REPORT OF THE 27th ANNUAL MEETING OF THE
NORTH-EAST ATLANTIC FISHERIES COMMISSION

10-14 NOVEMBER 2008

VOLUME I – REPORT
1) Welcome address by the President and opening statements.

The President opened the meeting at 10:10 am. He welcomed delegations from Contracting Parties, and observers from non-Contracting Parties, International Governmental Organisations (IGOs) and Non-Governmental Organisations (NGOs). He made an opening statement (Annex B).

The representatives of the Contracting Parties - Denmark (in respect of the Faroe Islands and Greenland), EU, Norway, Iceland and the Russian Federation - made opening statements (Annex C). The Russian delegation informed the meeting that Mr Okhanov will take over as head of delegation on Tuesday morning.

The President thanked delegations for the contributions, which he felt had already set the meeting in motion.

The observers of non-Contracting Parties - St. Kitts and Nevis, Canada and Belize made opening statements (Annex D). The IGO observers from FAO and OSPAR made opening statements (Annex E) as did observers from Seas at Risk and WWF (Annex F).

2) Adoption of the agenda and appointment of rapporteur

The Agenda (Annex G) was adopted, and the Secretary was appointed rapporteur.

The President asked if there were any contributions under any other business, The EU representative informed that they would like to make a presentation on an EU project analysing the need for expert advice in developing countries. The Norwegian representative informed about a proposal to deal with discards.
3) Establishment and arrangements for the Finance and Administration Committee, and other groups

The President wanted the following Groups to start work immediately:
- The Finance and Administration Committee, FAC - Chair Andrew Thomson, EU, will start its meeting tomorrow.
- PECCOE - Chair Martin Newman, EU will meet 2:30, Monday
- A group on Catch Statistics - Convener João Neves, the NEAFC Secretariat.
- PECMAS - Chair, Snorri Palmason, Norway.

Heads of Delegations will meet at 1 pm every day or later if ongoing consultations make it necessary. There are a number of issues that have to be discussed informally. The President encouraged Contracting Parties to use the time for informal consultations to move issues forward.

4) Statistics on quota uptake

(a) Monthly reports from Contracting Parties up to 1 October 2008
(b) Compilation of final monthly catch statistics for 2007
(c) Weekly catch reporting incl. reporting of catches of redfish in ICES Sub-areas I and II
(d) Progress in inputting catch data directly into database on NEAFC’s website

The convener of the Statistics Group, Mr João Neves, reported that catch statistics had been finalised for 2006 and 2007. Catches for 2008 up to August – September 2008 had been compiled and can be found in document in AM2008/59. The President thanked the convener and the Group for efficient work. A revised version of the statistics AM 2008/59 rev 1 was tabled. An error had been discovered and corrected. AM 2008/59 rev 1 was then adopted.

5) Report by the ICES Advisory Committee (ACOM)

He invited the Representative from ICES, the Vice Chair of ACOM Martin Pastoors, to present the advice. The ICES Representative introduced the advice in a presentation (see below). He informed that this would be his last NEAFC meeting. Replacements have been decided. He noted that spawning stock biomass in all the three large pelagic stocks, Norwegian spring spawning (Atlanto-Scandian) herring, blue whiting and mackerel, are all in good shape, above precautionary levels, but there was concern of the low level of recruitment for blue whiting recently, which would drive the stock down if TACs were not significantly reduced.
ICES advice for 2009

NEAFC
Presented in London
11 November 2008

Martin Pastoors
(vice-chair of the ICES Advisory Committee)

ICES 2008: new advisory process
Enhance transparency and integration

Advisory trends

INTEGRATION

Spatial planning

Long term targets: "MSY"
Management plans

Widely distributed stocks
- Norwegian Spring-spawning herring
- Western horse mackerel
- Northeast Atlantic mackerel
- Blue whiting

Pelagic stocks: in the green area
- Norwegian Spring-spawning herring
- Western horse mackerel
- Northeast Atlantic mackerel
- Blue whiting

Pelagic stocks: advice

<table>
<thead>
<tr>
<th></th>
<th>Advice 2008</th>
<th>Advice 2009</th>
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</thead>
<tbody>
<tr>
<td>Herring</td>
<td>1 518</td>
<td>1 643</td>
</tr>
<tr>
<td>Mackerel</td>
<td>349–456</td>
<td>443–578</td>
</tr>
<tr>
<td>Blue whiting</td>
<td>835</td>
<td>384</td>
</tr>
<tr>
<td>Horse mackerel</td>
<td>180</td>
<td>180</td>
</tr>
</tbody>
</table>

Units: '000 t.

Mackerel unreported catches
- Best estimates of catches come from the current assessment.
- Not possible to split unaccounted removals to sources or years.
- Management rules that use F or Harvest Rate are more robust.

Mackerel reference points

<table>
<thead>
<tr>
<th>Type</th>
<th>Old</th>
<th>New</th>
<th>New technical basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>F_0m</td>
<td>not defined</td>
<td>1.67 MB</td>
<td>F_0m = F_0m, the biomass above which recruitment has not been observed</td>
</tr>
<tr>
<td>F_m</td>
<td>2.5 MB</td>
<td>2.3 (6)</td>
<td>Trigger recruitment points used in the current management agreed between Norway, Norway, and Iceland.</td>
</tr>
<tr>
<td>F_m</td>
<td>0.26</td>
<td>0.42</td>
<td>F_m = F_m. Fishing mortality estimated to be minimal potential stock collapse</td>
</tr>
<tr>
<td>F_m</td>
<td>0.17</td>
<td>0.25</td>
<td>F_m = 0.55 (CV of 30%)</td>
</tr>
</tbody>
</table>
Blue whiting management plan

- Need to reduce F to the target F in the plan in one year.
- Trigger biomass 2.5 million tonnes suggested

Blue whiting: no need for separate management of juveniles

IF exploitation moves to the target F in the plan, and
IF industrial fisheries do not increase substantially

Redfish

No new information that changes the advice from last year:
- develop management plan
- ICES could be involved

Deepwater fisheries and ecology

Blue ling spawning areas

Deepwater fisheries advice

Vulnerable habitats

Blue ling spawning aggregations:
available information cannot identify specific spawning aggregations

Vulnerable habitats:
reviewed information confirms previous conclusion for extension of NW Rockall closure
The EU representative asked about the blue ling spawning areas and why they could not be identified more precisely. He thought that there was data from French and Scottish fishing vessels that would allow the identification of specific areas. This would assist plans by the EU for protecting spawning blue ling. The ICES Representative informed the meeting that ICES had considered all data available and felt that there was no basis for outlining specific areas. For some fisheries there may be more specific data, but ICES had to consider how representative this data was.

