



NORTH-EAST ATLANTIC
FISHERIES COMMISSION

Managing Fisheries in the North-East Atlantic

REPORT

36th ANNUAL MEETING

OF THE

NORTH-EAST ATLANTIC FISHERIES
COMMISSION

13-17 November 2017

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Report

1 Opening of the 36th Annual Meeting

The President, Jacques Verborgh, EU, opened the meeting. All Contracting Parties were represented.

2 Welcome address by the President and opening statement

The President made a short opening address. All Contracting Parties made opening statements. Opening statements were also made by observers from cooperating non-Contracting Parties (Bahamas, Canada, Liberia and St Kitts and Nevis), States (Panama), intergovernmental organisations (FAO, and OSPAR) and non-governmental organisations (Marine Stewardship Council and Seas at Risk). *(Annexes B to G)*

3 Adoption of the agenda and appointment of rapporteur

The agenda was adopted in the form that had been circulated before the meeting (document AM 2017-01).

The Secretary was appointed as rapporteur.

4 Establishment and arrangements for the Finance and Administration Committee (FAC), and other groups

Arrangements were made for FAC, the Permanent Committee on Monitoring and Science (PECMAS) and the Working Group on Statistics to meet in the margins of the meeting.

5 Status of the amended NEAFC Convention

The Secretary presented a report by the depository government on the status of the amended NEAFC Convention, document AM 2017-04. *(Annex H)*

The Secretary pointed out that the report from the depository government stated that the situation remained unchanged regarding the entry into force of the amendments to the Convention. The 2006 amendment had entered into force on 29 October 2013, but the 2004

amendment would not enter into force unless the Contracting Party which had lodged an objection to the amendment would lift that objection.

The Russian Federation thanked the Secretariat for the update and confirmed that the objection had not been lifted and the process regarding ratification of the amendment continued domestically.

6 Report from the Working Group on Fisheries Statistics, WG STATS

The Vice Chair of the Working Group on Fisheries Statistics, Thorsteinn Hilmarrsson, Iceland, presented the work of the group. He noted that the group had held one meeting in 2017, under its Chair, Pernille Skov Jensen, EU, who had now left the role.

The report from the group's meeting, document AM 2017-21, included plans for making the "quota status" of key stocks available to Contracting Parties through the NEAFC website, alongside the catch statistics provided under recommendation 2:2011. The intention was that this would be done in a timely manner before Coastal States' consultations.

The report was noted, with Contracting Parties welcoming the improvements shown on NEAFC statistics since the group had started its work, as well as the new developments on a 'one stop shop' for catch statistics and quota status.

7 Statistics on quota uptake and vessel activity

The tables containing final catch statistics for 2016, as presented in document AM 2017-52 Rev.1, were noted. The tables containing the provisional catch statistics for 2017 up to and including September, as presented in document AM 2017-79, were also noted.

The Secretariat also presented the annual overview of bottom fisheries in the Regulatory Area, document AM 2017-55. The tables and maps in the document, produced using data available in the VMS and catch data database of the Secretariat, were noted.

8 Report from the Permanent Committee on Management and Science, PECMAS

The PECMAS Vice-Chair, Thorsteinn Sigurdson, Iceland, presented the committee's work. He noted that PECMAS had held one meeting in 2017. The report from the committee's meeting, document AM 2017-20, was noted.

PECMAS had noted the bilateral and the regular 'recipient of advice' meetings with ICES as well as the developing approaches on ICES ecosystem overviews. No proposals for recurring or non-recurring advice were developed at PECMAS. PECMAS had also considered the issue of how ICES applied the precautionary approach to its advice, this would be further discussed at the next bilateral with ICES. PECMAS had considered advice from ICES regarding the closures for protection of Vulnerable Marine Ecosystems and would be making a proposal under Agenda item 15 accordingly. An issue on the historical footprint of bottom fisheries would also arise later in the agenda. The report from the Ad Hoc Working Group on Deep Sea Species had also been considered by PECMAS, including how to resolve some discrepancies in the data. This would be considered later in the agenda.

9 Report by the Advisory Committee of ICES

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, presented document AM 2017-71 (*Annex K*), the ICES advisory approach and introducing 2017-72 (*Annex I*), the advice for widely distributed stocks. He then responded to questions and comments from the Contracting Parties. The meeting noted his presentation which set out the context for the advice, and included further explanation of the way the precautionary approach was applied

10 Request for scientific advice

The PECMAS Vice-Chair noted that members of PECMAS had met in the margins of the meeting and made some amendments to the recurring request for advice from ICES, partially based on the Recommendation that had been agreed under agenda item 11.7 and partially to clarify working in the request. Additionally, a non-recurring advice request was developed on evaluation of a NEAFC proposal for the harvest control component of the long-term management plan for Rockall haddock (see also Agenda item 11.6.3).

