that making fishing dependant on NEAFC approval of management plans ran counter to the NEAFC Convention. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that the purpose was to establish harmony, not uniformity, on management plans in the NEAFC family. The way forward could be to establish a scientific group to perform this task.

The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that PECCOE was not the place to discuss policy questions like such as whether deep-sea species should be singled out for special VMS measures or rules apply to all fisheries for regulated resources. The representative of the Russian Federation and the Norwegian representative supported this point of view. The EU representative did not think that this group was in a position to issue instructions to PECCOE. The Norwegian representative observed that this meeting certainly had the mandate to recommend changes to the Scheme. The Extraordinary Meeting in 2003 would make decisions on the recommended measures. He thought that it should be reflected that that a majority supported that rules should be the same for all fisheries for regulated resources. He noted that there was still scope for improvement of the database on landings and effort. The lack of categories and codes had caused problems and should be addressed. A code for unspecified species should be included.

At the end of the meeting two documents were distributed.

1. Draft summary records for the whole meeting, for information. Corrections and comments directly to the Secretariat.
2. The final draft summary of conclusions of discussions. Agenda item 7 to be adopted and finalised.

The final draft summary of conclusions was scrutinised and finally adopted as amended. They are annexed as Annex D

## **8 Other relevant submissions**

No submissions had been sent to the Secretariat before the meeting. It was noted that the Norwegian representative had submitted two papers, dealt with under agenda item 7.

## **9 Report to NEAFC**

The “Draft summary of conclusions of discussions” was adopted. Records of the meeting will be distributed to delegations for comments and corrections. These records will form the basis of the final report of the meeting. A draft final report will be circulated to all delegations a few days after the meeting for comment. Contracting Parties will have a deadline of one week to submit comments and corrections.

## **10 Any other business**

The EU informed delegates that they were planning a meeting on management plans. If the meeting went forward they would like to invite scientists from other Contracting Parties.

## **11 Closure of the meeting**

The EU representative thanked the Chairman for running the meeting in an efficient way and the Secretariat for providing assistance and drafting text. He thanked the other Contracting Parties for their contributions, which had meant that thoughts on management of deep-sea species had been developed substantially. However, much more needs to be done for those species under considerable biological threat.

The Chairman thanked all delegations for their active contribution to the discussions and wished everybody a safe journey home.

## **Annex A**

### **Summary of Norwegian regulatory measures for deep-sea fisheries in the NEAFC Regulatory Area**

On 26 February 2003, Norway laid down regulations relating to fishing for deep-sea species in the NEAFC Regulatory Area.

The regulations concern the species mentioned in Annex N.1 in the Report of the 21<sup>st</sup> Annual Meeting of the North Atlantic Fisheries Commission 12-15 November 2002.

The data used as a basis for introducing the regulatory measures are effort data based on the parameters “number of vessels” and “fishing days”, broken down by NEAFC Regulatory Area and the national zones of the Contracting Parties.

The regulations limit the number of vessels permitted to conduct fisheries in the NEAFC Regulatory Area to a maximum number of 17 vessels flying the flag of Norway. This is the maximum number of vessels having conducted fisheries in one of the previous years. The regulations also limit the number of fishing days to 675, the highest number of fishing days utilised by vessels flying the flag of Norway in one of the previous years. Number of fishing days and fishing vessels were among the options for regulating effort specified in the recommendation in Annex N of the Report of the 21<sup>st</sup> Annual Meeting of the North Atlantic Fisheries Commission 12-15 November 2002.

### **Data collection**

Scientific data have been collected since 1995 during experimental surveys and our own data collecting project with observers on board. The project will be continued in 2003. The Institute of Marine Research is currently examining logbooks for the long-line fisheries for deep-sea species. In addition, the Institute of Marine Research has established a reference fleet programme, comprising commercial fishing vessels obliged to submit scientific data (including deep-sea species) by electronic means.

## EUROPEAN COMMUNITY

### MEASURES APPLICABLE TO DEEP SEA FISHERIES

- Ref:** Council Regulation (EC) No 2347/2002
- Scope:** Regulation applies to Community vessels fishing inside waters of EC Member States and the NEAFC Regulatory Area
- Coverage:** Covers species outlined in Annex I (b) of EC proposal
- Measures:** Fishing permit

Vessels catching more than 10 tons per year of deep-sea species must have a permit. No vessel without a permit may retain on board more than 100 kg of such species.