The EU representative asked about Rockall haddock. The ICES Representative reported that the advice for 2009 is very much in line with last year’s advice. The stock is in a good shape. He would revert to the 2008 assessment later.

The Icelandic representative noted the doubt cast by ICES on Icelandic catch data for mackerel. He expressed surprise to find such unsubstantiated remarks in official ICES advice. He asked if the change in the distribution of mackerel was a result of oceanographic changes and if this is a persistent trend. The ICES Representative answered that he did not have any information at hand to give an answer.

The Icelandic representative asked about progress in the work done with NAFO on stock identity of pelagic *S. mentella*. He noted the large proportion of catches of this species taken in the North-eastern area and asked if this disproportionate exploitation, which ICES has advised against, presented a threat to the stock.

The ICES Representative informed the meeting about the planned review of stock identity. He did not have any material to hand which allowed him to answer the question about the exploitation of the North-eastern component. The Icelandic representative asked if he could look into the matter and come back.

The EU representative asked about ICES considerations of long-term management and if the timing of advice in 2009 for 2010 would allow more time for Coastal States and NEAFC to deal with it.
The ICES Representative reported that the new advisory structure allowed the inclusion of more information in the review of management plans and other long term considerations. He noted the changes in the timing of advice that had taken place, moving more stocks to the spring batch of advice. Timing was continuously discussed with client commissions. The result of internal discussions in ICES was that it was not possible to shift all advice to the spring, but the advice hitherto given in October could probably be moved somewhat forward.

The ICES Representative reported on questions raised earlier on redfish, Rockall haddock and blue ling spawning areas.

With respect to redfish, he repeated the ICES advice that a management plan should be agreed, which took into account the uncertainties about the stock status. He pointed out that catches were way above recommended TACs. With respect to disproportionate exploitation, the ICES Expert Group did not give any information but drew attention to high exploitation levels in general. The stock identity will be discussed in February 2009 and information from that meeting can be submitted as soon as it is available.

He presented the advice on Rockall Haddock for 2009. Biomass is above, and fishing mortality below, precautionary levels. The advice had changed in line with that. It was advised that there was little gain in increasing fishing mortality leading to a TAC of 6,000 tonnes and, strictly speaking, a higher TAC could be precautionary.

Blue ling spawning areas definition was based on the investigation of catches and VMS data. The advice is that 5 areas have been identified but that it is not possible to give the coordinates. His presentation is given below.

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**ICES advice on redfish**

- ICES advises that a management plan be developed and implemented which takes into account the uncertainties in science and the properties of the fisheries.
- ICES suggests that catches of *S. mentella* are set at 20,000 t as a starting point for the adaptive part of the management plan.
Disproportionate exploitation?

- Current landings (64,000 t) are in excess of ICES advice (20,000 t).
- Adaptive management plan should be developed to reduce exploitation on this stock.
- Management plan could include measures to avoid disproportionate exploitation in certain areas.

Redfish stock structure

- Expert group foreseen in late January
  - But date not finalized yet.
- Results would be included in the May 2009 advice
  - Unless requested otherwise.

Haddock in Rockall area (VIb)

Rockall Haddock: trends

- Landings + discards
- Fishing mortality

Rockall Haddock: advice

- Last year
  - $F \text{ at } F_{pa}$ catches ≤ 10,640 t in 2008
  - Note: at $F_{0.1}$: catches ≤ 5,260 t in 2008

- This year
  - Stock that is well above $B_{pa}$, $F$ below $F_{pa}$
  - Little gain to the long-term yield by increasing $F$
  - ICES recommends to limit catches to 6,490 t in 2009 and landings to 4,330 t.
Blue ling spawning aggregations

ICES identified five main areas of spawning for blue ling in Areas Vb, VI, and XII

ICES does not have information available at sufficient spatial resolution to identify specific spawning aggregation locations of blue ling within these areas

… but presents the available information

The EU representative asked what data were required to provide a straightforward answer to which blue ling spawning areas should be closed. The ICES Representative explained the data sets available were not seen as comprehensive, but patchy.

The Icelandic representative asked about the statement on disproportionate exploitations. The ICES Representative explained that he did not have information to elaborate on this issue now.

The EU representative was not convinced by the concept of disproportionate exploitation. If the stock is a single stock, the general level of exploitation must be the concern. The present management system does not have the efficiency required to control the level of exploitation. He noted the comments from the Chair of PECCOE on the problems of control in this fishery. He felt that a better management system should be brought into place; the present system was neither effective nor efficient.

The President thanked the ICES Representative.
6) Report from PECMAS
The President opened this item and item 8 (f), 9(f) and 10 which were dealt with in the PECMAS Report.

He invited the Chair of PECMAS, Mr Snorri Pálmason, Norway to introduce the PECMAS report. PECMAS had held a meeting on 28 and 29 October at NEAFC HQ. The meeting report is available as AM 2008/23. He highlighted some of the issues that were on the agenda for PECMAS.

The first is the implementation of UNGA Resolution 61/105. The Extraordinary Meeting in July adopted Recommendation XVI 2008 on bottom fisheries in the NEAFC Regulatory Area. There were, however, some additional elements that needed to be elaborated further, in particular defining encounters with VMEs. Norway submitted a proposal to PECMAS on defining encounters and procedures for fishing in existing and new bottom fishing areas. The proposal was, to a large extent, based on a recommendation adopted in NAFO in September that addressed the same issue. After a thorough discussion, resulting in some amendments to the text, it was decided to propose to the Commission to adopt the amended proposal as presented in document AM 2008/31 rev. 1.

The second issue is the delimitation of new fishing areas. According to the recommendation from July, NEAFC was supposed to map existing bottom fishing activities within the Regulatory Area. The Secretariat was asked to make such a map based on data in the NEAFC database and other relevant information and, in addition, Contracting Parties were required to submit other relevant information to the Secretariat to be included in the map. The deadline for this was 1 September 2009, but only two Parties - the Russian Federation and Iceland - had submitted such information in time to be considered. On this basis, a preliminary map for 2009 was produced.

