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Performance Review of the Northwest Atlantic Fisheries Organization (NAFO)

Presentation to the 2020 Special Session of the Council of the North Atlantic Salmon Conservation Organization (NASCO)

Introduction

At its Annual Meeting in September 2017, the Northwest Atlantic Fisheries Organization (NAFO) agreed to launch its second Performance Review. The first Performance Review (PR-1) took place in 2011. Since then, all 225 recommendations arising out of this 2011 Performance Review have been implemented or addressed.

The second Performance Review of NAFO, which took place from October 2017 to September 2018, addressed issues regarding conservation and management; compliance and enforcement; governance; science; international cooperation; finance and administration. It also assessed how NAFO has addressed the recommendations of its first Performance Review in 2011. These criteria are much the same as the criteria used in the 2011 Performance Review and are further detailed in the Terms of Reference for the 2018 Performance Review of NAFO (see <u>NAFO/COM Doc. 17-21</u> enclosed as Annex 1).

Terms of Reference

The Terms of Reference of the 2018 NAFO Performance Review was determined by NAFO Contracting Parties, which had formed a Working Group to develop the Performance Review's Terms of Reference (<u>NAFO/COM Doc. 17-21</u>).

These Terms of Reference outline the: scope and objectives; criteria; review panel composition; external experts; internal experts; administrations; work schedule and the report of the Review Panel; along with the criteria for reviewing the performance of NAFO (NAFO/COM Doc. 17-21).

As per the Terms of Reference, the scope and objectives of the work to be carried out by the Review Panel were the following:

- 1. To evaluate how NAFO has responded to the outcome of 2011 NAFO Performance Review (PR1), taking into consideration the work and practices of NAFO's bodies, subsidiary bodies and working groups to date, and also the implementation of the action plan resulting from the recommendations of the 2011 NAFO Performance Review.
- 2. To identify areas where improvements are needed to strengthen the organization in order to advance the objectives of the NAFO Convention and the subsequent 2007 amendments.
- 3. To assess the functioning and efficiency of all NAFO bodies, subsidiary bodies and working groups, taking into account, among other:
 - a. The cooperation between Commission and Scientific Council in the context of the joint COM-SC working groups.
 - b. The findings mentioned in the Fisheries Commission's paper on "Improving Efficiency of NAFO Working Group Process".

As mentioned previously, the Terms of Reference also outlined the composition of the

Performance Review Panel (PRP), procedure on the appointment of the PRP, how the Review should be administered, the work schedule of the PRP and deadlines for reporting. The PRP itself was composed of three external experts, each of which were chosen for their particular expertise, and three internal experts. The external experts were Bárbara Boechat de Almeida (legal framework of international fisheries instruments and organizations), Jane Willing (fisheries management) and Poul Degnbol (fisheries science). The internal experts were James Baird (Canada), Maria Fuensanta Candela Castillo (EU) and Terje Løbach (Norway). Jane Willing was appointed by the PRP to be the Coordinator of the Panel. A budget of CDN \$93,000.00 was also agreed to cover the costs of the PRP, mainly the service fees and travel expenses of the three (3) external experts (the costs for the internal experts were covered by their respective NAFO Contracting Party).

Conduct of the Performance Review

Under the Terms of Reference, once the Performance Review was launched at the September 2017 Annual Meeting, a year-long process was envisaged. The first three (3) months of this process involved the selection of the PRP itself. The PRP then had about six (6) months to do its work before presenting its provisional Report and Recommendations on 01 July 2018 for review and comments from NAFO Contracting Parties. The final Report and Recommendations were released on 01 August 2018 and the Panel Coordinator gave her presentation to NAFO at the September 2018 Annual Meeting, at which the Report and Recommendations were officially accepted by NAFO (The final 2018 NAFO Performance Review Report Panel is available at: https://www.nafo.int/Portals/0/PDFs/Performance/NAFOPerformanceReviewPanelRpt2018.p df). According to the Coordinator, six months for the PRP to do its work was "adequate for this exercise".

During the Performance Review itself, the Panel was clear it wished to undertake an open and inclusive process and for key NAFO participants to have an opportunity to provide input and help inform the review. According to the Panel Coordinator, the guiding principles for the Panel were the following:

- Transparency
- Consensus-based decision-making
- Open consultation
- Evidence-based analysis
- Free and frank discussion (ability to challenge); and
- Specific and targeted recommendations.

The Panel worked on the basis of documentation, feedback from Contracting Parties and accredited observers, and interviews with NAFO officials. Meetings of the Panel were done mainly by videoconference, but there were two (2) meetings at the NAFO Headquarters in Halifax, Canada. All Contracting Parties were invited to submit views, orally or in writing, for the Panel to consider. The NAFO officials were requested to present their views and information on achievements, challenges, and options for progress in relation to recommendations stemming from the 2011 Performance Review, as well as any other issues that might have arisen since the completion of the previous exercise.

The Panel established a clear work plan with timelines. It aimed to have a short and concise Report (the final report was less than 50 pages, excluding Annexes). Each Panel member had specified responsibilities and each chapter of the proposed Report had a lead author, a co-

author, and a peer reviewer. Once all the chapters were completed, the entire Panel then reviewed the full Report and Recommendations.

Report and Recommendations, including Follow-up Mechanisms

The final Report, that was presented to the NAFO Commission and the Scientific Council during a joint session at the 2018 Annual Meeting, contained 36 Recommendations. Contracting Parties also agreed on the formation of a Working Group to develop an Action Plan to address each of the recommendations individually (this followed the same procedure that was done by NAFO to address the Recommendations of its first Performance Review in 2011). The Working Group was mandated to recommend designating those Recommendations that should be addressed immediately, as well as establishing individual plans of action to address the remaining Recommendations in the short, medium, and long-term. This Working Group reported back to NAFO at the following year's Annual Meeting and its recommendations were adopted (See <u>NAFO/COM Doc. 19-32</u> enclosed as Annex 2).