#### Effort restrictions

Member States shall limit the issue of permits to a number of vessels for which the aggregate power and volume does not exceed the aggregate power and volume of vessels that have landed more than 10 tons of deep sea species during one of the reference years 1998, 1999 or 2000. (Power means total installed engine power in kilowatts, volume means gross tonnage).

#### Logbook requirements

Skippers shall enter information on gear used in their logbooks.

#### VMS

In the event of technical failure or non-functioning of the satellite tracking device vessels shall report their position to the flag and coastal state every two hours. Repeated instances of non-compliance to be regarded as a serious offence.

#### Designated Ports

Vessels are prohibited to land more than 100 kg other than in a port designated by the Member State.

#### Observers

Scientific observers shall be assigned to vessels, which have a deep sea fishing permit.

#### Sampling plans

Member States shall draw up sampling plans for the deployment of observers and sampling at port to ensure collection of representative data.

#### Information

Member States shall communicate to the EC Commission on a half yearly basis information about catches and effort deployed, expressed as kilowatt days.

## **Poland**

### A Brief Description of Deep-Sea Species Catch Regulatory Measures

Following the timetable for introducing regulatory measures for deep-sea species adopted at 2002 Annual Meeting of NEAFC, Poland introduced the relevant regulation for the year 2003. This regulation has been communicated to NEAFC Secretary on February 25<sup>th</sup>, 2003.

When determining the management method related to the Polish fishery of deep-sea species in the NEAFC RA the catch and effort data for the period 1998-2000 were used. The criteria of not exceeding maximum catches and not exceeding of maximum number of vessels engaged in the deep-sea species fishery within NEAFC RA have been used.

As a result it has been adopted that no more than 3 Polish flag vessels should be granted fishing permits for deep-sea species within NEAFC RA for the year 2003.

Poland, not being a coastal state for deep-sea species, has not any other relevant conservation measures which could be applied as a source of auxiliary information for this meeting.

**Information on Icelandic regulation for the fishery for the species listed in the terms of reference for the WG to examine historic catches of deep sea species and effort deployed in catching these species**

Icelandic vessels have conducted fisheries for several of the species listed in the terms of reference for the WG to examine historic catches of deep sea species and effort deployed in catching these species. Many of those species are found within the Icelandic EEZ.

Tusk, ling and blue ling remains the most important “deep-sea species” in Icelandic waters. In recent years, about 120 vessels were engaged in these fisheries with registered catches from less than 100 kg to nearly 1000 tonnes. In 2002 around 5300 tonnes of deep water species were caught in bottom trawl, whereof 4500 were greater silver smelt. This is similar amount as in 2000, but nearly 1500 tonnes more than in 2001. The reduction in 2001 is mostly due to the decrease in the greater silver smelt fishery, but also due to reduction in the catches of tusk. By longline, nearly 4300 tonnes were caught, mostly tusk, but also blue ling and ling. This is similar as in 2001, but compared with 2000, this is a reduction of about 35%. About 1200 tonnes were fished with other gear types. Discard is prohibited on Icelandic vessels and information on prohibited discard is not available.

**Tusk**

The quota for Icelandic vessels fishing for tusk in the quota year 2002/2003 (the quota year starts 1. September 2002 and ends 31. August 2003) is 3.500t. This is a reduction in the catches from the previous year from approx. 4.000t, in accordance with the advice from the Icelandic MRI and ICES. The fisheries for this stock is limited to Icelandic vessels that have been allocated a quota for it or have aquired quotas by other means.

In early nineties directed effort towards tusk started and the catches increased to 6400 tonnes in 1991 and 1992. Since then, the catches have been between 4100 and 5800 tonnes until 2001. In 2001 the Icelandic catch decreased down to about 3400 t, whereof 3200 tonnes was taken by longlines but in 2002 the catches increased again to approx. 4000t

**Ling**

The quota for Icelandic vessels fishing for ling in the quota year 2002/2003 is 3.000t. This is in accordance with the advice from the Icelandic MRI and ICES. The fisheries for this stock is limited to Icelandic vessels that have been allocated a quota for it or have aquired quotas by other means.