PECMAS discussed how the available information could be used to map new fishing areas. There are several issues that make this task difficult, as the information is in many ways incomplete. There were many single spots with fishing activities scattered around with no obvious connection. A very difficult issue is how to treat fishery with bento-pelagic gear. The gear has been used widely, especially on the Mid-Atlantic Ridge. In the end the meeting agreed to recommend to the Commission to adopt the 7 areas presented in the report of PECMAS as existing fishing areas (5 in the Rockall bank - Hatton bank area, 1 west of the Bay of Biscay and 1 in the Barents Sea).

In the Recommendation on bottom fishing activities in July 2008, it was decided to give the Parties the possibility of submitting information according to a specified format until 1 September 2009. Additional information will be used to revise the map made in 2008. Parties that intend some areas should be a part of the existing fishing area should submit relevant documentation to the Secretary as soon as possible and not later than 1 September 2009.

It was also noted that there are some VME areas within the areas defined as existing fishing areas. These VMEs have been identified by NEAFC and the areas where they are found closed to bottom fishing. The risk of encounters with corals and sponges is thus minimal in areas open for commercial fisheries.
The third issue is the request for scientific advice to ICES. This document had not been closed until late in the Annual Meeting. The non-recurrent request no. 3 was not discussed by the group, but taken directly from the proposal for mackerel research.

The fourth issue is Area Management. At the meeting in June, PECMAS discussed a proposal tabled by Norway on closing 5 areas at and close to the Mid Atlantic Ridge, extending the closures adopted in 2004 considerably. After lengthy discussions on the proposals and the working procedures in PECMAS, it was decided to send the proposal to ICES for review. The advice from ICES has arrived but does not offer any specific information on the areas.

At the October meeting discussions did not really concentrate on the proposal, but mostly on the type and nature of the closures NEAFC wishes to put in place. One point of view was that NEAFC should not close areas without having a specific objective, such as protecting a VME. Another was that such closures should be supplemented with closing larger areas representing special features or elements.

This discussion was not concluded in PECMAS as it was felt that this discussion was of a political nature and not at the technical level of PECMAS. It was decided to report to the Commission that PECMAS needs guidance from the Commission on how it should deal with various types of closures.

The fifth and last issue he mentioned was a discussion in PECMAS on statistics. It was seen as necessary for NEAFC to improve its statistics, in particular cumulated quota uptakes over the year. This is an issue that has been raised earlier, without satisfactory solutions being found.

PECMAS recognises that statistics are not an issue under its mandate. Nevertheless, it was agreed that there is a need for a review of the statistical work within NEAFC from the collection, transmission, and compilation to publication of the catch statistics. It was agreed to propose that this should be discussed by a group of people from the Contracting Parties working with the fisheries statistics.

The proposal to the Commission to set up a Working Group on Statistics can be found in the report of the PECMAS meeting in October, AM2008/23. AM2008/52 rev 1. contains suggested Terms of Reference for a Working Group on Fisheries Statistics. The President noted that this is not a permanent committee. The Terms of Reference were adopted.

7) Request for scientific advice

(a) Formulation of the request for scientific advice from ICES under Article 14
AM2008/74 contains the request for advice. Denmark (in respect of the Faroe Islands and Greenland) pointed out that the paragraph on mackerel should be corrected in line with the proposal in AM2008/73. The EU representative proposed taking out a sentence about assessments and predictions. This was agreed. AM2008/74 as amended was adopted.

(b) Other requests for advice
There were none.
8) Reports from Working Groups and Coastal State discussions on management measures for 2009

(a) Pelagic Sebastes mentella in the Irminger Sea
The Icelandic representative reported that consultations are still ongoing. No other comment.

(b) Blue whiting
The EU representative reported that discussions are ongoing with a view to reaching an appropriate solution. The Norwegian representative asked if the Coastal State agreement had been signed. The EU representative confirmed this but discussions were still ongoing with other parties.

(c) Norwegian spring spawning (Atlanto-Scandian) herring
The Icelandic representative noted that the stock situation is very good and a long term management plan is in place. The Coastal States agreement is in line with ICES advice and the management plan. A proposal for a NEAFC recommendation is ready for decision.

(d) Mackerel
The representative of Denmark (in respect of the Faroe Islands and Greenland) reported that Coastal States had reached agreement. Consultations are ongoing with other parties to reach consensus on a NEAFC recommendation.

Noting that the Coastal States have reached an agreement the President asked for comments.

The Icelandic representative reiterated its position that Iceland should be recognised as a Coastal State for mackerel. Iceland was invited to the Coastal States consultations last month and welcomed that despite being regarded as an observer. Iceland came to this meeting willing to take part in discussions as a Coastal State – unfortunately this did not happen. However, Iceland expects that more substantive discussion will follow in the wake of this initial step taken last month by the other Coastal States. By not acknowledging Iceland as a Coastal State for mackerel, the other Coastal States are maintaining an unnecessary problem. The agreement that has been concluded for the fisheries in 2009, without the participation of Iceland, cannot be regarded as a proper Coastal States’ agreement. The same can be said about its predecessors. It is therefore obvious that Iceland cannot support the management measures, and is forced to object to it.

Iceland will unilaterally establish management measures for its mackerel fishery for 2009. Iceland is hopeful and optimistic that the forum for negotiations on the mackerel fishery is improving and is prepared to discuss with the other Coastal States. Last summer the Icelandic catch of mackerel inside the Icelandic national jurisdiction was in excess of 100,000 tonnes. In the light of this, Iceland expects an invitation as a Coastal State to take a full part in Coastal States’ consultations on mackerel in 2010.

The EU representative expressed considerable concern about the mackerel fishery in Icelandic waters. He acknowledged that Iceland had objected and reported on national measures for Icelandic fishery in the Regulatory Area, but a large unregulated and unlimited fishery in their own waters was unacceptable. He noted that there seemed little confidence in the Icelandic catch figures in the
ICES advice. This fishery undermined the measures put into place by Coastal States and NEAFC. He urged the Icelandic representative to avoid any repetition of this unregulated fishery in 2009.