As a consequence, under this Action Plan for each of the 36 Recommendations, (plus another issue that was recognized as a concern by the PRP but did not result in a Recommendation), NAFO has designated the lead NAFO body, the proposed action to address the Recommendation and its priority. NAFO also established an annual review of the progress for each of these proposed actions identified in the Action Plan at subsequent NAFO Annual Meetings beginning in 2020.

Addendum

In addition to his paper (above) and annexes (from page 4 onwards), Fred Kingston, Executive Secretary, Northwest Atlantic Fisheries Organization (NAFO), provided the following information in response to an email from Dr Emma Hatfield, Secretary, North Atlantic Conservation Organization (NASCO).

The process [of initiating the performance review], in principle, took a year to draw up the Terms of Reference (ToRs). As you noted below, the year before, the Commission at the 2016 Annual Meeting made the decision in principle to conduct a performance review and created a working group to develop the ToRs to be presented at the 2017 Annual Meeting with the view to them being adopted and to start the envisaged process. In this case, the ToRs were based on a draft produced by one Contracting Party (which took much of its from the ToRs of NAFO's previous performance review), although the Secretariat was prepared to produce a first draft if a CP was not able to do so.

As you noted, the NAFO ToRs were "revised", because the working group process actually started the previous year (i.e. 2015) and, after the original ToRs were adopted in 2016, the process first started in 2016. However when the selection process for the external members of the Panel was being made, there was some issue about the eligibility of a nominee. Since the timelines were quite tight, the discussion concerning this nominee delayed the process enough that the entire process was delayed. The working group then reconvened and modified the eligibility requirements of the external members of the Panel in the ToRs to allow this particular nominee to be a member of the Panel. These revised ToRs were then presented to the 2017 Annual Meeting for adoption as per the first paragraph.

[NAFO/COM Doc. 17-21 at https://www.nafo.int/Portals/0/PDFs/com/2017/comdoc17-21.pdf]

1. Scope and objectives

The scope and objectives of the work to be carried out by the Review Panel shall be:

- 4. To evaluate **how NAFO has responded to the outcome of 2011 NAFO Performance Review** (PR 1), taking into consideration the work and practices of NAFO's bodies, subsidiary bodies and working groups to date, and also the implementation of the action plan resulting from the recommendations of the 2011 NAFO Performance Review.
- 5. To identify areas where improvements are needed to strengthen the organization in order to advance the objectives of the **NAFO Convention and the subsequent 2007 amendments**.
- 6. To assess the functioning and efficiency of all **NAFO bodies**, subsidiary bodies and working groups, taking into account, among other:
 - a. The cooperation between Commission and Scientific Council in the context of the joint COM-SC working groups.
 - b. The findings mentioned in the Fisheries Commission's paper on "Improving Efficiency of NAFO Working Group Process" (FC Doc. 15-18).

2. Criteria

Within the scope and objectives outlined above, the review shall be performed on the basis of seven groups of criteria provided in the Annex, in no order of preference, which should be used to point both to achievements and to areas which could be improved:

- Follow-up to the 2011 NAFO Performance Review.
- Conservation and management.
- Compliance and enforcement.
- Governance including decision-making, dispute settlement, transparency and confidentiality.
- Science.
- International cooperation.
- Financial and administrative issues.

3. Review Panel composition

The Review Panel shall be composed of six (6) experts; three (3) external experts and three (3) internal experts.

a. External experts

None of the three external experts should have participated in the work of NAFO.

The external experts should cover the following qualifications and experience:

- One expert on the legal framework of international fisheries instruments and organizations.
- One expert on fisheries management.
- One expert on fisheries science.

All three (3) external experts should have an appropriate level of education and long experience relevant to the category in which they are nominated, as well as a very good command of written and spoken English.

One of the three (3) external experts shall be assigned the task of Coordinator of the Review Panel by the remaining experts, if possible by consensus of the Panel. The Coordinator will be liaising with CPs and the chairs of any relevant NAFO body or working group.

Selection of external experts:

- 1. All CPs will be invited to nominate three (3) external experts each: one in each of the fields mentioned above (i.e. legal issues, fisheries management and fisheries science). If possible, nominations will include some background and/or CVs.
- 2. The Secretariat will compile a list of candidates received from CPs, by field of expertise and attaching the background and/or CVs provided.
- 3. If there are not at least two qualified nominees in each category, the Secretariat may re-open the nomination process for an additional 30 days to solicit additional candidates.
- 4. The Secretariat will distribute the list by field, i.e. in three lists.
- 5. CPs will select and rank a maximum of 3 experts per field among the candidates, in order of preference.
- 6. The Secretariat will consolidate the ranking from the CPs. It will prepare a composite list of candidates by assigning a value to each candidate in inverse relationship to the order of each of the three lists (i.e. 3 points for candidate ranked first; 2 points for candidate ranked second and 1 point for candidate ranked third).
- 7. The Commission Chair will convey to CPs the results of the selection in accordance with the outcome of the ranking process.

b. Internal experts

The three (3) internal experts shall have a background in at least one of the fields mentioned in point 3 (a) above for external experts. Ideally, their main field of expertise shall not coincide. They shall be nationals of one of NAFO's CPs.

They shall be selected as follows:

- 1. All CPs will be invited to nominate one internal expert each, including, if possible, some background and/or CV.
- 2. The Secretariat will compile and distribute a list of candidates received from CPs and attaching the background and/or CV provided.
- 3. CPs will rank all candidates in the list, in order of preference.
- 4. The Secretariat will consolidate the ranking from the CPs. It will prepare a composite list of candidates by assigning each candidate a value in inverse relationship to the order of each CP ranking (i.e. if there are 10 candidates, then 10 points for candidate ranked first, 9 points for candidate ranked second, and so forth).
- 5. The Commission Chair will convey to CPs the results of the selection in accordance with the outcome of the ranking process.