It was agreed to send the request for advice to ICES in the form presented in document AM 2017-93

11 Scientific advice and management measures

11.1 Pelagic *Sebastes mentella* in the Irminger Sea

11.1.1 Report by the Advisory Committee of ICES

11.1.2 Relevant reports

11.1.3 Recommendations on management measures

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, made a presentation of the ICES advice.

It was noted that meetings of some of the Coastal States with other relevant parties had not resulted in an agreement on conservation and management measures.

Iceland presented a proposal for conservation and management measures, as in its previous year's proposal with no directed fisheries for deep pelagic redfish, noting that the ICES advice showed a critical status of the stock and emphasising the need to follow the scientific advice.

Discussions in the margins of the meeting aiming at finding a compromise conclusion, resulted in an alternative proposal from Denmark (in respect of the Faroe Islands and Greenland) and the European Union. This proposal aimed at an interim measure for 2018, by significantly reducing the outtake in the fishery but not closing it.

There was also no consensus on the proposals. Both proposals were therefore put to a vote, in the order that they had been tabled.

The Icelandic proposal, document AM 2017-56, received two votes in favour (Iceland and Norway) and three votes against (Denmark (in respect of the Faroe Islands and Greenland), the European Union and the Russian Federation). It was therefore not adopted.

The proposal by Denmark (in respect of the Faroe Islands and Greenland) and the European Union, document AM 2017-90, received three votes in favour (Denmark (in respect of the Faroe Islands and Greenland), the European Union and Norway), one vote against (the Russian Federation) and one Contracting Party abstained from voting (Iceland). **The proposal for conservation and management measures for 2018 was thereby adopted.**

In view of its opinion that the stock in the Irminger sea was a single stock and therefore in a healthy condition, the Russian Federation indicated that it was to undertake a genetic study to establish whether the *Sebastes mentella* in the Irminger Sea were in fact a single stock.

11.2 Pelagic *Sebastes mentella* in ICES Sub-areas I and II in the Regulatory Area

11.2.1 Report by the Advisory Committee of ICES

11.2.2 Relevant reports

11.2.3 Recommendations on management measures

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, made a presentation of the ICES advice.

It was noted that a meeting of some Coastal States with other relevant parties had not resulted in an agreement on conservation and management measures.

Two proposals for conservation and management measures were presented. However, Norway and the Russian Federation, supported by Iceland, on the one hand and Denmark (in respect of the Faroe Islands and Greenland) and the European Union on the other, were unable to bridge the differences on what would be the appropriate NEAFC management measures for this stock. No measures were adopted.

11.3 Blue whiting

11.3.1 Report by the Advisory Committee of ICES

11.3.2 Relevant reports

11.3.3 Recommendations on management measures

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, made a presentation of the ICES advice on blue whiting.

It was noted that Coastal State consultations had resulted in some agreed elements but a final signature of the Coastal States agreement on blue whiting was awaiting finalisation of discussions on another stock.

In view of expectations of a future agreement between Coastal States, Contracting Parties voted on a proposal from Norway on a Recommendation on conservation and management measures for blue whiting for 2018. The proposal by Norway, document AM 2017-80, received four votes in favour (the European Union, Iceland, Norway and the Russian Federation), with Denmark (in respect of the Faroe Islands and Greenland) abstaining, but noting it would consider voting favourably for a more mature version in due course. **The proposal for conservation and management measures for 2018 was thereby adopted.**

11.4 Norwegian spring spawning (Atlanto-Scandian) herring

11.4.1 Report by the Advisory Committee of ICES

11.4.2 Relevant reports

11.4.3 Recommendations on management measures

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, made a presentation of the ICES advice on herring, including elements related to the long term management plan. It was explained that implementation of a new quality control system had led downward estimates of the spawning stock biomass and a late correction in the advice for 2018 and retrospectively for 2017.

It was noted that Coastal State consultations on herring had started but had been delayed by a correction of the scientific advice and were due to restart after an additional meeting at ICES to discuss the assessment process.

Contracting Parties noted the significant disruption that withdrawal of the earlier advice had caused to Coastal State consultations. Nevertheless it was underlined that robust processes to quality control advice were welcomed, with an encouragement for ongoing transparency and clarity. It was also noted that, where revisions were made, ICES should make every effort to ensure the advice clearly documented the changes made so that the basis of earlier decisions on catches were clear. ICES noted the points made, including on being more transparent on any changes in advice.

It was agreed to adopt conservation and management measures for 2018 as proposed by the Russian Federation in document AM 2017-81. It was noted that these measures were not fully comprehensive, given the Coastal States consultations were ongoing.

11.5 Mackerel

11.5.1 Report by the Advisory Committee of ICES

11.5.2 Relevant reports

11.5.3 Recommendations on management measures

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, made a presentation of the ICES advice on mackerel, including advice following a review of the Long Term Management Strategy for mackerel.