The Norwegian representative supported the sentiment in the EU intervention. He referred to obligations under the Convention and noted that no measure had been put into place that limited the catches of mackerel in national waters.

The representative of Denmark (in respect of the Faroe Islands and Greenland) sympathised with the views of the EU representative and the Norwegian representative. She noted the stated intention of Iceland to set alternative measures for 2009 and looked forward to receiving detailed information, through NEAFC, on the precise nature of those measures.

The Icelandic representative in response pointed out that he regretted having been put in this situation, because they had not been accepted as a Coastal State for mackerel. He noted that NEAFC obligations with respect to management did not apply to national waters. He was confident that there would be a change in attitude of the present Coastal States that would allow a solution.

The EU representative accepted that NEAFC measures did not apply to national waters, but the extent of the fishery in Icelandic waters, corresponding to 20% of the TAC, was undermining the management measures in place. He urged Iceland to set prudent limitations in their own waters. The Coastal States have overseen management that has rebuilt the stock and made stock migrations to other areas possible. The EU representative would not accept that these efforts are undermined.

The Icelandic representative indicated that he was fully aware of Iceland’s responsibilities which is why they wanted to be accepted as a Coastal State. He felt that a point had been made with the fishery in Icelandic waters this year and was confident that a solution will be found.

The President summed up that the Coastal States are in agreement. One Party cannot accept that agreement and consultations continue to table a proposal for a recommendation on NEAFC measures.

(e) Rockall haddock
The representative of the Russian Federation reported that there had been consultations in Moscow in April with the EU. Based on these discussions, the parties were in the process of developing measures. The Parties will meet again in February 2009. The EU representative thanked the representative of the Russian Federation for reporting on this issue. The EU and the Russian Federation were still consulting.

(f) Deep-sea species
There were no meetings to report under this item.

(g) Area Management
The Commission took note of the PECMAS report and the President thanked the Chair of PECMAS and its members for their hard work.
(h) Pelagic *Sebastes mentella* in ICES Sub-areas I and II in the Regulatory Area
Norway reported that this issue had been discussed with other Parties in Bergen in April and in London in October this year. A survey had been planned and the results of that survey on the distribution of the stock had been evaluated by ICES.

Consultations were ongoing with the aim of reaching agreement on a NEAFC arrangement for 2009.

9) **Recommendations of management measures for 2009**

The EU representative introduced AM2008/63 rev. 1 on the protection of spurdogs. The Norwegian representative suggested using the same language as in the EU proposal on Orange roughy in AM2008/61. This was agreed and the Secretariat was asked to edit the proposal. The proposal, as amended, was adopted (Annex H).

(a) **Pelagic *Sebastes mentella* in the Irminger Sea**
AM2008/76 contains a proposal to deal with the management of this stock, introduced by the Icelandic representative. Unfortunately it had not been possible to reach agreement on measures for 2009 at this meeting. The Coastal States have therefore been invited to a meeting in February to reach a solution for 2009.

The EU representative was of the view that NEAFC should give thought to the structure of the Coastal State meetings. He would reflect on the organisation and structure of these meetings and the participation of NEAFC Parties. He thanked the Icelandic representative for his efforts to reach a solution. The EU sought effective management with real fishing limitations and at levels consistent with ICES advice. The meeting in February needed to address the allocation issue.

The President asked if there was support for the proposal. It was adopted. (Annex H).

The representative of Denmark (in respect the Faroe Islands and Greenland) noted the general remarks of the EU on the organisation and structure of the Coastal State consultations. She reminded other Contracting Parties that the delegation of Denmark (in respect the Faroe Islands and Greenland) was comprised of two separate fisheries jurisdictions, each with the competence to conclude independently international agreements on matters of exclusive competence such as bilateral and multilateral (Coastal State) fisheries agreements and management arrangements. This should be kept in mind when considering the process and structure of consultations.

(b) **Blue whiting**

The EU representative introduced the recommendation for 2009, AM2008/64, noting that the Coastal States in question were faced with advice for a dramatic reduction in fishing effort in the short term, if the stock was to avoid collapse. Therefore, after very difficult discussions since the reductions were considerable, the Coastal States had agreed on an approach to the fishery, comprising an initial two year approach to reduce fishing mortality and foreseeing the introduction of a new long-term management plan.
This week there had been the opportunity to talk to the Russian Federation and Greenland on this matter which resulted in the proposal tabled. He would like to take this opportunity to express, on behalf of the Coastal States, appreciation of the extremely constructive manner in which the Russian Federation and Greenland has approached this issue and the challenge of managing the blue whiting fisheries. He strongly recommended adoption of the proposal.

The President thanked the EU representative. The representative of Denmark (in respect of the Faroe Islands and Greenland) made the following statement on behalf of Greenland:

It has come as a big surprise to Greenland that the other blue whiting Coastal States have decided to exclude Greenland from sitting in on the consultations on blue whiting taking place during the Annual Meeting. As a stakeholder in the fishery of this stock, Greenland has a natural interest in these consultations, but has not even been granted observer status. Greenland has consistently demonstrated responsibility in its blue whiting fishery and a willingness to support the recommendations by other Coastal States on the blue whiting stock, a stock in the assessment of which Greenlandic scientists play a key role. Thus, Greenland is greatly disappointed to have been excluded from the consultations and fails to see the purpose of this. In general Greenland fails to see what the Coastal States in a small organisation such as NEAFC stand to gain from excluding other interested parties from even observing consultations on a stock in which they have a vested interest. This certainly does not contribute to transparency in our organisation.

The Secretariat was asked to edit the proposal and sort out the numbering. The recommendation as amended was then adopted by consensus. (Annex H).