4. Administration

Meeting(s) of the Review Panel shall be held at the NAFO Headquarters in Dartmouth, Nova Scotia, Canada or via WebEx/videoconference.

The Contracting Parties shall be invited to submit, in confidentiality, views, orally or in writing, relevant to consider by the review panel. In addition, other relevant stakeholders may be invited to submit views on relevant issues to be considered by the panel.

The travel costs of the external experts shall be reimbursed and they shall receive a per diem to cover their accommodation and subsistence costs. In addition, the experts may receive a fee for the work undertaken.

CPs whose candidates are chosen as internal experts shall pay for the participation of those experts to meeting(s) of the Panel.

The Secretariat shall provide administrative assistance to the Panel.

5. Work schedule and report of the Review Panel

The work schedule will include the following main steps:

- **October November 2017**: Selection of Panel Review experts.
- **December 2017:** Panel Review experts are contacted by the Secretariat for availability.
- **January June 2018**: Review Panel work, including at least two meetings face-to-face and WebEx / videoconference meetings as required.
- **1 July 2018:** Review Panel makes a provisional report available for review by the NAFO Secretariat and CPs for comments.
- **15 July 2018**: Deadline for comments by CPs to the Review Panel's provisional report.
- **15 July 1 August 2018:** The Secretariat compiles and aggregates all CP comments to the provisional report.
- **2 August 2018:** The Secretariat circulates a final draft report to CPs, for adoption at the NAFO Annual Meeting in 2017.
- **Annual Meeting 2018**: Panel Coordinator presents the final draft report at the NAFO Annual Meeting.
- After Annual Meeting 2018: If adopted by the NAFO Commission, the second Performance Review report is uploaded to the public part of the NAFO website and disseminated widely by the Secretariat.

Area	General criteria	Detailed criteria
1. 1st Performance Review	Follow-up to the 1st Performance Review	Review of actions taken by NAFO in response to the 1 st PR recommendations and assessment of their effectiveness.
2. Conservation and management	<i>Status of living marine resources</i>	Status of fish stocks under the purview of NAFO in relation to maximum sustainable yield or other relevant biological standards.
		Trends in the status of those stocks.
		Status of species that belong to the same ecosystems as, or are associated with or dependent upon, targeted marine living resources ("non-target species").
		Trends in the status of non-target species.
	Ecosystem approach and precautionary approach	Extent to which NAFO decisions take account of and incorporate the ecosystem approach and the precautionary approach to fisheries management.
	Data collection and sharing	Extent to which NAFO has agreed formats, specifications and timeframes for data submissions, taking into account Annex 1 of the 1995 UN Fish Stocks Agreement.
		Extent to which NAFO Contracting Parties, individually or through NAFO, collect and share complete and accurate data concerning marine living resources (i.e. both fish stocks and non-target species) and other relevant data in a timely manner, including analysis of trends in fishing activities over time.
		Extent to which fishing and research data and fishing vessel and research vessel data are gathered by NAFO and shared among Contracting Parties and with other relevant international bodies.

Criteria for Reviewing the Performance of NAFO

Area	General criteria	Detailed criteria
		Extent to which NAFO is addressing any gaps in the collection and sharing of data as required.
	Quality and provision of scientific advice	Extent to which NAFO produces the best scientific advice relevant to the marine living resources under its purview, as well as to the effects of harvesting, research, conservation and associated activities on the marine ecosystem.
	Adoption of conservation and management measures	Extent to which NAFO has adopted measures based on the best scientific advice available to ensure the long-term conservation and sustainable use of marine living resources in the Convention Area.
		Extent to which NAFO has applied a precautionary approach as set forth in Article 6 of the 1995 UN Fish Stocks Agreement, including the application of precautionary reference points.
		Extent to which consistent/compatible management measures have been adopted, as set out in Article 7 of the 1995 UN Fish Stocks Agreement.
		Extent to which NAFO successfully allocates fishing opportunities consistent with the NAFO Convention and Article 11 of the 1995 UN Fish Stocks Agreement.
		Extent to which NAFO has moved toward the adoption of conservation and management measures for previously unregulated fisheries, including new and exploratory fisheries.
		Extent to which NAFO has taken due account of the need to conserve marine biological diversity and minimize harmful impacts of fishing activities and research on living marine resources and marine ecosystems.

Area	General criteria	Detailed criteria				
		Extent to which NAFO has adopted measures to minimise pollution, waste, discards, catch by lost or abandoned gear, catch of non-target marine living resources, and impacts on associated or dependent species through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques.				
		Extent to which NAFO has adopted and is implementing effective rebuilding plans for depleted or overfished stocks including guidance for stocks under moratoria.				
	Capacity management	Extent to which NAFO has identified fishing capacity levels commensurate with the conservation objectives of the NAFC Convention.				
		Extent to which NAFO has taken actions to prevent or eliminate excess fishing capacity and effort.				
	Reporting requirements	Analysis of NAFO's reporting obligations to improve efficiency, avoid redundancy and reduce unnecessary burdens on CPs.				
3. Compliance and enforcement	Flag State duties	Extent to which NAFO Contracting Parties are fulfilling their duties as flag States under the NAFO Convention, pursuant to measures adopted by NAFO, and under other international instruments, including, inter alia, the 1982 Law of the Sea Convention, 1995 UN Fish Stocks Agreement and the 1993 FAO Compliance Agreement, as applicable.				
	Port State measures	Extent to which NAFO has adopted measures relating to the exercise of the rights and duties of its Contracting Parties as port States, as reflected in Article 23 of the 1995 UN Fish Stocks Agreement, as well as the minimum standards set out in the 2009 FAO Agreement on Port State Measures to Combat IUU Fishing.				