Norway noted that, following the Coastal States consultations, its proposal for conservation and management measures for 2018, document AM 2017-28, relied on each Contracting Party adopting its own approach to establishing measures for its mackerel fishery in the NEAFC Regulatory Area.

It was agreed to adopt conservation and management measures for 2018 as presented in document AM 2017-28. It was noted that these measures were not fully comprehensive, as they did not include allocation among the Contracting Parties.

11.6 Rockall haddock

11.6.1 Report by the Advisory Committee of ICES

11.6.2 Relevant reports

11.6.3 Recommendations on management measures

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, made a presentation of the ICES advice on Rockall haddock.

In tabling its proposal for closure of a box in the Rockall haddock fishery, document AM 2017-70, the European Union noted its aim that the management plan for Rockall haddock should be submitted to ICES for an evaluation of harvest control element.

It was agreed to adopt the proposal for 2018 in document AM 2017-70, which continued the conservation and management measures that had been in place in recent years.

11.7 Deep-sea fisheries

11.7.1 Report by the Advisory Committee of ICES

Eskild Kirkegaard, Chair of the Advisory Committee of ICES, made a presentation of the ICES advice on deep sea species, noting that for several stocks, advice had been given in 2016 for fishing up to end of 2018. (*Annex K*)

11.7.2 Relevant reports

Under relevant reports, the Chair of the Ad Hoc Working Group on Deep Sea Species, Odd Aksel Bergstad, Norway, presented his report on landings and effort in the deep sea fishery in the NEAFC Regulatory Area. This had complemented and built on the previous report on deep sea fisheries which covered data up to 2003. The chair noted that effort was difficult to compare between Contracting Parties, however for both landings and effort there was a general trend of reduction across the time series. The chair also noted data discrepancies between data at NEAFC and that at ICES which was likely to be due to attribution of catches between fisheries in the Regulatory Area and national jurisdictions.

Contracting Parties thanked the Ad Hoc group and its Chair for their efforts on the report, noting the aim to continually improve on the data issue. It was also noted that the chair of the Ad Hoc group would be working with the FAO on its worldwide report on bottom fisheries, therefore NEAFC information would be reflected in that report.

The meeting noted the report and **it was agreed** that the Secretariat should work with the chair of the Ad Hoc group to produce a summarised version for publishing on the NEAFC website.

11.7.3 Recommendations on management measures

It was agreed by a vote to adopt conservation and management measures for 2018 for grenadiers in two separate areas as presented respectively in documents AM 2017-29 and AM 2017-30. The European Union abstained from voting on both proposals on grenadiers.

Two proposals for conservation and management measures for orange roughy were presented, one by the European Union prohibiting targeted fisheries and limiting bycatch during 2018-2020, document AM 2017-69, and one by Denmark (in respect of the Faroe Islands and Greenland), document AM 2017-78, prohibiting targeted fisheries in areas with severely depleted stocks but allowing limited fisheries in other areas in 2018. Consultations in the margins of the meeting were unsuccessful in reaching consensus. Neither proposal received enough support through voting to be adopted.

Iceland introduced its joint proposal on deep sea fisheries with Norway, document AM 2017-25, explaining that the proposed Recommendation was focused on introducing measures for category 3 stocks, (previously unexploited or lightly exploited species/stocks), namely measures to respond in a timely and adequate manner to new deep-sea species fishing activity within the NEAFC Regulatory Area; to avoid uncontrolled growth of such new activity.

Following discussions in the margins of the meeting **it was agreed** to adopt the proposal as presented in document AM 2017-25 Rev 1, allowing for the new measures on category 3 stocks. This was adopted alongside the proposal in document AM 2017-86 Rev2 which renewed the 2017 management approach that ‘effort shall not exceed 65 per cent of the highest level put into deep sea fishing in previous years’ for the relevant deep sea species.

11.8 Area management

- 11.8.1 Report by the Advisory Committee of ICES
- 11.8.2 Relevant reports
- 11.8.3 Recommendations on management measures

Mark Tasker, Vice-Chair Advisory Committee of ICES, presented ICES advice related to a NEAFC request related to NEAFC bottom fisheries closures to prevent adverse effects on Vulnerable Marine Ecosystems (*Annex M*). The advice from ICES indicated existing closures should be renewed beyond their current 2017 expiry, as well as indicating the need for an expansion of one of the currently closed areas on the Hatton-Rockall Basin.

The Vice-Chair of PECMAS explained that the Committee had considered the advice and had proposed in document AM 2017-12 to amend Recommendation 19:2014 to extend all the current VME related bottom fisheries closures to 2022 as well as to expand one of the currently closed areas on the Rockall-Hatton Basin pursuant to the scientific advice. **It was agreed** by consensus to adopt the amendments as presented in document AM 2017-12.

Under this agenda item Norway and the Russian Federation introduced document AM 2017-31. Norway explained that the proposal was aimed at amending Recommendation 19:2014 in order to clarify its geographical scope in the light of Coastal States’ rights on continental shelves under the United Nations Convention of the Law of the Sea.

