

**REPORT OF THE EXTRAORDINARY MEETING OF THE
NORTH-EAST ATLANTIC FISHERIES COMMISSION
22-23 MARCH 2001
at NEAFC headquarters - 22 Berners Street, London W1T 3DY**

1. Opening:

The President opened the meeting welcoming all delegates and observers. His opening remarks are found in Annex A

He suggested using the first day to cover all substantive issues. No item would be closed, before it was exhausted. There would be a 2 hours lunch break, of which one hour would be a Heads of Delegations meeting. He welcomed the new Secretary, Mr. Kjartan Hoydal, and noted the smooth transition between the new and the outgoing Secretary Mr. Engesæter.

The EU also welcomed the new Secretary and wanted through the President to send a greeting to Mr. Engesæter, who had done a tremendous job establishing the new professional secretariat.

2. Adoption of the agenda

Norway had proposed an additional item to the agenda circulated by the Secretariat, "timing of the 20th Annual Meeting". The agenda thus amended was adopted. (Annex B)

3. Management of blue whiting in the NEAFC Regulatory Area

Documents: None

The management of Blue whiting should be based upon a 2-pillar system and progress requires agreement between coastal states. The coastal states had their last meeting in Reykjavik 15-16 February. The President called upon the coastal states to report to the Extraordinary Meeting on progress in their deliberations.

Iceland responded on behalf of the coastal states. The coastal states and - by special invitation - the Russian Federation had met for two days in Reykjavík in mid February. There had also been bilateral contacts in an attempt to progress. At the end of the February meeting the EU had proposed allocations, which were met with mixed feelings by the other participants, and not accepted. No new meeting between the coastal states has been proposed.

The President noted that this was not very satisfactory for NEAFC, because agreement between the coastal states was necessary for establishing the intended two-pillar management system.

He suggested that this item was kept on the agenda for the 20th Annual Meeting, and hoped the coastal state would progress in this matter before that time. A meeting of the Blue Whiting Working Group of NEAFC should not be ruled out.

The EU insisted that this item was kept on the agenda for the 20th Annual Meeting and would go along with a Working Group meeting prior to the Annual Meeting, if there was any progress in the deliberations of the coastal states. The EU made a statement on the situation, which is given in Annex C.

Actions arising: It was decided that the item should be kept on the agenda for the Annual Meeting.

4. Management of Rockall haddock

Documents: Résumé of meeting to address request from NEAFC on Rockall haddock, Extract of the Report of the ACFM on Rockall haddock, March 2001.

Delegations had received directly from ICES Headquarters the extract from the report of the ACFM on Rockall Haddock (ICES Division VIb) The communication from ICES consisted of the report and a summary prepared by the chair of ACFM, Mr. Tore Jakobsen, who presented the report.

Mr. Jakobsen presented his report and his transparencies are enclosed as Annex D. He drew the attention to the November 2000 report from ICES, which **recommends that fishing mortality in 2001 should be reduced to below the proposed F_{pa} , corresponding to landings less than 2 700 t in 2001.**

The new report gives background information on the fisheries for Rockall haddock, which could form the basis for discussions of seasonal and spatial closures and changes in mesh sizes. Because of problems with data the calculations of the effect of mesh changes are indicative of the direction of the changes, but the magnitude should not be taken at face value.

The President thanked Mr. Jakobsen and his colleagues. He noted that there were some special comments from Russian scientists in the Report and asked if the Russian Federation had any additional comments. Russia asked the chairman of the ACFM about the size of the stock and the spawning stock. The Chairman of the ACFM replied that the WG did not consider any new data on stock size, so he had nothing to add to the figures given in the November report.

The EU asked about the mesh assessments. The report states that the Russian mesh of 70 mm is comparable in selectivity to the 100 mm EU mesh. Has this something to do with

the material used in the Trawl? The chairman of ACFM responded that is based on the use of a Scottish selectivity model.

The EU questioned the difference in gains and losses from mesh changes between European and international fleets. Is this an effect of gear or area? The chairman of ACFM responded that difference in discarding practices between the fleet components is the main factor.

The EU pointed out that in the North Sea there is ongoing research on the use of top panels with square meshes. 90 mm square mesh size panels seem to improve selectivity for haddock. Could this be used in the Rockall area? The chairman of ACFM responded that if haddock were the only concern this would probably be worthwhile. The Russian fishery is a mixed fishery (grey gurnard etc.) and there is again the difference in discard practice. The gurnards are of the same size as haddock, but there bony structure would probably mean higher retention rates.