(c) Norwegian spring spawning (Atlanto-Scandian) herring

A proposal for a NEAFC recommendation (AM2008/57) was presented by Iceland. The representative of Denmark (in respect of the Faroe Islands and Greenland) indicated that they could support the proposal and wanted to be included as sponsors of it in the heading. The representative of Denmark (in respect the Faroe Islands and Greenland) made the following statement on behalf of Greenland:

It is with great disappointment Greenland has learned that no share of the Atlanto Scandian Herring stock has been allocated to Greenland for 2009. As stated on earlier occasions, among these the 2007 annual meeting, Greenland strongly believes to be entitled to a share of this stock, and finds that UNFA clearly supports this claim. Article 7 of UNFA states that the track record in the relevant fisheries should be taken into account when allocating fishing opportunities from straddling stocks, and Greenlandic vessels have conducted fisheries for the stock in the years since its recovery when no international management has been in place. A constant catch from the quota from the bilateral agreement with the Faroe Islands also demonstrates the effort of Greenlandic vessels put into fisheries for the stock. Furthermore, article 7 points to the dependence of the states fishing on the high seas on the stocks concerned as an important aspect when deciding on the management of such stocks. The overwhelming dependence of Greenland on fisheries is something that can not be looked past in this respect. These points should also be seen in relation to article 11 of UNFA, which further supports Greenland’s claims. Greenland has so far not been a part of the Coastal State agreements on Atlanto Scandian Herring and therefore refers to this article as a newcomer to the management regime.
Greenland urges the Coastal States to recognise Greenland's right to a share of the stock, and hopes that Greenland will be allocated a share in the future, possibly as an "others" quota.

The President noted that the representative of Denmark (in respect of the Faroe Islands and Greenland) would be co-sponsor of the proposal and that the proposal was adopted by consensus. (Annex H).

(d) Mackerel

The President noted that under this item there were two documents, AM2208/66 and 73.

He invited the representative of Denmark (in respect of the Faroe Islands and Greenland) to introduce AM2008/66, a proposal for a recommendation of a management measure for 2009. She informed that the Faroe Islands had convened the Coastal States consultations and put this proposal forward, together with the EU, Norway and the Russian Federation after consultations this week. She was pleased to report the very robust and healthy state of the stock, which resulted in a significant increase in the overall TAC for 2009. The Coastal States had agreed a TAC of 511,287 thousand tonnes. Furthermore it was proposed to set aside a quantity of 57,800 tonnes for the NEAFC Regulatory Area with allocations. The Coastal State agreement is available on the NEAFC website.

The Icelandic representative referred to its intervention under agenda item 8(d). He welcomed the steps taken to invite Iceland as an observer to the Coastal State consultations in London in October. He repeated that Iceland is a Coastal State and regretted that it was not invited as a party to the Coastal State negotiations. Iceland expected to be invited in its own right next year, but this year it is too late to rectify matters and, for now, regrettably he had to object to the proposal in AM2208/66. The President took note of the opposition from Iceland to the proposal. He asked if the proposal was acceptable to other Contracting Parties. The other Contracting Parties supported the proposal and it was carried and adopted. (Annex H).

The EU representative did not consider it necessary to repeat its earlier comments in relation to the Icelandic fishery, but would appreciate being informed on the alternative, equivalent measures which Iceland is required to put in place.

The President invited the representative of Denmark (in respect of the Faroe Islands and Greenland) to introduce AM2008/73 on a mackerel survey. She explained that, in order to provide a comprehensive overview of seasonal distribution and migration of the mackerel stock in the Northeast Atlantic, coordinated research and surveys are needed. In order to investigate the feasibility for this, the Contracting Parties have agreed that a coordinated scientific survey programme should be organised.

The Norwegian representative will invite experts from the NEAFC Contracting Parties to a meeting to organise the survey, including an appropriate survey protocol. This meeting will take place early in 2009. NEAFC requests ICES to evaluate the survey plan and the survey protocol as soon as possible in 2009 (to be included in the request for advice to ICES). It is important to raise the matter in NEAFC to get the necessary support and participation.
The President noted that there was full support and that Norway was happy to arrange a meeting to organise the survey. The proposal was adopted by consensus.

(e) Rockall haddock
Document AM2008/65 was introduced by the representative of the Russian Federation. It is a joint proposal from Russia and the EU and is essentially a roll-over of last year’s measure. As mentioned earlier the two Parties have agreed that managers accompanied by scientists will meet in Edinburgh in the week of 2-6 February 2009. The results of that meeting will be reported to NEAFC and will enable NEAFC to adopt appropriate measures as soon as possible.

The proposal was then adopted by consensus. (Annex H).

The EU representative informed that the European Community will be seeking to implement equivalent measures in the longer term for this stock, including improved monitoring of the fisheries.

(f) Deep-sea species
The representative of Denmark (in respect of the Faroe Islands and Greenland) introduced AM2008/55, which gives information on the Faroese fishery for Orange roughy in 2008. This includes sampling and analysis of data. This provides excellent material for improving sampling in the future.

The President noted that there was a proposal for a roll-over of the existing measure limiting effort in these fisheries, capping effort in deep-sea fisheries at 65% of historical levels (AM2008/58). It was adopted by consensus. (Annex H).

i) Orange roughy
There were two proposals for measures in the fishery for orange roughy.

The President invited the representative of Denmark (in respect of the Faroe Islands and Greenland) to introduce AM2008/77, which proposes an arrangement for orange roughy along the same lines as the measure adopted by the Commission for 2008. It distinguishes between ICES areas V, VI and VII, which has been heavily fished and other areas in the Regulatory Area, in particular X and XII, where the fishery has not been extensive.

The representative of Denmark (in respect of the Faroe Islands and Greenland) had considered the ICES advice that these stocks could only sustain low fishing mortality. Therefore, the proposal is for a small, specialised fishery of 150 tonnes in areas that have not been fished heavily. She referred to the information provided to the meeting on scientific sampling in the fishery this year and underlined that this had been undertaken with the full cooperation of the vessel operators, who are very keen to share their expert knowledge with scientists. She hoped other parties appreciated the work done and recognised the steps taken to accommodate the concerns about the need to be extremely cautious in the management of this specialised fishery and obviously she shared these concerns. She urged other Contracting Parties to support the proposal as last year.
The EU representative introduced AM2008/61 which is similar to the one proposed last year. The proposal lays down very clearly that the situation is dramatic for orange roughy in the North Atlantic. He was extremely concerned that the last vestiges of this slow growing resource would be wiped out by this type of fishery. Parties may consider a fishery of 150 tonnes to be a very small or reasonable quantity but, in his view, these figures are not precautionary. It seems that we are on a path to identify and fish the last seamounts with orange roughy in the North Atlantic. The species cannot sustain these levels of fisheries - the science is very clear. If parties can identify areas where there is still an orange roughy population and where the fishery continues, then we are in fact looking at complete depletion. It has happened already in the South Indian Ocean where very vigorous fishing was pursued over several years and wiped out the stocks. This is a situation we have not faced in other fisheries such as the pelagic fisheries. It would be a very bad signal if NEAFC agrees to this level of fishery. He noted that there did not seem to have been any scientific observers on the vessels although data had been collected. The essence of the EU proposal was that there should be no targeted fishery for orange roughy in the NEAFC Regulatory Area. He strongly recommended the EU proposal to other parties.