Total of 2839 tonnes were caught in 2002, whereof 1281 tonnes with longline, 648 tonnes with gillnets and 662 tonnes with bottom trawl. This is very similar to the catches in 2001, but a considerable reduction from 2000 except for the trawl fishery. Except for the longline fisheries, catches of ling are a by-catch in the trawl and the gillnet fishery. The fishing grounds as recorded in the logbooks are shown in figure 1 for 1998, 2000 and 2002. In addition to above mention catches, there are reported 426 tonnes of ling in Icelandic waters taken by Faroe Island vessels.

**Greenland Halibut**

The quota for Icelandic vessels fishing for Greenland halibut in the quota year 2002/2003 is 23.000t. This is set on the basis of the advice from the Icelandic MRI and ICES. The fisheries for this stock is limited to Icelandic vessels that have been allocated a quota for it or have aquired quotas by other means. The quotas have been reduced substantially from what they previously were.

The coastal states have been negotiating on a comprehensive management for the stock.

### **Blue Ling**

Blue ling is mostly caught as a by-catch in the bottom trawl and longline fishery. The total catch in 2002 was 1261 tonnes whereof 256 and 960 tonnes were taken by longline and bottom trawl, respectively. As the fisheries for Blue Ling in recent years have almost exclusively been as bycatch no regulatory measures have been put in place for that fisheries.

### **Greater Silver Smelt**

Greater silver smelt have been caught in bottom trawl for years, as a by-catch in the redfish fishery. Only small amounts was reported prior to 1996 as most of the fish was discarded. Since 1997, direct fishery for greater silver smelt have been ongoing and the catches increased significantly, from 800 tonnes in 1996 to 13 000 tonnes in 1998. In 1999 and 2000, the catches were close to 6000 tonnes, but decreased to only 3000 tonnes in 2001. The catches in 2002 increased again to almost 5000 tonnes where the dominant gear was bottom trawl.

The MRI has recommenced a precautionary TAC of 12.000t in the quota year 2002/2003. As the catches have been lower than the recommended TAC no regulatory measures have been put into place.

### **Fishery of other nations in Icelandic waters in 2002**

There are reported catches of 1342 tonnes of tusk taken by vessels from Faeroes Island in 2001, nearly exclusively with longlines. Faeroes vessels also caught 426 tonnes of Ling with the same gear. This is taken from a quota set out in a bilateral agreement between Iceland and the Faroe Islands on a TAC for Faroese longline vessels of 4.500t of demersal species.

### **Fisheries in international waters**

On the basis of the regulation on fisheries for these species a limited number of licenses is given to fishing vessels each year. Information on fisheries by Icelandic vessels in the regulatory area can be found in the report from the WG to examine historic catches of deep sea species and effort deployed in catching these species.

## **Report on Present Regulatory Measures to Deep-Sea Fishery Applied by Russian Federation in NEAFC RA**

Studies of deep-sea species have been conducted since early 1970's in the NEAFC RA.

All commercial vessels conducted deep sea fisheries have been licensed since 1999.

Fishery efforts and catches reduced of deep-sea species significantly in 2000's.

Satellite monitoring system was introduced on all commercial vessels during last years.

Collection of scientific data was improved during last years.

This year it is planned to introduce the following conservation measures for deep-sea species:

- Not to increase efforts for directed deep-sea fishery in comparison with maximum historical ones.
- Total catch will not be exceeded maximum historical one.
- It should be reported about catches and even by-catches, commencing and finishing of directed deep-sea fisheries to appropriate authorities.
- National observers will be sent to the vessels conducted deep-sea fishery.

## **Summary of regulatory measures for deep-sea fisheries in the NEAFC Regulatory Area in 2003.**

### **Denmark in respect of the Faroe Islands and Greenland**

#### **Faroe Islands:**

No additional management measures has been introduced for Faroese deep-sea fisheries in 2003.

According to the current effort system applicable for Faroese vessels fishing for deep sea species in Faroese waters, the number of licences has been limited to the level as of 1 January 1995.