The EU asked if we could use the information on the distribution of small haddock in the shallower areas. The chairman of ACFM responded that the surveys do not reflect distribution on an annual basis, but only for a restricted period. Data from UK fisheries show that distribution changes, but the shallower areas as the main distribution areas for small haddock. We do not know much about the size distribution on areas throughout the year.

Norway asked about the term "Rockall haddock". Some assessments refer to ICES Divisions. Is there any information on zonal attachment (EU waters, international waters)?

The chairman of ACFM responded that Rockall haddock in Division VIb is assumed to be one stock and Division VIb is probably the most appropriate management area.

Norway enquired whether the stock is straddles outside national waters. The chairman of ACFM responded that it now straddles into international waters, but to what extent we do not know.

The EU noted that Rockall haddock was a community stock until 1997, when the boundary was changed. It has been managed together with Division VIa. The Community has fixed a specific TAC for VIb in 2001, which can be fished inside and outside EU waters.

The EU further noted that, in the ACFM chairman's presentation, he indicated that the Russian fishery applies 3 different mesh sizes. They asked if there is any estimate how much haddock has been taken by each different mesh size.

The chairman of ACFM answered that 40 mm is used for blue whiting; 70 mm seems to be the mesh used in the haddock fishery.

The Russian Federation wanted to give an account of the Russian fishery. Russian fishery on a large scale started in the early and mid 1970s. Up to 40 trawlers participated with daily catch rates of up to 45 tonnes. This fishery was resumed in 1999, but mainly targeting other species than haddock, which mainly constituted a by-catch. Russian scientists believe that Rockall Haddock is a separate stock, which fluctuates considerably. High recruitment has formed the basis for commercial fisheries. The Russian survey in 2000 covered only a very limited part of the area. Stock size from this survey was estimated at 30.000 tonnes. There is a need for more research on this stock. Its management should be based on sound scientific research. The Rockall haddock is rather different from other haddock stocks: it matures at an earlier age - the proportion of immature fish in the Russian catches was about 10 %. This is quite different from the situation in the Barents Sea. Immature fish occupy shallow areas, which cannot be fished with bottom trawls.

The Russian fleet complies with the regulations for mesh size in the blue whiting fishery. However, 70 mm is more common. Based on research in the Barents Sea Russian scientists believe that haddock and redfish do not survive passage through the meshes. An increase in the mesh size in the Rockall area would probably not lead to the gains in SSB indicated by the ACFM report. More research has to be done before we can decide on mesh sizes or other management measures.

The chairman of ACFM noted that the Russian members of the ICES Working Group mentioned mortality rates of haddock going through the meshes. The data are not very conclusive, but they certainly qualify the results of the mesh assessment, but again discarding is the complicating factor. Reduction in discarding has a direct effect on estimates of effects of mesh changes on stock size.

The EU pointed out that ICES indicates that area closures may have an effect. If so are we talking about permanent or seasonal closures? The chairman of ACFM responded that we simply do not know. Permanent closures may be efficient, but have to be monitored closely.

The President once again thanked Mr. Jakobsen. He suggested that this item should not yet be closed so that delegations may consider the advice and, as appropriate, sort out possible solutions in bilateral contacts.

The EU nevertheless expressed concern about Russia stressing the need for collecting more data as a precondition for the establishment of conservation measures at this juncture. In this context, attention was drawn to the declaration which was agreed at the 19th Annual Meeting (annex J, 3 in the Report of the 19th Annual Meeting). The EU emphasised that available advice described the stock as being outside safe biological limits and that the aforementioned declaration contained clear undertakings. Under these circumstances, it was necessary to apply the precautionary approach and, thus, establish proper conservation measures which aimed at ensuring consistency with conservation measures already in existence for this very stock within sea areas under national fisheries jurisdiction.

The discussion on this item was resumed on the second day of the meeting.

The EU and the Russian Federation proposed a recommendation on regulatory measures for the protection of Haddock in ICES Division VIb. The EU explained that extensive bilateral contacts had resulted in this proposal, the main components of which were as follows: in order to protect juvenile haddock on the Rockall Band, the closure of a specified area for the remainder of 2001 was envisaged. More particularly, it was intended to prohibit all fishing, except long-lining, in the said box. Thereby, haddock in ICES Division VIb was to become a 'regulated resource' in the sense of the NEAFC Control and Enforcement Scheme and, therefore, Annex I of the Scheme was to be amended accordingly. Furthermore, the proposed measure should become effective as from 1 May 2001.