Other Contracting Parties agreed that the issue raised by the document was important and worth raising, nevertheless it would need careful exploration before progressing to a recommendation. In view of the discussion, **it was agreed** to set up a NEAFC Working Group on Vulnerable Marine Ecosystems with Terms of Reference as set out in document AM 2017-31 Rev1 as adopted at the Annual Meeting. A request from Seas at Risk for observers to the group to be considered was noted by Contracting Parties.

Under this agenda item the European Union raised the issue of a potential amendment being required in Recommendation 19:2014 to reflect the earlier submission of data from the European Union on bottom fisheries during the reference period of 1987-2007.

In discussion, several Contracting Parties indicated they were not content to consider new data for the reference period. The Secretariat and the Vice-Chair of PECMAS explained that the development of 1987-2007 bottom fisheries footprint involved a complex analysis of a large amount of VMS data submitted by Contracting Parties. Assessment of whether one particular subset of data had in fact been taken into account at the time of the analysis would therefore require a re-run of the analysis, rather than simply checking if some data points were present.

Following further discussion **it was agreed** that the Secretariat should undertake an analysis of the development of the areas established as existing bottom fishing areas to ascertain if this included all the data submissions at the time of analysis. This analysis would then be considered by PECMAS to conclude whether an amendment of what areas are included in Annex 1 of Recommendation 19:2014 was required or not. Should a proposal be forthcoming from PECMAS this could be agreed by a postal procedure to accelerate the process.

11.9 Other

- 11.9.1 Report by the Advisory Committee of ICES
- 11.9.2 Relevant reports
- 11.9.3 Recommendations on management measures

Eskild Kirkegaard, Chair of the Advisory Committee of ICES made a presentation of the ICES advice, under the MOU with NEAFC, on fish stocks that had not been covered under other agenda items, and regarding some areas outside the NEAFC Regulatory Area which provided context for the NEAFC advice. (*Annex L*)

It was noted that, there was generally a decline in mortality and an increase in spawning stock biomass across stocks in the North-East Atlantic, although this was variable across species. In most cases reducing fishing mortality had led to a positive stock response. It was underlined that the addition of fisheries overviews rather than just a focus on particular stocks was a helpful development, as was the development of ecosystem overviews setting fish stock changes in the context of ecosystem variation.

Under this agenda item Norway introduced document AM 2017-32, which proposed a prohibition on collection bags attached to shrimp sorting grids (regulated under Recommendation 11:2015). Some other Contracting Parties highlighted the useful role of grids in avoiding catch of juvenile and non-target fish, while others argued that the use of collection bags was common in many shrimp fisheries where grids were used, and that this did not constitute a problem if the vessels in question had legal fishing opportunities for the catches that would end up in the collection bag.

The proposal in document AM 2017-32 was not adopted following a vote in which there were three votes in favour ((Denmark (in respect of the Faroe Islands, Norway and the Russian Federation) and two votes against (the European Union and Iceland).

12 Report from the Permanent Committee on Monitoring and Compliance, PECMAC

The Chair of PECMAC, Gylfi Geirsson, Iceland, presented the committee's work. He noted that PECMAC had held two meetings in 2017. In addition, the Ad Hoc Working Group on an Electronic Reporting System (ERS) had met four times. The Ad Hoc PECMAC Working Group on Practical Issues relating to NEAFC Port State Control, chaired by Hilde Ognedal, Norway, had also met on more than one occasion to prepare its work for PECMAC. The reports from the meetings of the Committee, AM 2017-35 and AM 2017-24) and the Ad Hoc Working Group on ERS, documents AM 2017-36, 2017-37, 2017-38, 2017-39, were noted.

Progress under PECMAC on draft amended articles of the NEAFC Scheme were also provided for information on the ongoing work; document AM 2017-46. The chair explained that the

direction of the ERS implementation was already apparent from the work undertaken in 2017 and that final proposals were expected to be submitted to the Annual Meeting in 2018.

The Chair of PECMAC noted that a number of proposals would be addressed under later agenda items. These proposals would include some of those coming out of the work of the Ad Hoc Working Group on PSC. Included in the current proposals was the adoption of the UN/CEFACT standard as part of an ERS implementation. This proposal included a timeline for transition with the first UN/CEFACT communications, expected to be introduced from mid-2019, with a two year transition allowed for across the full network of FMC systems after the system became operational at the NEAFC Secretariat.

In responding to the PECMAS report the FAO, welcomed the proposed adoption by NEAFC of the UN/CEFACT standard for data transmission within the ERS. The FAO also underlined the importance it attached to ratification of the Port State Measures Agreement and the use of the global information system on ports which would include existing regional systems. It requested Contracting Parties to be involved and to support the global information system.