Area	General criteria	Detailed criteria
		Extent to which these measures are effectively implemented.
	Monitoring, control and surveillance (MCS)	Extent to which NAFO has adopted integrated MCS measures (e.g. required use of boarding and inspection schemes, VMS, observers, catch documentation and/or trade tracking schemes, and restrictions on transhipment).
		Extent to which these measures are effectively implemented.
	Follow-up on infringements	Extent to which NAFO and its Contracting Parties follow up on infringements to conservation and management measures.
	Cooperative mechanisms to detect and deter non-compliance	Extent to which NAFO has established adequate cooperative mechanisms to both monitor compliance and detect and deter non- compliance (e.g. compliance committees, vessel lists, sharing of information about non- compliance).
		Extent to which these mechanisms are being effectively utilised.
	Market-related measures	Extent to which NAFO has adopted measures relating to the exercise of the rights and duties of NAFO Contracting Parties as market States for marine living resources under the purview of NAFO.
		Extent to which these measures are being effectively implemented.
4. Governance including decision- making, dispute settlement, transparency and confidentiality.	Decision-making	
		Extent to which NAFO has transparent, consistent and adequate decision-making

Area	General criteria	Detailed criteria
		procedures that facilitate the adoption of conservation and management measures in a timely and effective manner.
		Extent to which those procedures are effectively implemented.
	Dispute settlement	Extent to which NAFO has established adequate mechanisms for resolving disputes.
	Transparency	Extent to which NAFO is operating in a transparent manner, taking into account Article 12 of the 1995 UN Fish Stocks Agreement and Article 7.1.9 of the Code of Conduct for Responsible Fisheries
		Extent to which NAFO decisions, meeting reports, scientific advice upon which decisions are made, and other relevant materials are made publicly available in a timely fashion.
		Extent to which the NAFO website caters for the online communication needs of NAFO CPs and the public in general.
	Confidentiality	Extent to which NAFO has set security and confidentiality standards and rules for sharing sensitive scientific and operational/compliance data.
5. Science	Quality and provision of scientific advice	Extent to which the Scientific Council (SC) produces the best scientific advice relevant to the living marine resources under the purview of NAFO, as well as to the effects of fishing on the marine environment.
		Extent to which scientific advice is presented in a standardised way
		Extent to which scientific advice is accessible to and understandable for non-scientists and the general public

Area	General criteria	Detailed criteria
		Extent to which the structure, processes, procedures, resources and expertise of the SC and of the Secretariat meet the needs of NAFO, in particular as regards highly demanding data and technical requirements of the most recent modelling platforms.
	Best available science	Extent to which best available science is used by the SC.
6. International cooperation	Relationship with non-contracting parties	Extent to which non-Contracting Parties have undertaken fishing activities in the NAFO Regulatory Area.
		Extent to which NAFO facilitates cooperation with non-Contracting Parties, including encouraging non- Contracting Parties to become Contracting Parties or to implement NAFO conservation and management measures voluntarily.
		Extent to which NAFO provides for action in accordance with international law against non- Contracting Parties undermining the objective of the Convention, as well as measures to deter such activities.
	Cooperation with other international organizations	Extent to which NAFO cooperates with Regional Fisheries Management Organizations and other international organisations, including the network of Regional Fishery Body Secretariats.
	Special requirements of developing States	Extent to which NAFO recognises the special needs of developing States and cooperates with developing States, taking into account Part VII of the 1995 UN Fish Stocks Agreement.
		Extent to which NAFO Contracting Parties, individually or through the Commission, provide relevant assistance to developing States as reflected in Article 26 of UN Fish Stocks Agreement.

Area	General criteria	Detailed criteria			
7. Financial and administrative issues	Availability of resources for activities	Extent to which financial, human and other resources are effectively forecast and made available to achieve the aims of NAFO and to implement NAFO's decisions.			
	Efficiency and cost- effectiveness	Extent to which NAFO is efficiently and effectively managing its human and financial resources, including those of the Secretariat, in order to support NAFO's objectives and to ensure continuity of operations. This includes, among other, the establishment of clear and transparent office policies, structures, roles and responsibilities and lines of authority and effective internal and external communication.			
		Extent to which the schedule and organization of the meetings could be improved.			

Annex 2. Recommendations from the WG-PR to forward to the NAFO Commission [NAFO/COM Doc. 19-32 at <u>https://www.nafo.int/Portals/0/PDFs/COM/2019/comdoc19-32.pdf</u>]

The NAFO Commission Working Group to Address the Recommendations of the 2018 Performance Review Panel (WG-PR) Meeting met 03 April 2019 (COM Doc. 19-03) and agreed on the following recommendations to forward to the NAFO Commission.

The WG-PR recommends that:

- The Draft Action Plan for the Implementation of the Recommendations from the 2018 Report of the NAFO Performance Review Panel (COM PR-WP 19-01 Revised) be adopted by the Commission at the 2019 Annual Meeting.
- The NAFO Secretariat, in cooperation with the Chairs and co-Chairs of the NAFO Constituent Bodies and Working Groups, report on the progress of proposed actions identified in the Action Plan (COM PR-WP 19-01 Revised) at subsequent NAFO Annual Meetings beginning in 2020.