The deep sea fishery in the NEAFC Regulatory Area is conducted by the same vessels operating in deep sea fisheries in Faroese waters. Consequently, no new licenses have been issued for deep sea fisheries in the NEAFC Regulatory Area since 1996.

In 2003 the effort (number of vessels/licences) will not exceed the level in previous years for those species listed in the Annex of the recommendations adopted at the Annual Meeting in November 2003.

Sampling for scientific assessment: Scientific data on deep-sea species have been collected since the late 1970's during exploratory surveys with research vessels and hired commercial vessels, both national and international waters.

Tusk, ling, blue ling, Greenland halibut and greater silver smelt are part of the sampling programme employed by the Faroese Fisheries Laboratory.

Designated ports: Every vessel with licence issued by Faroese authorities are only allowed to land catches in ports designated by Faroese authorities.

#### **Greenland:**

Since Greenland has no fisheries in the NEAFC Regulatory Area for deep-sea species listed in the recommendations adopted at the Annual Meeting in November 2002, no management measures have been introduced for 2003.

**Annex B - NEAFC WORKING  
GROUP TO EXAMINE HISTORIC  
CATCHES OF DEEP-SEA SPECIES  
AND EFFORT  
DEPLOYED IN CATCHING THESE  
SPECIES BY  
CONTRACTING PARTIES**

**Tuesday 18–Friday 21 March**

Slide 1

**Goals**

- Compile catch (landings) statistics, 1980-2002.
- Compile effort statistics.
- Provide a database of these data.
- Report to technical WG (31 March).

Slide 2

**Provisional agenda**

- 1. Opening of the meeting**
- 2. Adoption of the agenda**
- 3. Arrangements for the meeting and compilation of catch and efforts statistics.**
- 4. Discussion on details of the data reported by Contracting Parties.**
  - a. Breakdown on statistical units*
  - b. Species breakdown*
  - c. Catch series*
  - d. Effort series*
- 5. Work in subgroups.**
- 6. Report to NEAFC.**
- 7. Future meetings.**
- 8. Any other business.**
- 9. Closure of the meeting.**

Slide 3

## **Area breakdown**

- ICES Sub-areas and Divisions
- ICES Statistical Rectangles
- EEZs

Slide 4

## **Species breakdown**

- Species list provided in TOR, but also others (>10 tonnes/any relevant year).

Slide 5

## **Effort data**

- Effort by vessel/gear type: trawlers, longliners, gillnetters.

Slide 6

## Report structure

- Introduction
- List of participants.
- TOR
- Working procedure
- Landings database
- Effort database
- Comments.

Slide 7

## Conclusions, landings

- **The WG attempted to compile landings data for the NEAFC Convention Area, split by ICES Sub-areas and Divisions, national EEZs and the NEAFC Reg. Area. Results residing on EXCEL sheets.**
- **Some landings data by ICES Statistical Rectangle were also available, primarily for the most recent years. The dataset at this spatial resolution is far from complete.**
- **The vague definition of deep-sea species given in the ToR caused uncertainty with regards to what species to include.**
- **It continues to be impossible to provide consistent series of species-specific landings data for sharks.**
- **In some cases inconsistencies with the ICES Fisheries Statistics (Statlant data, 1973-1999).**

Slide 8

## Conclusions, effort data

- **Better progress with the collation of effort data could have been made if the units of effort had been specified in the ToR.**
- **The units used by the WG are provisional and the Group would welcome guidance from the Technical Meeting.**
- **It is particularly important that effort units for future data collection are specified and agreed by all Contracting Parties.**
- **Effort data for trawlers, longliners and gillnetters were compiled as far as possible for the same geographical areas as used for landings data, but a consistent dataset using a common set of effort measures could not yet be provided.**

Slide 9

## Conclusions, general

- With time and additional national effort, some of the landings and effort data series could be improved significantly. *Some revised datasets have been submitted after the meeting.*
- The mandate of the group should have included precise expressions of the data needs, and templates for data entry.
- Greater emphasis on intersessional work, and deadlines for contributions in advance of a meeting would have been required.
- Interaction with the WG on Technical Regulation Measures should clarify in greater detail what additional data are required to achieve a better basis for alternative regulatory measures proposed.