The meeting noted the request from FAO and **agreed** that the Secretariat should continue to support FAO in its work, in particular in cooperation on the developing global information system, given the experience NEAFC has as a leading RFMO.

Contracting Parties welcomed progress under the Working Group on ERS and on that on PSC, noting the further work needed in the next year leading to a complete document. **It was agreed** that the Secretariat should write to Cooperating Non-Contracting Parties in due course to explain the forthcoming changes in the Scheme.

Compliance Report 2016

The Chair of PECMAC then presented the NEAFC Compliance Report for 2016, document AM 2017-48. He noted that the Compliance Report had been reformatted to make it easier to understand, it now also included a bottom fisheries compliance questionnaire.

Contracting Parties welcomed the second compliance report, noting the improved structure of the report. The better information on Fisheries Management Centre messages on VME monitoring was noted, but also the continuing need for better harmonisation of reporting on such issues as infractions.

It was agreed to adopt the NEAFC Compliance Report for 2016.

Gylfi Geirsson was thanked for his work by the meeting, in particular given this was his last appearance as Chair of PECMAC before retirement, and in view of his many years of productive involvement with NEAFC.

13 Report from the Joint Advisory Group on Data Management, JAGDM

The Vice-Chair of JAGDM, Ellen Fasmer, Norway, presented the group's work in accordance with the usual practice within this joint NAFO/NEAFC group. She explained that JAGDM had held two meetings in 2017, but the latter had focused only on NEAFC issues. The details of the meetings were set out by the vice-chair with reference to documents AM 2017-22 and

AM 2017-49. In presenting the reports, the vice-chair highlighted that NEAFC and NAFO had their own priorities and within JAGDM they would aim to work as closely as possible together without inhibiting the other organisation's ability to progress a new issue.

The Vice-Chair of JAGDM noted that there were no proposals from the group under the NEAFC Scheme of Control and Enforcement, instead a proposal (document AM 2017-23) was being made to update the NEAFC Information Security Management System (ISMS) which was contained in Recommendations 11:2013 and 08:2014. This proposal would implement the Heads of Delegation decision on access to documents (HOD 17.01) and would enter into force from January 2018. She also noted that the proposal had been made with systematic consultation with PECMAC.

The meeting thanked the Vice-Chair of JAGDM for her presentations and the work of the group; **it was agreed** to adopt the Recommendation, as set out in AM 2017-23.

14 The NEAFC Scheme of Control and Enforcement

14.1 Implementation of the Scheme

No issues were raised under this item.

14.2 Possible adoption of proposals from PECMAC

It was agreed to amend article 22.3 of the NEAFC Scheme of Control and Enforcement (*Prior notification of entry into port* – reduction of expiry period to 48 hours) as presented in document AM 2017-42

It was agreed to amend article 23 of the NEAFC Scheme of Control and Enforcement (*Landing or transshipment and other use of ports* - to include use of other port services) as presented in document AM 2017-44.

It was agreed to amend article 25.1 of the NEAFC Scheme of Control and Enforcement (*Inspections* – mixed fresh and frozen landing and transshipments to count against relevant benchmarks) as presented in document AM 2017-41

It was agreed to adopt the UN/CEFACT International Standard for Communications between NEAFC Secretariat and Fisheries Monitoring Centres, implemented no later than June 2019 with a transition period of up to two years, as presented in document AM 2017-43.

It was agreed to add a new Annex XII c) (Accepted means of surveillance) to the NEAFC Scheme of Control and Enforcement as presented in document AM 2017-45

14.3 Possible adoption of proposals from JAGDM

No issues were raised under this item.

14.4 A and B- lists of IUU vessels

It was agreed to take note of the IUU B list of confirmed IUU vessels, as presented in document AM 2017-18. It was noted that no vessel had been added to or removed from the

IUU B list in the previous year. It was further noted that there were no vessels on the IUU A list.

14.5 Other

Norway presented a proposal for self-assessments of flag state performance by Contracting Parties, coordinated by PECMAC, document AM 2017-33. Norway underlined NEAFC should carry out this activity given its pioneering history, and PECMAC could produce a report for 2018.

Contracting Parties welcomed the proposal from Norway, noting NEAFC's role in helping the formulation of FAO guidelines on the issue. It was suggested however that the timeline might need to be more flexible. It was also suggested the cooperating non-Contracting Parties (CNCs) could be part of the process. FAO welcomed the proposal as a very good signal from NEAFC, noting that the FAO guidelines for States' self-assessment were voluntary, also noting RFMOs could play a coordinating role. It also noted that the Sustainable Development Goal 14 on oceans had helped FAO initiate improved reporting on the issue of flag state and port state assessments.

Following further discussion document AM 2017-33 was withdrawn and document AM 2017-92 was introduced as an enhanced proposal.