Action Plan for the Implementation of the Recommendations from the 2018 Report of the NAFO Performance Review Panel

COM PR-WP 19-01 (Revised)

NUMBER/	RECOMMENDATION		LEAD NAFO BODY					PROPOSED ACTION			
CHAPTER REF.		СОМ	SC	SEC	CPs	PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION			
	III. Conservation and Management										
	In relation to the Ecosystem Approach Framework to Fisheries Management, the NAFO Performance Review Panel:										
1. III.2.a.1	• Recommends the Commission, within a defined timeline, sets objectives and determines acceptable risks as outlined in the Ecosystem Approach Framework Roadmap to ensure its implementation. [pg. 16]	X (COM/ WG-EAFFM)	X (WG-EAFFM)			LT	 The below recommendations from the Aug 2018 meeting of WG-EAFFM were adopted by COM and SC at the Sept. 2018 Annual Meeting, (COM-SC Doc. 18-06): In relation to implementation of the EAF Roadmap, WG-EAFFM continues to make progress on the EAF Roadmap, acknowledging the general concepts of Ecosystem Production Potential (EPP) as a useful step towards implementation of EAFFM. The SC continue to refine its work under the ecosystem approach road map, including testing the 	 make progress on the EAF Roadmap and consider its potential utility in informing management decisions by the COM. WG-EAFFM will reconsider the terminology used in the Ecosystem Summary Sheets in order to provide clarity and avoid potential confusion with standard terminology in fisheries management. SC will continue to refine its work under the EAF Roadmap, including testing the reliability of the ecosystem production potential model and other 			

¹ Short-term (ST) is designated as 1-2 years, medium-term (MT) as 2-3 years, and long-term (LT) as more than 3 years; with ST in general being considered high priority items.

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO B	ODY		- PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs			
							 reliability of the ecosystem production potential model and other related models, and to report on these results to the WG-EAFFM to further develop how it may apply to management decisions. WG-EAFFM work to reconsider the terminology used in the Ecosystem Summary Sheets in order to avoid potential confusion with standard terminology in fisheries management, as well as considering their potential ability to inform management decisions. The WG-EAFFM met in October 2018. The WG discussed the terminology in the ESS and next steps in the process, which would include the exploration of how the ESS and its information can be useful and, as appropriate, how to integrate the information into decisions in the framework of the ESS (COM-SC EAFFM-WP 18-10). 	management decisions

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO B	ODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		CORRENT STATUS	FROFUSED ACTION
	In relation to the Precautionary Approach Framework, the NAFO Performance Review Panel:							
2. III.2.b.1	 Recommends NAFO assigns a high priority, including a timeline, to the review of its Precautionary Approach Framework and urges NAFO to act with precaution while awaiting the completion of this review, in particular through a commitment to follow scientific advice. [pg. 17] 	X (WG-RBMS)	X (WG-RBMS)			ST	The COM's request for SC advice on management in 2020 and beyond of certain stocks in Subareas 2, 3, and 4 and other matters (<u>COM Doc. 18-20</u>), requests SC to continue progression on the review of the NAFO PA Framework. It also requests SC to develop a 3-5 year work-plan to identify resources necessary to address issues/gaps in current scientific resources. This work-plan will consider the priority of the review of the PAF.	steps to be undertaken in completing the review of the Precautionary Approach (PA) Framework and develop a timeline for its completion.
3. III.2.b.2	• Recommends that NAFO includes 'data-poor' stocks in the Precautionary Approach Framework. [pg. 17]	X (WG-RBMS)	X (WG-RBMS)			MT/ST	WG-RBMS, at is April 2015 meeting (<u>FC-SC Doc. 15-02</u>) recommended that SC gives a high priority to development of reference points for all stocks which lack them. This recommendation was adopted by FC and SC at the Sept. 2015 Annual Meeting (<u>FC-SC Doc. 15- 04</u>)	priority to the development of reference points for all stocks which lack them (MT).
	In relation to data collection and sharing, the NAFO Performance Review Panel:							
4. III.3.1	• Recommends NAFO implements the applicable outcomes of the catch	X (CESAG)	X (CESAG)		Х	ST	CESAG will meet in late February 2019 to review and discuss the draft final report	 CESAG will continue to provide oversight in the implementation of the catch

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO BODY PRIORITY ¹ CURRENT STATUS		CURRENT STATUS	PROPOSED ACTION		
REF.		СОМ	SC	SEC	CPs			
	estimates methodology study once completed, continue the work of CESAG and utilize Scientific observer data. [pg. 20]						from MRAG Americas on the Catch Estimates Methodology Study.	 estimation strategy and provide recommendations to the COM on ongoing refinement. CESAG will consider the findings of the catch estimates methodology study and assess its applicability to the work of CESAG and other NAFO subbodies.
5. III.3.2	 Recommends NAFO agrees on a means to respond to instances of non-compliance by a Contracting Party with its reporting requirements, including logbook data. [pg. 20] 	X (STACTIC)				ST	A formal follow-up procedure regarding haul-by-haul submissions was adopted at the Sept. 2018 Annual Meeting (<u>COM Doc. 18-27</u>).	will identify the key reporting requirements and develop a
6. III.3.3	• Recommends NAFO implements measures to ensure that fisheries research data, including fisheries survey data used by the Scientific Council, is complete and available for peer review in accordance with established scientific publication standards. [pg. 20]		Х			ST		 SC will endeavor as part of its working procedures to have all of its scientific assessment input data held by the SEC.