Russia noted that NEAFC would revert to this matter at the Annual Meeting in November 2001, based on the knowledge at that time (a survey is planned in September), the matter could be developed further. The Russian delegation asked if haddock would stay in Annex 1 forever?

The President noted that is a measure for 2001.

The chairman of ACFM asked if survey data should be made accessible to a Working Group meeting in August – September 2001 or at least before ACFM gives its advice. This will be drawn to the attention of the national laboratories.

At the instigation of the EU, it was agreed that the recommendation at issue should be accompanied with the following statement: *'Contracting Parties agreed to revert to the issue of regulatory measures for haddock in ICES Division VIb at the 20th Annual Meeting of NEAFC in November 2001 and particularly with a view to establishing a TAC in the regulatory Area for this stock based on the best scientific advice available'*. In this context, the Russian Federation re-emphasised the importance of scientific advice. Contracting Parties unanimously adopted both the *recommendation* as well as the *statement*. Norway held that the recommendation comprised an amendment of the Control and Enforcement Scheme and that, therefore, it should not be too difficult to proceed with other amendments of the Scheme as indicated in the report from PECCOE.

The President noted that this was an example of how NEAFC could, and should, work by consensus.

Actions arising: The recommendation will be sent to Contracting Parties in accordance with Article 12 of the Convention on Future Multilateral Co-operation in the North-East Atlantic Fisheries, which lays down the arrangements by which recommendations enter into force and also the time periods within which, and under what circumstances, Contracting Parties may object to recommendations. The Secretariat will circulate a note of the consequential changes to reporting procedures.

5. Follow up to the meeting of PECCOE (London, 27 February-1 March)

Documents: The Report of the NEAFC PECCOE Meeting, 27 February-1 March, Doc. EM 04-06

The President suggested that two issues of substance, namely the one pertaining to the redfish fisheries and the one pertaining to possible amendments of the Control and Enforcement Scheme, should be addressed under this agenda item and that the question of the next session of PECCOE should be dealt with in connection with the question of the timing of this year's Annual Meeting.

In the absence of the chairman of PECCOE, the representative of the EU gave a detailed report of the first session of PECCOE. He commended the Chairman's handling of this session which, by way of a rather ambitious agenda, helped PECCOE to gather momentum quickly. He also drew attention to both the Chairman's attempt to identify the priorities of delegations, as well as his conclusion that, although nobody proposed amendments to the Scheme, views differed as to the extent and the timing of possible amendments..

Contracting Parties acknowledged that the Control and Enforcement Scheme was operating in quite a satisfactory fashion with regard to inspection. They noted, however, that compliance with other parts of the Scheme was still rather patchy. The latter was seen as being attributable to an ongoing running-in phase in the implementation of the Scheme.

The President stressed that PECCOE had made a good start and that, because of PECCOE's predominantly technical focus, it was now for the Commission to take the points at issue further. Thereupon he invited Contracting Parties to comment on whether and to what extent progress on the issue off redfish could be made.

He then proceeded to the answer to the request to PECCOE regarding possible identification of the redfish components.

Iceland pointed out that all were aware of its position. The scientific advice tells us to manage two stock components. Iceland is still looking into the possibilities - management by depth or management based on area and season. There is no scientific conclusion so far, and Iceland has not made any decision on management, but hopes to be able to do so in a matter of weeks. Iceland would report to the Annual Meeting on the results. He stressed the need for recording depth and suggested that NEAFC should establish rules on this, based on the depth of the headline.

The President thought it would be useful to specify what should be recorded. He called on the chairman of ACFM to comment. The Chairman of ACFM saw a problem if depth changed during a tow. Headline depth was useful, but also opening should be recorded.

The EU stated that it had not expected an all-embracing discussion of the issue of redfish at this juncture. The EU stressed that there were still too many uncertainties surrounding both the issue of catch-recording by depth as well as the other outstanding issue of stock composition. Therefore, the EU had misgivings about making it mandatory for masters to record their redfish catches by depth. There was even less of a need for any such requirement because of an ongoing scientific programme, in the framework of which information on catches in different strata was being collected and made available to ICES.

The President suggested that at least a voluntary system of recording redfish catches by depth should be envisaged. The aim was to collect a maximum of information which could be of use for scientists in their elaboration of scientific advice. After some discussion, the following text was accepted:

NEAFC encourages Contracting Parties to design their logbook requirements so that catches of Oceanic Redfish are recorded haul by haul in the following depth intervals:

- a) 0-500 m
- b) > 500 m

The depth should be the depth of the headline of the trawl. Information on the opening of the trawl (distance between headline and bottom line) in each haul should also be recorded.