The representative of Denmark (in respect of the Faroe Islands and Greenland) asked where in the ICES advice it is spelled out that stocks cannot sustain a fishery of 150 tonnes in ICES Sub-areas X and XII. The fisheries in the Indian Ocean and South Pacific had been much more intensive with catches in the thousands of tonnes. In the NEAFC Regulatory Area a fishery of 150 tonnes is suggested. It will only be pursued by Faroese vessels, which seem to be the only operators with the necessary expertise and skills in a part of the North Atlantic about which we otherwise know very little. She suggested that the EU studied the information document provided regarding the sampling and other information from the fishery. She pointed out that the ICES advice was two years old and based on data from fisheries in Sub-areas V to VII.

The EU representative pointed out that these are very slow growing stock extremely sensitive to high fishing pressure. The proposed fishery takes place in areas where little is known about the nature of the resource and that causes real concern, because we do not know what effect a fishery will have. We have no biomass estimates and in line with UNGA Resolution 61/105, we have a responsibility to assess the resource and its environment before we permit a fishery. The burden of proof had shifted and the fishery should not start before that impact could be assessed. The representative of Denmark (in respect of the Faroe Islands and Greenland) responded that it is precisely the lack of knowledge they were addressing with this very limited fishery.

The President saw no possibility of finding a compromise. He asked about the views of other parties. Norway indicated that they would follow ICES advice and support the EU proposal. The representative of the Russian Federation accepted that this is a sensitive and long lived species. However it was not fair to compare the situation in the North Atlantic with the situation in the Indian Ocean. The representative of the Russian Federation would therefore not be against a limited fishery. The EU representative suggested that the proposals were put to a vote.

The President considered this an unfortunate situation. He first asked for a vote on the proposal in AM2008/61. He asked who voted for. The EU and Norway voted for. Denmark (in respect of the Faroe Islands and Greenland) and Russia voted against. The Icelandic representative regretted it had come to this and abstained. The proposal was not carried.
The President then put AM2008/77 to a vote. Denmark (in respect of the Faroe Islands and Greenland) and the Russian Federation voted for and the EU and Norway voted against; Iceland abstained. The proposal was not carried. The President regretted very much that no proposal could be carried. He urged that time was used to find a common solution so this could be resolved in the future. He noted that, in the meantime, orange roughy fisheries would still be subject to the general provisions for effort reduction in deep-sea fisheries, as they had been previously. The Icelandic representative asked if the proposal by Denmark (in respect of the Faroe Islands and Greenland) would mean a more restricted fishery this year.

**(g) Area management**

The President noted that AM2008/53 contained maps that showed existing fishing areas and should be identical with Annex 1 of the PECMAS Report. AM2008/53 as amended was then adopted.

He then went on to AM2008/31 rev. 1 on operational procedures for handling encounters with VMEs. The proposal was then adopted.

AM2008/49 asks PECMAS to consider advice from ICES on coral areas in the North-west Rockall Area. It was adopted.

AM2008/71 is a summary of the actions taken by NEAFC to protect VMEs. It was adopted as amended.

The 4 documents were adopted by consensus.

The President went on to AM2008/54 and 70 which are connected. The proposal from Norway to extend the areas closed to fisheries in the Mid-Atlantic Ridge is in AM2008/54. AM2008/70 proposes that the issue be dealt with at a special Heads of Delegation meeting in March 2009.

The EU representative wanted to place on record appreciation of the work done by PECMAS on the protection of VMEs and also of Norway for putting forward its proposal. He saw this issue as one of the major challenges for all RFMOs. The many other issues at an Annual Meeting made it difficult to give this major issue due consideration. He, therefore, proposed dedicating a meeting to this important issue, based on the excellent work already done in the Norwegian proposal. The issue is not secondary to fisheries management as we have obligations under UNGA resolutions. AM2008/70 proposes of way forward to reach a balanced and good decision in March.

The President noted that the Norwegian proposal would be an important input to the March meeting. The representative of Denmark (in respect of the Faroe Islands and Greenland) echoed the remarks of the EU. She also expressed appreciation of the important work done by PECMAS and in the Norwegian proposal. There was a need to look into overlaps and gaps and ways to monitor big closures and possibilities to revise them. In some ways this is reflected in the summary of actions taken. When we close areas to bottom fishing we should send out a signal that other bodies responsible for human activities that can impact on the environment should be held to account for their responsibilities. AM2008/70 was adopted and AM2008/54 will be dealt with at the March meeting of Heads of Delegations.
(h) Pelagic *Sebastes mentella* in ICES Sub-areas I and II in the Regulatory Area

AM2008/69 was introduced by the Norwegian representative. He regretted that it was not possible to follow the ICES advice of zero TAC, but appreciated that it had been possible to reduce the TAC from 14,500 to 10,500 tonnes. The Icelandic representative would have preferred to follow ICES advice, but could hesitantly accept the proposal. The EU representative noted that the 10,500 tonnes was a compromise. He stressed the importance of the redfish survey, in which the EU would participate. If the results of this led to a change in advice, the EU would act on that.

Denmark (in respect of the Faroe Islands and Greenland) appreciated that there had been movement from both sides and could support the proposal. The representative of the Russian Federation pointed out the importance of this fishery. The reduction in TAC was significant in his view, but was justified and he would support the proposal from Norway. The proposal was then adopted by consensus. (Annex H).

10) NEAFC Response to the UN General Assembly on its Resolution UNGA 61/105

The item is dealt with under agenda item 6.


12) The NEAFC Scheme of Control and Enforcement

a) Implementation of the Scheme

b) Possible adoption of proposals from the PECCOE

The President suggested that agenda items 11 and 12 were taken together. He then invited the Chair of PECCOE, Mr Martin Newman, EU, to present his report.