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO BODY			PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		CORRENT STATUS	TROFOSED ACTION
7. III.3.4	 Recommends NAFO assesses whether the discard data collected on the basis of daily electronic catch reporting is sufficient in order to support a future discards policy. [pg. 20] 	X (WG-BDS/ STACTIC)				MT	The report of the May 2018 meeting of the WG-BDS (<u>COM</u> <u>Doc. 18-04</u>) includes agreement that the SEC will prepare a work- plan for the bycatch and discard analyses of the available data. The chair of WG-BDS presented the WG-BDS/SEC work-plan to COM at the Sept. 2018 Annual Meeting (COM BDS-WP 18-02) and indicated that a coordinated work plan is being developed with the STACTIC Chair.	Management and Minimization of Bycatch and Discards (<u>COM Doc. 17-26</u>), SEC and WG-BDS will complete task 1.3, which pertains to data completeness and identification of gaps, by Sept. 2019.
	In relation to the consistency of conservation and management decisions with scientific advice, the NAFO Performance Review Panel:							
8.	• Recommends the Commission, as a matter of	Х				ST		• COM will continue to take decisions that are consistent

NUMBER/ CHAPTER	RECOMMENDATION	LEAD NAFO BODY RECOMMENDATION			- PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION	
REF.		СОМ	SC	SEC	CPs			
III.4.a.1	high priority, follows the Scientific Council advice and implements its multi-annual management strategies and plans in a consistent manner. [pg. 22]							 with SC advice and implement its multi-annual management strategies and plans in a consistent manner. Note also the Proposed Action for Recommendation 10.
9. III.4.a.2	 Recommends NAFO adopts and implements a multi- annual schedule/planning for the delivery of advice, applicable over a cycle of at least five (5) years, including timelines for the various tasks required. Requests for advice outside the agreed planning should only be accepted in exceptional circumstances. [pg. 22] 	X	X			ST	The COM's request for SC advice on management in 2020 and beyond of certain stocks in Subareas 2, 3, and 4 and other matters, requests SC to develop a 3-5 year work-plan to identify resources necessary to address issues/gaps in current scientific resources (<u>COM Doc. 18-20</u>).	 As per <u>COM Doc. 18-20</u>, SC will take the first steps to develop a 3-5 year work-plan, which reflects requests arising from the 2018 Annual Meeting, other multi-year stock assessments and other scientific inquiries already planned for the near future. The work plan should identify the resources necessary to successfully address these issues, gaps in current resources to meet those needs, and proposed prioritization by the SC of upcoming work based on those gaps. COM will continue to implement its multi-annual schedule/planning for the request and delivery of advice and consider adjustments to the schedule if warranted.
10. III.4.a.3	 Recommends NAFO publishes annually a comparison between decisions adopted and the relevant scientific advice. [pg. 22] 			Х		ST		• SEC will publish a table on the NAFO website and/or in the NAFO Annual Report that compares the decisions adopted by the COM and the relevant scientific advice.

NUMBER/ CHAPTER	RECOMMENDATION	LEAD NAFO BODY				PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		CURRENT STATUS	PROPOSED ACTION
								• Note also the Proposed Action for Recommendation 8.
	In relation to the adoption of consistent/compatible management measures, the NAFO Performance Review Panel:							
11. III.4.b.1	Recommends NAFO develops mechanisms for the application of Article VI.11 of the Convention. [pg. 23]	Х				LT		Coastal States to communicate to NAFO on management measures important to ensuring the long-term conservation and sustainable use of the fishery resources in the Regulatory Area, as determined by the coastal State to facilitate the application of Article VI.11 of the Convention.
	In relation to the allocation of fishing opportunities, the NAFO Performance Review Panel:							

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO B	ODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs	TRIORITI		TROFOSED ACTION
12. III.4.c.1	 Recommends NAFO revisits the allocation of new fishing opportunities, should a change in circumstances justify it. [pg. 24] 	Х				LT		 CPs will continue to facilitate fishing opportunities using existing mechanisms within NAFO, such as chartering arrangements and quota transfers. COM will consider the allocation of new fishing opportunities should NAFO establish TACs in the future for stocks not currently under its regulation (i.e. those stocks not currently included in Annexes I.A and I.B of the NAFO Conservation and Enforcement Measures).
	In relation to previously unregulated and exploratory fisheries, the NAFO Performance Review Panel:							
13. III.4.d.1	 Recommends NAFO establishes conservation and management measures for Splendid Alfonsino in Subarea 6, at the earliest opportunity. [pg. 24] 	Х	X			ST	At the Sept. 2018 Annual Meeting, no consensus was reached by the COM on a new management measure for Splendid Alfonsino in SA 6. In consideration of the scientific advice pertaining to this stock, a request was made to SC to provide the map and coordinates of the Kükenthal Peak in Division 6G, a part of the Corner Rise seamount chain, where alfonsino fishing occurs.	 scientific advice with respect to Splendid Alfonsino upon request by the COM. COM notes the Proposed Action of Recommendation 8 and will continue to consider appropriate conservation and management measures for Splendid Alfonsino in Subarea
	In relation to the conservation of marine biodiversity and the minimization of harmful fishing							

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO BODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION	
REF.		СОМ	SC	SEC	CPs			
	impacts on marine ecosystems, the NAFO Performance Review Panel:							
14. III.4.e.1	 Recommends NAFO assesses means of minimizing or eliminating harmful impacts of fishing surveys on Vulnerable Marine Ecosystems within closed areas. [pg. 26] 	X (WG-EAFFM)	X (WG-EAFFM)			ST	 The following recommendation by WG-EAFFM was adopted by the COM in Sept. 2018 (COM Doc.18-16): In relation to the evaluation of impact of scientific trawl surveys on VMEs in closed areas, Contracting Parties consider possible options for non-destructive regular monitoring within closed areas, bearing in mind cost implications and the utility of data collected for provision of advice. 	of the impact of scientific trawl surveys on VME in closed areas, and the effect of excluding surveys from these areas on stock assessments.
15. III.4.e.2	 Recommends NAFO establishes codes for Vulnerable Marine Ecosystem indicator species to facilitate reporting of encounters. [pg. 26] 	X (WG-EAFFM/ STACTIC)	X (WG-EAFFM)	X		ST/MT	 The following recommendations were adopted by COM and SC in Sept. 2018 (COM-SC Doc. 18-06): In relation to FAO three letter codes for VME indicator species, the existing taxa list in Annex I.E. Part VI of the NCEM be updated with the FAO ASFIS codes as listed in Annex 4 of this report. The Scientific Council review the proposed revisions to Annex I.E. Part VI as reflected in COM-SC 	 In relation to FAO three letter codes for VME indicator species, the existing taxa list in Annex I.E. Part VI of the NCEM will be updated with the FAO ASFIS codes as listed in <u>COM-SC Doc. 18-03</u> (ST).