It was agreed to adopt the proposal, as set out in AM 2017-92, requiring Contracting Parties to carry out self-assessments on flag-state performance in accordance with the FAO Voluntary Guidelines for Flag State performance, reporting to PECMAC 2019, with CNCs also being invited to carry out such assessments. The proposal also asked PECMAC to present a summary report to the Annual Meeting in 2020. Furthermore, PECMAC was to assess whether the NEAFC Scheme of Control and Enforcement needed amendment to ensure consistency with the assessment criteria in the Guidelines. The meeting noted that PECMAC would put forward proposals for amendments to the Scheme, only as necessary.

It was noted that any requirement for CNCs to carry out a self-assessment would only follow a future amendment of the Scheme. Several CNCs commented that in the interim they would be content to provide information on a voluntary basis.

15 Cooperating non-Contracting Party Status

15.1 Possible renewal of cooperating non-Contracting Party status

As proposed by PECMAC, **it was agreed** to renew the cooperating non-Contracting Party status of the Bahamas, Canada and New Zealand for the year 2018

The PECMAC Chair noted that Liberia had applied to have their cooperating non-Contracting Party status renewed, but there had been no consensus in PECMAC on making any recommendation to the Annual Meeting in this context.

The European Union explained that under its extensive legal framework on combatting IUU fishing, it still had some outstanding queries with Liberia that meant it could not support the

renewal of CNCP status. Liberia explained that it took its responsibility on combatting IUU fishing seriously and assured NEAFC that this remained a highest priority.

The proposal to renew the status for Liberia was then put to a vote; the European Union voted against and the other four Contracting Parties voted in favour. **It was therefore agreed** to renew the cooperating non-Contracting Party status of Liberia for 2018.

The PECMAC Chair noted that St Kitts and Nevis had also applied to have their cooperating non-Contracting Party status renewed, but there had been no consensus in PECMAC on making any recommendation to the Annual Meeting in this context.

The European Union indicated it had the concerns on the application from St Kitts and Nevis, not only on the basis of its IUU framework as in previous years, but also on the European Union's understanding the formal status of the application from the St Kitts and Nevis Registry. St Kitts and Nevis explained that they were in the process of removing all fishing vessels in their registry in order to address concerns on IUU.

The proposal to renew the status for St Kitts and Nevis was then put to a vote; the European Union voted against and the other four Contracting Parties voted in favour. **It was therefore agreed** to renew the cooperating non-Contracting Party status of St Kitts and Nevis for 2018.

Following the discussion on CNCP status renewals, **it was agreed** that PECMAC should submit appropriate proposals for the 2018 Annual Meeting to amend the NEAFC Scheme of Control and Enforcement in order to review and update requirements for the status of a cooperating non-Contracting Party, with the objective to prevent, deter and eliminate illegal, unreported and unregulated fishing or fishing related activities in support of such fishing.

15.2 Possible new granting of cooperating non-Contracting Party status.

No applications for new granting of cooperating non-Contracting Party status had been received. However, Panama, attending as a States observer, indicated that it was interested in acquiring CNCP status in due course.

16 Report from the Working Group on Allocation Criteria

The Chair of the Working Group on Allocation Criteria, Terje Løbach, Norway, presented the group's work, as set out in document AM 2017-05. He noted that, while the group had met in 2016 and 2017, it had only been able to develop criteria for allocation as informal working paper with no conclusions nor a recommendation for the Annual Meeting. A sub group had developed some guidelines on stock distribution and zonal attachment that would be considered under the next agenda item. While the Chair hoped the outputs from the working group would be useful in future discussions, the group did not have any consensus as a basis for a third meeting.

The Contracting Parties thanked the Chair and the group for their work. Several parties acknowledged that the task of finding a predetermined solution on allocation was a very ambitious one, and noted the policy and political dimension added to the difficulty. While acknowledging useful outputs in terms of development of thinking, it was agreed that at this

stage there did not seem to be value in continuing with formal meetings in the next year. However it was considered that informal consultations may still be of use for the future.

It was therefore agreed that the Working Group on Allocation Criteria should not meet in the next year but be put on hold for the present. The Chair of the group was requested to continue to have informal consultations before the next annual meeting in order to see if there were any potential avenues for progress in the future, reporting back to the 2018 Annual Meeting.

17 Report from the Working Group on a Framework for Coastal State Negotiations

The Chair of the Working Group on a Framework for Coastal State Negotiations, Piebe Hotsma, the European Union, presented the group's work. He set out the work of the group as in document AM 2017-06. The Chair noted that the group now considered it had finished its work, and in doing so it had agreed to submit to the Annual Meeting for adoption: draft *Guidelines for Coastal State Consultations in the North East Atlantic* and a draft *Model Framework Arrangement*. In submitting the proposals (presented in Annex 1 and Annex 2 of the document 2017-06) the group had noted that the Guidelines would have a non-binding nature even after formal adoption by the Annual Meeting, and the Model Framework Arrangement would remain as an example only. (*Annexes N and O*)

Contracting Parties welcomed the proposed guidelines, although some voiced their desire for further progress on the issue. It was noted that the guidelines were non-binding but nevertheless a step forward in finding more long term stability for coastal State agreements.