The Chair of PECCOE said he would concentrate on the proposals for recommendation from the Committee. He referred to documents AM2008/13 rev 1, 14 rev 1, 19, 46 and 47. Regrettably it was not possible to see in the documents where the exact changes had been made. He apologised for that. This will be possible in future proposals.

The main purpose of the changes in Article 28-33 (AM2008/13) in the infringement Chapter of the Scheme was the introduction of surveillance reports as triggers for infringement procedures and changing of reporting year to the calendar year. In addition there were smaller editorial changes tightening the language.

In the non-Contracting Party Scheme, Chapter VII of the Scheme Articles 34-36 (AM2008/14), the changes aimed at more precise language broadening the information demanded from cooperating non-Contracting Parties. They also open up for the possibility to remove scrapped, sunk or reassigned vessels on the list. PECCOE will be able to propose the removal if a Contracting Party, not the flag state, provides sufficient information. In many instances registries of certain flag
states have no interest in following the vessels in their registry. Changes in Article 45 give clearer instructions to Contracting Parties on what they have to do vis-à-vis vessels on the IUU lists, removing ambiguity in the present text originally taken from FAO.

In Chapter V of the Scheme, Port State Control, (AM2008/19), the main change is to allow the cancellation of PSC forms. This is a particular problem for two Contracting Parties. The forms have been redrafted so they are now identical in NAFO and NEAFC.

AM2008/12 is not a proposal for a recommendation, but draft measures for the pelagic fishery for *S. mentella* in the Irminger Sea, requested by the Coastal States of that stock. It is hoped that the text can be used as basis in further consideration of this fishery.

Finally PECCOE had looked into control measures with respect to closed areas. One proposal is that Contracting Parties that intend to inspect have full access to VMS data before the inspections starts, similar to the arrangement in the present redfish measure.

PECCOE had also looked into the question on control of the North West Rockall closed area. It was found that suggestions to change the borderlines would make it difficult to monitor and control the closure.

An Icelandic proposal for entitlements of inspectors to monitor landings of another CP would be considered further before a proposal was made.

A case of mistaken identity has led to a correction to the B-list with respect to the vessel RED. This vessel may be on its way to scrapping.

The President noted the report of the Advisory Group for Data Communication, AGDC (AM2008/8). It does not contain any proposal for recommendations.

AM23008/13 rev 1, 14 rev 1, 19, 46 and 47 contain the proposals agreed to by PECCOE. He opened the floor to comments.

The EU representative expressed its appreciation of the work of PECCOE and its Chair. He supported strongly all the proposals.

The President noted that the representative of the Russian Federation had asked for some more time to consider the proposal for a recommendation in AM2008/19. He invited the representative of the Russian Federation to comment.

The representative of the Russian Federation indicated that, in principle, they had nothing against the proposal. It addresses a problem specific for Russian vessels fishing very close to the ports where they land the fish. This made the requirement to report total catch on board 24 hours in advance of landing very difficult. He felt that this proposal increased the efficiency of the Port State Control System. However, experience would show if there were further problems and if so he would bring these to the attention of PECCOE. Having considered the proposal, he could accept it.
He stressed that the Russian Federation strongly supported the whole Scheme of Control and Enforcement of NEAFC.

The President concluded that all proposals for recommendations had been adopted by consensus.

c) Possible adoption of proposals from the Advisory Group for Data Communication
There was no proposal from the Advisory Group.

d) A- and B- lists of IUU vessels
The observer of St Kitts and Nevis asked about the vessel Aquamarine, former Cliff and Ice Bay. The St Kitts and Nevis registry had submitted information on this vessel, but had not had any response. He asked when a response could be expected. The Chair of PECCOE answered that the important thing was to have absolute confirmation that a real change of ownership had taken place. The NEAFC Secretariat will inform St Kitts and Nevis, indicating the precise information needed for further PECCOE deliberations.

The proposal for IUU lists, (AM2008/46), was then adopted with the correction of information about the vessel RED.

e) Cooperating non-Contracting Parties
The President stated that the status of the 5 cooperating non-Contracting Parties, at their own request, will be renewed for 2009. Applications from the Bahamas and Panama for cooperative NCP status are still under consideration.

f) Other items
The President invited the Norwegian representative to introduce a presentation on the problem of discards.

The Norwegian representative introduced a film about discard practices by pointing out that discards had been a matter of discussion for a long time. The practice was a problem of a similar type as unrecorded catches and difference in regulation of discards in different jurisdictions could lead one party taking a larger share of a stock than its allocation. This was similar to the problem of using different conversion factors.

Examples of discards filmed by the Norwegian Coastguard were shown in the film and had also been shown on TV. It had caused uproar in Norway and led to political pressure to launch a campaign against these practices. Norway had discussed the matter with other Parties, and discussions with the EU had been positive. Norway intended to take this up with FAO and possibly launch an International Plan of Action, IPOA, combating discards. He now raised the issue in NEAFC and would suggest that PECCOE looks into the matter. It was the Norwegian position that parties were obliged under UNFSA and the FAO Code of Conduct to address the problem of discards. He stressed that this was not to point fingers at any Party or individual vessels. The basic problem was the regulation, which allowed discards or even made them mandatory. The Norwegian representative would come back to this issue with a proposal for PECCOE. The film showed examples of various discard practices.
The President drew attention to two outstanding issues with respect to PECCOE. AM 2008/75 contains a proposal for Terms of Reference for PECCOE to look into the verification of catches and AM2008/35 rev 2, a proposal for Terms of Reference for PECCOE to look into discards. Both proposals were adopted by consensus.

**13) First Draft of the NEAFC Fisheries Status Report**

The President drew the attention of delegations to the report. He urged Contracting Parties to send comments to the report in its present form. This will allow the Secretariat to continue its task to finalise the Report. The Report is expected to be ready at the end of first quarter 2009.

**14) Relationships with other Regional Fisheries Management Organisations**

a) Observer reports

The meeting took note of the reports from observers in NAFO, ICES, NAMMCO, Pollock in the Bering Sea and SEAFO, AM2008/29, 26, 11, 30 and 10.