Slide 10

## Effort data, incl. series received after the meeting.

*Fishing effort data by country reported until 31 March 2003.*

Country	Year	ICES Sub-division	ICES Statistical Rectangle	Number of vessels	Days fishing	Gear	Detail	Zone
Faroe Islands	-	-	no data received	-	-			
Greenland	1992-2002	x		x	x	x		x
Denmark	1982-2002	x		x		x		x
France	1995-2002			X			KW	
Germany	1995-2002	x	x				hours fishing	x
Iceland	1988-2002	x	x	x	x	x	all details	x
Ireland	2000-2001	x		x	x	x		x
Netherlands			no data					
Norway	1995-2002	x		x	x	x		x
Poland	1980-2002	x		x	(x)	x	GT KW, hours	x
Portugal	1998-2000	x		x		x	GT KW, hours	x
Russian Federation	1970-2001			x	x	x	GT	
Spain	1998-2002	x		x	x	x		
UK			no data received					

Slide 11

## **Annex C**





## Annex D - NEAFC TECHNICAL MEETING TO EXAMINE THE EUROPEAN UNION'S PROPOSALS AND ANY OTHER RELEVANT SUBMISSIONS

### Summary of conclusions of discussions. Item 7

## 12 General

### Purpose

The purpose was to establish harmonised and transparent measures for the implementation of the commitments agreed in November 2002 and to establish data collection and control systems laying the foundation for an improved deep-sea species management system.

### Scope

Five Contracting Parties felt that the meeting should deal with regulatory measures in the NEAFC Regulatory Area. The meeting agreed that management measures in international and waters under national jurisdiction should be compatible. The EU considered it could be desirable to consider measures adopted in RFOs in the same context. Scientific data collection needs to be operated on a harmonized regional basis. The EU pointed out that provisions of Article 6 of the NEAFC Convention would be relevant in this context.

### Controversial implementation

Doubts were raised about treating all species, listed in Annex N.1 in the Report of the 21<sup>st</sup> Annual Meeting, in the same manner. There are some species about which we know almost nothing, others have been researched for years. Contracting Parties did not fully agree on the application of the various management measures to ling, tusk, greater silver smelt and Greenland halibut. This issue is further explained in section 5.

## 13 Collection of data (including effort data) in support of scientific assessment;

### Purpose

The purpose was to collect the appropriate data in order to *inter alia*

1. identify sensitive areas;
2. estimate the productive potential of new discovered resources;
3. estimate appropriate amounts of fishing effort and catch in various areas.

### Non-controversial implementation

All Contracting Parties agreed on the need to compile more data for scientific purposes, including the implementation of a scientific observer system.

Contracting Parties should implement special provisions concerning the collection of data on vessels authorised to fish for deep-sea species. These are itemised below:

a. In addition to the obligations laid down in Articles 8 of the Scheme of Control and Enforcement Contracting Parties, on the basis of the information recorded in logbooks and reports presented by the scientific observers, shall communicate for each half calendar year within three months of the expiry of that half calendar year to the NEAFC Secretariat the information about catches of deep-sea species in Appendix A and fishing effort deployed measured in appropriate agreed means, broken down by quarter of the year, by type of gear, by depth, by species, by economic zones and by ICES statistical rectangle. The NEAFC Secretariat shall transmit this information to the relevant scientific bodies without delay.

b. Each Contracting Party should prepare a sampling plan for the deployment of observers that should ensure collection of representative data that are adequate for assessment and management of deep-sea fish stocks in Appendix A. Each Contracting Party shall assign scientific observers to fishing vessels or groups of fishing vessels authorised to fish for deep-sea species.

It was strongly felt that sampling plans should be harmonised across NEAFC Contracting Parties. In this connection, appropriate scientific bodies should be consulted to ensure an appropriate scientific and statistical basis for fisheries management.

c. Each Contracting Party shall ensure that the scientific observers:

(i) record the information agreed in the sampling plans;

(ii) present a report to the competent authorities of the Contracting Party concerned within twenty days following the termination of the observation period. A copy of this report shall be sent to the NEAFC Secretariat, within fifty days after receipt of a written request;

(iii) perform additional duties as required in the sampling plan;

(iv) are independent and do not have any commercial, administrative or family link with the owner, the master or the master's representative of the vessel on which observer duties are to be performed.