NUMBER/ CHAPTER	RECOMMENDATION	LEAD NAFC		ODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		CORRENT STATUS	TROFOSED ACTION
							 EAFFM-WP 18-01, and to compare the consistency of the list of taxa in that Annex to the VME species guide with a view to recommend updates, as necessary. The Secretariat to work with the FAO to develop new ASFIS codes, as necessary, for those taxa listed in Annex 1.E Part VI. 	
16. III.4.e.3	• Recommends NAFO reviews data available from observers reports and other possible sources that would help identify why encounters with Vulnerable Marine Ecosystems have not been reported to date. [pg. 26]	X (STACTIC)				ST		 STACTIC will further examine and assess fishing activities of vessels in and around VMEs and whether these activities are accurately reported. Proposed actions for PRP recommendation #15 could potentially facilitate the catch reporting of VME indicator species.
	In relation to minimizing pollution, waste, discards, lost and abandoned gear and impacts on non-target species, the NAFO Performance Review Panel:							
17. III.4.f.1	• Recommends NAFO ensures the implementation of the Action Plan on discards by the stipulated target date in 2021 and establishes measures in the shorter-term to minimize or eradicate high-grading practices. [pg. 27]	X (WG-BDS/ STACTIC)	Х	Х		ST/MT	 The following WG-BDS recommendations were adopted by COM in Sept. 2018 (<u>COM Doc.</u> <u>18-22</u>): The Commission and Scientific Council, and their subsidiary bodies, as well as the Secretariat, move forward with full 	 As per <u>COM Doc. 18-22</u>: COM and SC, and their subsidiary bodies, as well as the SEC, will move forward with the full implementation of the Action Plan (<u>COM Doc. 17-26</u>) (MT).

NUMBER/ CHAPTER	RECOMMENDATION	LEAD NAFO BODY				PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		CURRENT STATUS	FROFUSED ACTION
							 implementation of the Action Plan in the Management and Minimization of Bycatch and Discards (<u>COM Doc. 17-26</u>). Contracting Parties be encouraged to explore with their respective industry representatives the reasons for discards and bycatch and report back to the Working Group at its next meeting. To the extent possible, this information should seek to identify specific times, areas, fisheries and/or other factors. STACTIC review existing NAFO observer and haulby-haul reporting requirements to consider enhancements that would provide specific information related to the rationale for discards. 	with respective industry representatives the reasons for discards and bycatch and report back to the WG-BDS at its next meeting. To the extent possible, this information should seek to identify specific times, areas, fisheries and/or other factors (ST).
18. III.4.f.2	• Urges NAFO gives effect to Article III of the amended Convention in respect of minimizing other harmful impacts such as pollution and waste originating from fishing vessels, catch of species not subject to a directed fishery and impacts on associated or dependent species, in	X (STACTIC/ WG-BDS)				ST/MT		 STACTIC will continue discussions and deliberations on its work regarding garbage disposal onboard fishing vessels (ST). COM, STACTIC, and WG-BDS will consider the feasibility of measures to minimize bycatch and discards as part of the Action Plan in the

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO B	ODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION			
REF.		СОМ	SC	SEC	CPs	INOMIT	CONCENT STATUS	TROFOSED ACTION			
	particular endangered species. [pg. 27]							Management and Minimization of Bycatch and Discards (<u>COM Doc. 17-26</u>) (MT).			
	In relation to reporting requirements, the NAFO Performance Review Panel:										
19. III.6.1	• Recommends NAFO develop a user-friendly data manual. [pg. 29]	X (STACTIC)		Х		ST		 SEC, working work with STACTIC, will compile an inventory of data reporting requirements. 			
	IV. Compliance and Enforcement										
	In relation to flag State duties, the NAFO Performance Review Panel:										
20. IV.1.1	• Recommends NAFO calls on all Contracting Parties to carry out self-assessments of flag State performance in accordance with the criteria set out in the FAO Voluntary Guidelines for Flag State Performance. Reports of the self-assessments should be submitted to STACTIC in order for it to present a summary report to the Commission. [pg. 30]	X (STACTIC)			X	ST		• STACTIC will review criteria set out in FAO Voluntary Guidelines for Flag State Performance and provide input on this matter to COM.			
21. IV.1.2	• Recommends NAFO amends the NAFO Conservation and Enforcement Measures in order to clarify, rectify and harmonize references to the	X (STACTIC)				ST		• STACTIC will discuss how the NAFO Conservation and Enforcement Measures could be amended to clarify, rectify, and harmonize references to			

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO B	ODY		- PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		CORRENT STATUS	TROFOSED ACTION
	duties of the Contracting Parties as flag States. [pg. 31]							the duties of the CPs as Flag States.
	In relation to Monitoring Control and Surveillance, the NAFO Performance Review Panel:							
22. IV.3.1	• Recommends NAFO evaluates and adopts appropriate measures to deter repeat serious non- compliance. [pg. 32]	X (STACTIC)				ST		 STACTIC will continue discussions and deliberations regarding measures to deter repeat non-compliance of serious infringements that could be considered for adoption by the COM.
23. IV.3.2	• Recommends NAFO urges Contracting Parties to become parties to the International Labour Organization (ILO) Work in Fishing Convention No. 188. [pg. 32]	Х			x	ST		 NAFO will encourage CPs to become parties to the International Labour Organization (ILO) Work in Fishing Convention No. 188.
	In relation to follow-up on infringements, the NAFO Performance Review Panel:							
24. IV.3.3	• Recommends NAFO urges Contracting Parties to increase their efforts in ensuring timely follow-up to infringements. [pg. 33]	X (STACTIC)			X	ST		 COM will encourage CPs to ensure a timely and effective follow-up on infringements, and to report regularly on action taken as foreseen by Article 37 of NCEM. In cases where action is pending, CPs will provide regular and substantive update reports to the extent possible. STACTIC will continue to report on Dispositions of