It was agreed to appoint the same observers for 2009 as for 2008, as follows:

NAFO - Denmark (in respect of the Faroe Islands and Greenland)
ICES - Iceland
NAMMCO – Norway
Pollock in the Bering Sea – Russian Federation
SEAFO - EU.

b) Report of the Sixth Meeting of North Atlantic Regional Fisheries Management Organisations, NARFMOs

It was not possible to arrange a meeting of the NARFMOs this year

**15) Reports from international meetings on the management and integration of fisheries and environmental policies**

The President drew attention to the number of notes on meetings the Secretariat has participated in or received information about. These were for the information of Contracting Parties. A full record of the Secretariat’s involvement is given in the NEAFC Activity report AM2008/07.

The EU representative suggested that cooperation with OSPAR should be discussed at the March meeting of HODs. The President proposed that cooperation with OSPAR, IMO and ICES should be discussed under a separate agenda item at future Annual Meetings.
a) Cooperation with OSPAR
b) Bioethics of the Sea, Nordic Meeting, 28 January, Stockholm
c) World Bank / IUCN First Global Workshop on Corruption in Fisheries, 30-31 January, Washington
d) FAO Technical Consultations, First meeting, on International Guidelines for the Management of Deep-sea Fisheries in the High Seas, 4-8 February, Rome

e) Conference on Control and Compliance, NSRAC – Scottish Government, 21-22 February, Peterhead
f) 7th Meeting of State Parties to UNFA, 10-14 March, UN HQ
g) Towards a new Governance of High Seas Biodiversity, IDDRI, Monaco, 20-21 March
h) The 4th Chatham House IUU Fishing Update and Stakeholder Consultation meeting, 31 March-1 April
i) Strengthening Controls on IUU Fishing: An Informal Planning Discussion arranged by PEW Foundation, 2 April, Strand Palace Hotel, London
j) MCAP-MICC meeting, 3-4 April ICES HQ, Copenhagen
k) 4th Global Conference on Oceans, Coasts, and Islands: Advancing Ecosystem Management and Integrated Coastal and Ocean Management by 2010 in the Context of Climate Change, 7-11 April, Hanoi, Vietnam
l) Cooperation with IMO: Meeting with the Secretary General of IMO, 8 April, London

The NEAFC Secretariat met the Secretary-General of IMO, Dr. Mitropoulos, and other representatives of the IMO Secretariat on 8 April 2008. It was agreed to start the process of agreeing on cooperation between the two organisations. A proposal for draft terms of an Agreement of Co-operation between the International Maritime Organization (IMO) and the North East Atlantic Fisheries Commission (NEAFC) was received from IMO and circulated to Contracting Parties 9 July 2008. The IMO Council, at its 101st session, 13 November 2008 considered document C 101/11(b), containing NEAFC's application for Agreement of Co-operation. The NEAFC request was approved and will be referred to the next IMO Assembly (November 2009) for consideration and final approval.

The Terms of an Agreement of Co-operation between the International Maritime Organization (IMO) and the North East Atlantic Fisheries Commission (NEAFC) were then formally adopted by the Commission.

m) Fisheries Management and Climate Change Conference, 16-18 April, Bergen
n) IUU Celebration, Seafood Conference, WWF, 23 April, Brussels
o) 2nd meeting of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, 28 April -2 May, UN HQ, New York
p) FAO Port State Measures, 23-27 June, FAO HQ, Rome
q) FAO CWP and FIRMS Partner meeting 7-9 July, Halifax, Canada
s) Nordic Network meeting International Fisheries 5 September Stockholm
16) Possible Prolongation of the Secretary’s contract from 1 March 2010
The President informed that Heads of Delegation had agreed to prolong the Secretary’s contract to 1 July 2011 and this was adopted by the Commission.

17) Finance and Administration Committee
(a) Report on the Secretariat’s activities during the year
(b) Audited accounts for the year ended 31 December 2007 and preliminary statements for 2008 (August inclusive)
(c) Draft budget for 2009 and draft budget estimate for 2010
(d) Review of annual contributions from Contracting Parties with reference to Article 17.4 of the Convention
(e) Any other business

AM2008/68, the report of the Finance and Administration Committee, FAC, was introduced by the Chair, Mr Andrew Thomson, EU. He explained that £400,000 of NEAFC’s assets lodged in a British bank with Icelandic owners had been frozen by the UK Government. Until such time as these assets are restored, it was proposed that Contracting Parties should pay an additional £100,000 annually towards the General Fund until it has been returned to its former level. He noted the need to upgrade the NEAFC database system, pointed out by PECCOE, which is estimated to cost £50,000. He also noted that the present premises did not provide the necessary support for the increasing number of meetings of NEAFC and Coastal States at NEAFC HQ. It may be worth considering, in the present market, investing in a property that is better tailored to NEAFC’s current needs.

He then went through the recommendations of the FAC report.

He noted that a decision had to be made on the use of Article 17.4 in the case of Denmark (in respect of the Faroe Islands and Greenland). This has been the approach adopted earlier. It was agreed to use this for 2009.

The Commission then adopted all the proposals from the FAC at the suggestion of the President. The President thanked the Chair and the Committee.

18) Arrangements for future meetings
(a) 28th Annual Meeting 9 – 13 November 2009 and 29th Annual Meeting 8-12 November 2010
(b) Meetings in subsidiary bodies of NEAFC in 2009.

The Commission adopted the meeting dates set out in AM2008/67; however, there could be changes. The Chair of PECMAS asked about clarification of a PECMAS meeting in September which the President explained. The representative of the Russian Federation asked about the timing of ICES advice. The Secretary informed that no specific date had been set for the ICES advice in the autumn, but there had been indications that it could be moved somewhat forward. AM2008/67 was then adopted.
19) **Press statements and other reports of the Commission’s activities**

This will be prepared as usual by the President and Secretary and be released on Monday 17 November 2008.

20) **Any other business**

The EU representative had suggested that a representative of the TXOTX project, Mr. Philip Large, UK, made a presentation on this project, which is funded by the EU. Mr. Large’s presentation can be found in AM2008/60

NEAFC is invited to support the project by giving information on the issues the project addresses. This information can be given by the Secretariat. The President moved that NEAFC cooperates with and supports TXOTX through the Secretariat. This was agreed.

There was no further business.

21) **Closure of the 27th Annual Meeting**

The President closed the meeting on 14 November at 8:30 pm. He noted that there were outstanding issues, which have to be solved, but the 27th Annual Meeting had made considerable progress. He thanked delegates and wished everybody a safe journey home.