### **Controversial implementation**

The EU maintained that effort deployed should, wherever possible, be reported as kilowatt-days fishing for trawlers, total hooks applied for long liners and total length of nets \* soak time for gill netters.

The EU considers that sampling plans should be subject to approval by NEAFC on the basis of a statistical evaluation by an appropriate scientific body.

## **14 Authorisation to fish**

### **Purpose**

The purpose is to define measures which allow the management of deep-sea fisheries separate from other fisheries.

### **Non-controversial implementation**

All Contracting Parties accepted that engaging in fishing activities with regard to deep-sea species should be specifically authorised in the framework of the NEAFC Scheme. There was also agreement that it was necessary to control vessels that were not authorised to engage in fishing activities with regard to deep-sea species.

### **Controversial implementation**

The EU maintained that it was necessary to identify formal rules within NEAFC by which all Contracting Parties should apply identical criteria to identify when a vessel has fished for deep-sea species. In this regard they proposed establishing a rule to ensure that fishing vessels shall not retain on board an aggregate quantity greater than 100 kg of deep-sea species unless specifically authorised to do so.

Norway, Denmark, Iceland, Poland and Russian Federation had problems with this approach, which seemed to encourage discarding catches of deep-sea species. Infringements to the rules could be handled according to domestic law.

Norway further argued for limiting the number of authorisations based on track record of individual vessels.<sup>1</sup>

## **15 Vessel monitoring procedures;**

### **Purpose**

To increase and improve VMS coverage and provisions for deep-sea fisheries, because VMS is the main tool for surveillance in these fisheries far off shore.

### **Non-controversial implementation**

There was general agreement that increased VMS coverage would benefit monitoring. Further improvements in VMS coverage, including those proposed in the EU document considered under agenda item 6, need to be explored by PECCOE.

### **Controversial implementation**

The majority of Contracting Parties expressed a general preference for avoiding exemptions from the requirement to return to port when transponders broke down. A majority also felt that improvement in VMS coverage should apply to all fisheries for regulated resources.

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<sup>1</sup> DS WG 03-17

## **16 Effort Restrictions**

### **Purpose**

The purpose is to prevent the over fishing of deep-sea species, without prejudice to the relative competencies of NEAFC and the coastal states.

### **Non-controversial implementation**

Restrictions should be implemented by defining a limit to capacity of the fleet that can fish for deep-sea species, defined as an upper limit fishing capacity that can be deployed to deep-sea species by Contracting Parties.

The upper limit of fishing capacity should be based on the capacity of fishing vessels, which have fished for deep-sea species in an agreed reference period. Any vessel having caught more than a qualifying quantity of qualifying species in any one of the years of the agreed reference period should be included in the calculation of the reference basis.

The capacity to be limited should be measured in an agreed manner in consistent units by all Contracting Parties.

### **Controversial implementation**

The EU considered that the capacity to be limited should be measured in total KW and total Gross Tonnage of the fleet.

Norway and the Russian Federation considered that capacity to be limited should be measured in vessel-days and/or number of fishing vessels for different groups of fishing vessels.

The EU, supported by Poland, stated that the agreed reference period should be 1998 to 2000. The EU stated that the basis for freezing effort should be a calculation based on recent effort, because of catchability increases in the fisheries concerned. If a longer time-period were used for the reference basis, account would have to be taken of changes in vessel efficiency.

Denmark (in respect of the Faroe Islands and Greenland), Iceland, Norway and the Russian Federation reserved their position on the time period used as a reference. Denmark (in respect of the Faroe Islands and Greenland) preferred that the reference period should be 1980-2000, Norway 1998-2002, the Russian Federation 1970-2002. Denmark (in respect of the Faroe Islands and Greenland) felt that a lack of track record should not prevent participation in deep-sea fishing activities in the Regulatory Area.

The EU stated that the qualifying quantity should be 10 tonnes.

Norway stated that the qualifying quantity should be 5 tonnes.