It was stressed that this text should be inserted in the body of the report of this Extraordinary Meeting.

With regard to the question of possible amendments to the NEAFC Control and Enforcement Scheme, the President recalled that PECCOE had attempted to distinguish so-called non-problematic changes from the controversial ones.

Norway referred to an earlier joint Norwegian-Icelandic proposal for some specific amendments of the Scheme and requested that his proposal be once again distributed to Contracting Parties. Furthermore, Norway strongly moved that one should now proceed with the adoption of the non-problematic amendments as identified by PECCOE.

The EU stated that, in principle, it was not opposed to the adoption of purely technical amendments which had received consensus at PECCOE. Still, the EU insisted that the matter be dealt with in a systematic fashion.

At the request of the President, the Secretariat drew up two lists setting forth the non-problematic changes and the controversial ones respectively (documents EM 01/14 and 01/15). The President explained that these lists should serve as a working tool for deliberations at this juncture.

The EU took exception to the list of consensus proposals on the grounds that it included a number of motions for amendment for which there had been no consensus at PECCOE. In this context, the EU referred to proposals for the amendment of Article 16 (page 9), of Annex II A 3 (page 20), of Annex VII 5 (page 35) and of Annex IX A (page 42). In connection with the latter, the EU stressed that its explicit reservation against the proposed amendment in question (ie the proposed requirement for displaying two inspection signals) had not been included in the report of PECCOE. Furthermore, the EU explained that even so-called consensus proposals might still be problematic. In this vein, the proposed new text of the identity card for inspectors (Annex IX B) could be construed solely as giving authority to act under the Control and Enforcement Scheme but not authority to act in cases of a courtesy boarding under the non-Contracting Party Scheme. Finally, the EU expected that another paragraph-by-paragraph examination of the text of the Scheme might reveal other as yet undetected drafting errors and textual inconsistencies.

These explanations led the EU to conclude that, in its opinion, it was preferable to defer the whole matter to a later stage and address possible amendments of the Scheme only after a thorough re-examination by PECCOE. The EU added that none of the proposals at issue really called for immediate action. An exception might be the intended changes in the time periods for the submission of the Contracting Parties' performance reports (See Articles 24 and 25 of the Scheme). In anticipation of these changes, however, Contracting Parties could voluntarily undertake to submit their reports for, and within, the intended new time periods.

Norway said that the original lists were perhaps not an adequate description of problematic and unproblematic changes and if work had started this morning going through the list, something would have been achieved; however, there is not enough time now.

Iceland pointed out that that some changes were necessary, and mentioned the latitude and longitude codes that, in some instances, are not precise. This was discussed bilaterally, but it would be better to solve this question in NEAFC. The EU added that, if there was any reproach that work on this topic had not started earlier, any such omission was not attributable to the EU.

The President asked if there were changes that were necessary. He asked Iceland to point out this on the list. Iceland pointed out changes on page 35. In some instances more precision was needed in data for latitude and longitude and this should be added to the present codes.

The President appreciated that the Icelandic intervention was an attempt to avoid clashes between bilateral and NEAFC codes.

Norway noted that EC and Norway have agreed to add codes and this was also done in other satellite agreements Norway was involved in. Iceland linked this with NEAFC's

role as custodian of the NAF. Norway supported this and drew attention to the recommendation from the 19th Annual Meeting.

The President summed up that NEAFC should lead on, but we will not change anything now. The rather confused discussion was perhaps to be expected in a running-in period.

- PECCOE should make it very clear on which items there was consensus, preferably in the form of recommendations.
- There will always be proposal for improvements, and there may be consensus in PECCOE. When PECCOE agrees, the Commission has to decide if they want to adopt all items on which there is consensus.
- PECCOE should clarify if it makes sense to adopt all changes on which there is consensus or if some of them will have consequences that may defer adoption.
- PECCOE should also discuss and advice on the timing of implementation (probably together with the Ad hoc Working Group on technical measures).

The EU urged Contracting Parties to bear in mind that, as shown by discussions at PECCOE, the Scheme in its current version was working and that, in addition, the Scheme has already been used as a blueprint for the development of control and enforcement provisions in other regional fisheries organisations. The EU nevertheless pointed to a disparity that still exists in the deployment of inspection means. The Scheme might be damaged if only one Contracting Party were to bear the burden of inspection presence. This would make it necessary to ensure, by way of closer direct cooperation between Contracting Parties, a more equitable distribution of the inspection presence.

The President accepted that there was an imbalance in the inspection presence. The high number of inspections was, however, what made the Scheme work.