In discussing the work of the group, Norway tabled document AM 2017-34 which set out proposed guidelines on zonal attachment developed under a sub-group of the Working Group on Allocation Criteria. Norway noted that, since the Allocation Criteria Working Group was not disbanded, even if it was in stasis, the zonal attachment could remain under that group's work and considered for revisiting in 2018.

In conclusion, **it was agreed** to adopt the Guidelines for Coastal State Consultations in the North East Atlantic and a draft Model Framework Arrangement, as presented in Annex 1 and Annex 2 of the document 2017-06. The proposed guidelines on zonal attachment would remain attached to the Working Group on Allocation Criteria for consideration in due course.

In noting the Working Group on a Framework for Coastal State Negotiations had now concluded its work the President thanked the group and its current and former Chairmen for their work.

18 Relationships with other Regional Fisheries Management Organisations

18.1 Observer reports

The reports submitted by NEAFC observers at meetings of regional fisheries management organisations (CCAMLR, ICCAT, ICES, NAFO, NAMMCO, NASCO, Pollock in the Bering Sea, SEAFO) were noted.

It was agreed that the Contracting Parties would provide observer reports to the Annual Meeting in 2018 in the following way:

CCAMLR – *Norway*

ICCAT – *European Union*

ICES – *Iceland*

NAFO – *Denmark (in respect of the Faroe Islands and Greenland)*

NAMMCO – *Norway*

NASCO – *European Union*

Pollock in the Bering Sea – *the Russian Federation*

SEAFO – *Norway*

18.2 Regional Secretariats Network

This item was covered under Agenda item 20.

18.3 Other

No issues were raised under this agenda item, but the Secretariat's continuing good cooperation with the Secretariats of other RFMOs, in particular NAFO was noted under Agenda item 20.

19 Collective arrangement between competent international organisations

The Secretary gave a brief overview of the work that been undertaken in the last year under the collective arrangement with OSPAR.

It was noted that the third meeting under the collective arrangement was held in 2017, hosted by NEAFC, with the aide memoire from the meeting available as document AM 2017-07. This meeting had been helpfully characterised by a greater involvement of Contracting Parties representatives from both organisations. It was noted that while the collective arrangement itself formally related to the area-based measures adopted by the respective organisations, the meeting continued to be a useful forum to informally discuss issues relating to the work of the two organisations, increasing mutual understanding and awareness. It also offered an opportunity to consider issues of common concern, for instance the potential impacts of deep sea mining dust plumes in areas beyond national jurisdiction. The next meeting under the collective arrangement was being kindly hosted by Germany in Berlin on 7-8 May 2018.

Contracting Parties noted the importance of the collective arrangement in addressing issues of concern, such as the activities undertaken by other organisations in areas beyond national jurisdiction. So without impinging on their competence, other organisations are able to take into account what NEAFC is doing and why. The importance of continued efforts to get other organisations, in particular the International Seabed Authority and the International Maritime Organisation, to participate was noted. The Secretary and President were encouraged to continue in their efforts to invite others as observers to the meetings.

OSPAR responded to the discussion saying it would continue to invite other organisations to join the process. It noted that OSPAR and NEAFC's ongoing cooperation through the collective arrangement had been included under the 2017 Sustainable Development Goal 14 the Ocean Conference's commitments website. OSPAR brought to the attention of the meeting its continuing work on deep sea sharks and also on exploring a potential Marine Protected Area

related to seabirds; it would report back on these issues to the next collective arrangement meeting.

The European Union then introduced document AM 2017-89 on regional ocean governance in ABNJ: Strengthening interregional cooperation in the Eastern Atlantic. This included an outline proposal for an initiative in the South East Atlantic including the Abidjan Convention, SEAFO and ICCAT. The European Union believed that NEAFC and OSPAR's joint experience cross-sectoral and inter regional collaboration was of relevance as a starting point for a mutual learning and exchange process. The next meeting of the collective arrangement could be used to consider a proposal in more detail.

Norway welcomed the initiative from Germany and the European Union given it could build on a very similar earlier Norwegian project which had finished due to lack of funds.

In concluding, the President welcomed the proposals made in the discussion and encouraged Contracting Parties to attend the meeting of the collective arrangement in Berlin.

20 Relationship with other international fora

- 20.1 ICES
- 20.2 UN
- 20.3 FAO
- 20.4 OSPAR
- 20.5 International MCS Network
- 20.6 North Atlantic Coast Guard Forum
- 20.7 Nordic cooperation
- 20.8 Civil Society
- 20.9 Other

The Secretary presented reports regarding the work of the different international fora and NEAFC's cooperation with them. He highlighted the importance of continuing visibility of NEAFC in ongoing global discussions. In this context he also explained that the former President of NEAFC, Johan H Williams would be attending a forthcoming meeting in Cape Town (on Building International Partnership to Enhance Science Based Ecosystem Approaches in Support of Regional Ocean Governance) organised by Global Environment Fund, International Ocean Commission, UNDP, UN Environment and FAO. This was a meeting the Secretariat had been unable to attend and Mr. Williams would produce a report for information.