The EU stated that the qualifying species should exclude ling, tusk and Greenland halibut. Denmark (in respect of the Faroe Islands and Greenland) and the Russian Federation supported this and wanted also to exclude greater silver smelt. Norway did not want to exclude ling, tusk and Greenland halibut.

It was pointed out that data compiled by the Working Group to Examine Historic Catches of Deep - Sea Species were not sufficient to establish an effort limitation scheme in the Regulatory Area for all Contracting Parties. It was noted by Norway, however, that all Contracting Parties had submitted data enabling NEAFC to establish an effort scheme based on number of fishing vessels and number of fishing days. The EU considered that data presently available are not an adequate basis for an effort management scheme based on vessels days.

The EU considered that the incomplete nature of the data compilation exercise did not prejudice an effort limitation scheme on the basis given in its proposal. However it would be helpful for the further development of management measures to complete the data collection exercise. EU considers that management of effort on the basis of vessel days is not an adequate basis for effort management.

## **17 Port state control/ designated ports**

### **Purpose**

To set up a system which allows strict port control of landings from deep-sea fisheries.

### **Non-controversial implementation**

There was general agreement that it was necessary to set up a harmonised system to allow control of landings from deep-sea fisheries. It was noted that PECCOE is considering port state control as a general measure applicable to all fisheries of regulated resources.

### **Controversial implementation**

The EU felt deep-sea fisheries were a special case, demanding strict procedures to monitor landings. The EU proposed that each Contracting Party should establish a system of designated ports, where deep-sea species could be landed.

Norway, supported by the Russian Federation, proposed a port notification system as an alternative to a system of designated ports.<sup>2</sup> Denmark (in respect of the Faroe Islands and Greenland) and Iceland informed that their normal procedures for controlling landings is to land all catches in designated port and include also advanced notification and these procedures are sufficient to deal with the problem.

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<sup>2</sup> Port notification

Each Contracting Party shall ensure that its fishing vessels having been engaged in fishing activities in the Regulatory Area shall communicate to their competent authorities at least 24 hours in advance of any landing.

The report shall at least contain the following elements:

- Radio call sign
- Vessel name
- External Registration Number
- Date, time and position at time of notification
- Number of fishing days and quantity by species on board in live weight in kilograms.
- Name of Port