Actions arising: The proposed changes will be referred back to PECCOE. PECCOE should continue work on all issues taking into consideration the remarks in the plenary.

6. Follow up to the NEAFC/NAFO Working Group on Redfish (Reykjavik, 13-14 February)

Documents: Report of the NAFO/NEAFC Working Group on Oceanic Redfish. Doc. EM 01/08

This agenda item was discussed in the Working Group on Redfish, outside the plenary, in preparation for the meeting of the Fisheries Commission of NAFO later this month.

7. Accommodation for the NEAFC Secretariat.

Documents: Memo on accommodations for the NEAFC secretariat. Doc. EM 01/07

At present it is not clear whether the underlease for 22 Berners Street can be terminated by NEAFC without the consent of ICO. The secretariat presented Doc. EM 01/07 with some preliminary investigations into the matter.

The Secretariat is still investigating this and other possibilities.

The President asked if the budget covered the increase from 1 April and this was confirmed. Norway thought if the present premises had many advantages, but enquired if there was any precedent for assistance from British authorities to international organisations. The EU pointed out that this had been taken up with British authorities when the Headquarters' agreement was discussed. But it should be tried, especially if there were precedents. Neither NASCO nor IWC has such arrangements. The present facilities were extremely good; this should also go into the equation. Suggested that the Secretariat also investigate the possibility of sharing facilities with international organisations other than ICO.

Actions arising: The Secretariat will investigate further and report back to the 20th annual meeting.

8. Timing of the 20th Annual Meeting NEAFC

Norway moved that this year's Annual Meeting be advanced by one week and be held from 12-16 November 2001. This was motivated by the announcement that, in response to a standing request, ICES will be in a position to deliver the relevant scientific advice at a much earlier date this year.

At the request of the President, the Chairman of ACFM confirmed that this year's advice will be released in time event for an Annual Meeting starting on 6 November 2001.

Subsequent discussions showed, however, that a meeting in the week starting 12 November would clash with both this year's Annual Meeting of ICCAT and the World Travel Mart in London.

The timing of another session of PECCOE was left open. The Secretary will contact the Chairman of PECCOE to this effect.

It was therefore decided that the 20th Annual Meeting of NEAFC will be held in London from 6-9 November 2001. Together with the Chairman of PECCOE, the Secretary will explore possible dates for another session of PECCOE and submit a corresponding proposal to the Contracting Parties in due course.

Actions arising. It was decided that the 20th Annual Meeting would take place 6-9 November. The Secretariat will, together with the Chairman of PECCOE, work out a proposal for the next meeting of PECCOE and dates. This will be agreed with the Contracting Parties.

9. Any other business

The Secretary reported on the proceedings at, and the results of, “the Second Meeting of the FAO and Non-FAO Fishery Bodies or Arrangements” *which was held in Rome from 20 to 21 February 2001. the Secretary explained that this meeting touched upon the following topics:*

1. Review of some External Factors that may Impact on the Work of Regional Fishery Bodies and Fisheries Management.
2. Indicators to Assess Performance of Regional Fishery Bodies
3. Cooperation in Global Trends and Status Reporting in Fisheries
4. Illegal, Unreported and Unregulated (IUU) Fishing. Proposal for a Draft International Plan of Action (IPOA)
5. Developments in CITES: Criteria for (*CITES*) Listing Commercially Exploited Aquatic Species
6. Opportunities and Challenges for Coordinated Activities on Ecosystem-Based Management of Fisheries.

The President emphasised that these topics were worth considering in some more detailed and that NEAFC might even contemplate taking a somewhat more coordinated stance in future FAO meetings of this calibre. Norway queried the ambitions of FAO in this particular exercise and stressed that it would have misgivings if this were to result in a global approach to fisheries management. The EU concurred with this position. The Secretary pointed out that FAO offered an important arena for the discussion of general fisheries management matters and that FAO might even NEAFC, or even the whole of the North Atlantic, as a showcase for successful regional management.

Contracting Parties agreed on the proposal by the President that this matter should be deferred to the Working Group on the Future of NEAFC for further consideration under the agenda item ‘any other business’ at its forthcoming session. Furthermore, the Secretary was requested to enquire about the proposed frequency of these FAO meetings.

Actions arising: The report will be considered under agenda item “any other business” at the forthcoming meeting of the Working Group on the Future of NEAFC. The Secretary will enquire of FAO about the frequency of meetings of Regional Fisheries Bodies in the future and report back before the meeting of the Working Group on the future of NEAFC.

10 Close of the meeting

The President thanked the participants and wished all a safe journey home.