Contracting Parties encouraged the Secretary and President to remain engaged in the international agenda. The recommendation of the Performance Review and ongoing guidance was to remain engaged with other fisheries and regional seas bodies, but this also should be seen to include collaboration with the FAO and Convention on Biological Diversity amongst others. The Secretariat's contribution to the FAO's work on the Port States Measures Agreement was highlighted in particular.

Noting also NEAFC's pioneering role, Norway highlighted the ongoing process under UNCLOS for a legally binding instrument on biodiversity in areas beyond national jurisdiction (BBNJ) and the potential direct impacts on fisheries and the work of RFMOs. Norway urged Contracting Parties to include fisheries management expertise in their delegations at the BBNJ meetings, underlining the importance of maintaining the existing provisions UNCLOS and the UN Fish Stocks Agreement and the role of RFMOs.

The FAO noted that support by NEAFC had become customary in its work and strengthened from year to year. It was noted that the support to up 40 countries on Port States Measures, Monitoring Control and Surveillance and market measures also relied on 3 main donors which were NEAFC Contracting Parties. He called for continued closer cooperation and coordination, as well as a focus on small island developing states.

The Secretary's report, as presented in document AM 2017-26, was noted.

21 Report from the Finance and Administration Committee

- 21.1 Audited accounts for the year ended 31 December 2016 and preliminary statements for 2017
- 21.2 Draft budget for 2018 and draft budget estimate for 2019
- 21.3 Review of annual contributions from Contracting Parties with reference to Article 17.4 of the Convention
- 21.4 Other

The Chair of the Finance and Administration Committee, Áki Johansen, Denmark (in respect of the Faroe Islands and Greenland), presented the Committee's work. He noted that the Committee had met in the margins of the current Annual Meeting. He explained the details of the Committee's report, document AM 2017-87, including the healthy status of the General Fund. In doing so he explained that a separate line for a building fund had not been included in the draft budget. The document AM 2017-87 was noted.

The meeting:

1. **Noted** the Audited accounts for the year ended 31 December 2016 and preliminary statements for 2017
2. **Agreed** the Draft budget for 2018 and draft budget estimate for 2019
3. **Agreed** to apply Article 17.4c of the Convention with reference to annual contributions from Contracting Parties.
4. **Agreed** that the FAC should reconvene if necessary if there is an Extraordinary meeting of NEAFC during 2018.
5. **Noted** that Contracting Party contributions should be paid in full no later than 1 April 2018.

The President thanked the FAC, the chair and in particular Lauren van Heerde from the Secretariat for their efforts.

22 Arrangements for future meetings

22.1 Annual meetings 12-16 November 2018 and 11-15 November 2019

22.2 Meetings of subsidiary bodies of NEAFC

It was noted that NEAFC Annual Meetings were traditionally held during the second full week of November. Therefore, the 37th Annual Meeting would be held on 13-16 November 2018, and the 38th Annual Meeting would be held on 11-15 November 2019.

It was agreed that the timing of meetings of subsidiary bodies of NEAFC in 2018 would be as presented in the calendar in document AM 2017-88 (*Annex Q*), although some changes could still be made in consultation between the President, the Heads of Delegation and the relevant committee and working group Chairs.

It was agreed that next year's Annual Meeting would be shortened to 4 days, starting on Tuesday 13 November, with a Heads of Delegation on Monday afternoon, 12 November 2018. It was noted that the meeting would again be held at the Holiday Inn, Regents Park, London.

23 Press statements and other reports of NEAFC's activities

It was agreed that the press statement from the meeting would be dealt with by the President and that the Secretary would support him in that task. (*Annex R*)

24 Access to documents

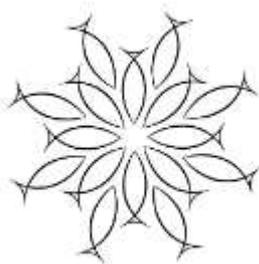
Under the NEAFC policy on access to documents from NEAFC meetings (document AM 2017-08), Contracting Parties were invited to indicate any document as needing to be marked as an exception from the policy. No documents were proposed.

25 Any other business

No issues were raised under this agenda item

26 Closure of the 36th Annual Meeting

The President thanked all those from Committees, Working Groups and ICES for their contributions to the meeting as well as to all participants for a fruitful meeting. He then closed the meeting and wished everyone a safe journey home.



**36th ANNUAL MEETING
OF THE
NORTH-EAST ATLANTIC FISHERIES COMMISSION
13-17 NOVEMBER 2017**

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