## APPENDIX A

**The following Deep-sea species shall be recorded for scientific purposes**

Stock (common name)	FAO code	Scientific name	Geographical area/ICES Area
Baird's smoothhead	ALC	<i>Alepocephalus bairdii</i>	ICES Divisions I to XIV
Risso's smoothhead	PHD	<i>Alepocephalus rostratus</i>	ICES Divisions I to XIV
Blue antimora (Blue hake)	ANT	<i>Antimora rostrata</i>	ICES Divisions I to XIV
Black scabbardfish	BSF	<i>Aphanopus carbo</i>	ICES Divisions I to XIV
Iceland catshark	API	<i>Apristurus spp</i>	ICES Divisions I to XIV
Greater silver smelt	ARG	<i>Argentina silus</i>	ICES Divisions I to XIV
Alfonsinos	ALF	<i>Beryx spp.</i>	ICES Divisions I to XIV
Tusk	USK	<i>Brosme brosme</i>	ICES Divisions I to XIV
Gulper shark	GUP	<i>Centrophorus granulosus</i>	ICES Divisions I to XIV
Leafscale gulper shark	GUQ	<i>Centrophorus squamosus</i>	ICES Divisions I to XIV
Black dogfish	CFB	<i>Centroscyllium fabricii</i>	ICES Divisions I to XIV
Portuguese dogfish	CYO	<i>Centroscymnus coelolepis</i>	ICES Divisions I to XIV
Longnose velvet dogfish	CYP	<i>Centroscymnus crepidater</i>	ICES Divisions I to XIV
Deep-water red crab	KEF	<i>Chacon (Geyron) affinis</i>	ICES Divisions I to XIV
Rabbit fish (Rattail)	CMO	<i>Chimaera monstrosa</i>	ICES Divisions I to XIV
Frilled shark	HXC	<i>Chlamydoselachus anguineus</i>	ICES Divisions I to XIV
Conger eel	COE	<i>Conger conger</i>	ICES Divisions I to XIV
Roundnose grenadier	RNG	<i>Coryphaenoides rupestris</i>	ICES Divisions I to XIV
Kitefin shark	SCK	<i>Dalatias licha</i>	ICES Divisions I to XIV
Birdbeak dogfish	DCA	<i>Deania calceus</i>	ICES Divisions I to XIV
Black (Deep-water) cardinal fish	EPI	<i>Epigonus telescopus</i>	ICES Divisions I to XIV
Greater lanternshark	SHL(*)	<i>Etmopterus princeps</i>	ICES Divisions I to XIV
Velvet belly	SHL(*)	<i>Etmopterus spinax</i>	ICES Divisions I to XIV
Blackmouth dogfish	SHO	<i>Galeus melastomus</i>	ICES Divisions I to XIV
Mouse catshark	GAM	<i>Galeus murinus</i>	ICES Divisions I to XIV
Bluemouth (Blue mouth redfish)	BRF	<i>Helicolenus dactylopterus</i>	ICES Divisions I to XIV
Blondnose six-gilled shark	SBL	<i>Hexanchus griseus</i>	ICES Divisions I to XIV
Orange roughy	ORY	<i>Hoplostethus atlanticus</i>	ICES Divisions I to XIV
Silver roughy (Pink)	HPR	<i>Hoplostethus mediterraneus</i>	ICES Divisions I to XIV
Large-eyed rabbit fish (Ratfish)	CYH	<i>Hydrolagus mirabilis</i>	ICES Divisions I to XIV
Silver scabbard fish (Cutless fish)	SFS	<i>Lepidopus caudatus</i>	ICES Divisions I to XIV
Eelpout		<i>Lycodes esmarkii</i>	ICES Divisions I to XIV
Roughhead grenadier (Rough rattail)	RGH	<i>Marcrourus berglax</i>	ICES Divisions I to XIV
Blue ling	BLI	<i>Molva dypterygia</i>	ICES Divisions I to XIV
Ling	LIN	<i>Molva molva</i>	ICES Divisions I to XIV
Common mora	RIB	<i>Mora moro</i>	ICES Divisions I to XIV
Sailfin roughshark (Sharpback shark)	OXN	<i>Oxynotus paradoxus</i>	ICES Divisions I to XIV
Red (blackspot) seabream	SBR	<i>Pagellus bogaraveo</i>	ICES Divisions I to XIV
Red Seabream	SBR	<i>Pagellus bogaraveo</i>	ICES Divisions I to XIV
Forkbeards	GFB	<i>Phycis spp.</i>	ICES Divisions I to XIV

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Each Contracting Party shall determine inspection and surveillance procedures concerning landings from the Regulatory Area. Each Contracting Party shall communicate these procedures to the NEAFC Secretariat who will in turn communicate this information to all other Contracting Parties.

Wreckfish	<b>WRF</b>	<i>Polyprion americanus</i>	ICES Divisions I to XIV
Round skate	<b>RJY</b>	<i>Raja fyllae</i>	ICES Divisions I to XIV
Arctic skate	<b>RJG</b>	<i>Raja hyperborea</i>	ICES Divisions I to XIV
Norwegian skate	<b>JAD</b>	<i>Raja nidarosiensis</i>	ICES Divisions I to XIV
Greenland halibut	<b>GHL</b>	<i>Rheinhardtius hippoglossoides</i>	ICES Divisions I to XIV
Straightnose rabbitfish	<b>RCT</b>	<i>Rhinochimaera atlantica</i>	ICES Divisions I to XIV
Knifetooth dogfish	<b>SYR</b>	<i>Scymnodon ringens</i>	ICES Divisions I to XIV
Small redfish (Norway haddock)	<b>SFV</b>	<i>Sebastes viviparus</i>	ICES Divisions I to XIV
Greenland shark	<b>GSK</b>	<i>Somniosus microcephalus</i>	ICES Divisions I to XIV
Spiny (Deep-sea) scorpionfish	<b>TJX</b>	<i>Trachyscorpia cristulata</i>	ICES Divisions I to XIV

(\*) SHL is the FAO 3-Alfa code for *Etmopterus spp*