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO B	ODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION				
REF.		СОМ	SC	SEC	CPs	INOMIT	CORRENT STATUS	TROFUSED ACTION				
								Apparent Infringements reported by Contracting Parties in its Annual Compliance Review.				
	V. Governance											
	In relation to transparency, the NAFO Performance Review Panel:											
25. V.3.1	• Recommends NAFO reorganizes its website library based on the topics covered. [pg. 36]			X		ST		• SEC will continue its work to reorganize the NAFO website library based on the topics covered.				
26. V.3.2	 Recommends NAFO makes all working documents publicly available, unless otherwise requested by a Contracting Party or subject to confidentiality rules. [pg. 36] 	Х	X	X		ST	As noted in correspondence NAFO/19-036, the NAFO public website will now include GC documents and STACFAD working papers, with the exception of documents dealing with matters deemed confidential.	documents and STACFAD				
				VI. S	Science							
	In relation to science, the NAFO Performance Review Panel:											
27. VI.2.1	• Recommends NAFO decides the level of acceptable risk regarding the outcomes of conservation and management measures, following a dialogue between Commission and SC, to provide the latter with	X (WG-RBMS)	X (WG-RBMS)			ST	The COM's request for SC advice on management in 2020 and beyond of certain stocks in Subareas 2, 3, and 4 and other matters, requests that in keeping with the NAFO PA Framework, the advice should be provided as a range of	Framework, SC should (where possible) provide advice as a range of management options				

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NUMBER/ CHAPTER			LEAD NAFO B	ODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		COMENT STATUS	TROFOSED ACTION
	guidance in its advisory work. [pg. 44]						management options and a risk analysis for each option (rather than a single TAC recommendation) and the actual risk level should be decided upon by managers (<u>COM-Doc</u> <u>18-20</u>).	 COM will continue to provide SC guidance and clarity regarding the range of risk levels to be evaluated with respect to the outcomes of conservation and management measures.
28. VI.2.2	 Recommends NAFO develops and publishes an advisory decision-making framework to ensure advice is linked explicitly to policy objectives, is consistent and its basis is transparent. [pg. 44] 	Х	Х			ST		 COM will continue to include the SC advice on fish stocks and the record of COM decisions in the Annual Meeting reports, and additionally include the associated rationale for the decisions.
29. VI.2.3	• Recommends NAFO, as a matter of high priority, develops a plan and implements steps to match the scientific resources to the workload. [pg. 44]	Х	X		X	ST	The COM's request for SC advice on management in 2020 and beyond of certain stocks in Subareas 2, 3, and 4 and other matters, requests SC to develop a 3-5 year work-plan to identify resources necessary to address issues/gaps in current scientific resources (<u>COM Doc 18-20</u>).	 As per <u>COM Doc. 18-20</u>, SC will take the first steps to develop a 3-5 year work-plan, which reflects requests arising from the 2018 Annual Meeting, other multi-year stock assessments and other scientific inquiries already planned for the near future. The work plan should identify the resources necessary to successfully address these issues, gaps in current resources to meet those needs, and proposed prioritization by the SC of upcoming work based on those gaps. COM will review the SC's work-plan once completed and use as a basis for

NUMBER/ CHAPTER	RECOMMENDATION		LEAD NAFO B	ODY		PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
REF.		СОМ	SC	SEC	CPs		CORREAT STATUS	TROFOSED ACTION
								informing the establishment of work priorities, reflective of the resources available to complete the work.
30. VI.2.4	• Recommends NAFO implements a peer review process for the science underlying the SC advice and applies it consistently to all SC science used in advice. [pg. 44]		X			ST		• SC will continue to enhance the external peer-review of the methods and basis of SC advice to ensure consistency with best scientific practices.
31. VI.2.5	• Recommends the Secretariat conducts a survey of usage and identify further improvements to the public outreach documents relating to the state of NAFO stocks and NAFO science available on the NAFO website. [pg. 44]			Х		ST		• SEC will conduct a survey of usage and identify further improvements to the public outreach documents relating to the state of NAFO stocks and NAFO science available on the NAFO website.
			VII.	Internatio	onal Coope	ration		
	In relation to cooperation with other international organizations, the NAFO Performance Review Panel:							
32. VII.2.1	 Recommends NAFO strengthens and enhances cooperation with RFMOs and other relevant international organizations. [pg. 46] 	Х	Х	Х		MT/ST		 COM should consider appropriate mechanisms to strengthen and enhance cooperation with RFMOs and other relevant international organizations (MT).

NUMBER/	RECOMMENDATION		LEAD NAFO B	ODY		DDIODUTVI	CURRENT STATUS		
CHAPTER REF.		СОМ	SC	SEC	CPs	PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION	
								 NAFO will maintain existing relationships and cooperation with RFMOs (ST). SEC will maintain existing dialogue with RFMOs and other relevant international organizations (ST). 	
33. VI.2.2	• Recommends NAFO assesses how it can contribute its expertise to international developments, in particular the completion of the Aichi Targets and the Intergovernmental Conference on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. [pg. 46]	X	X	Х	X	ST/MT		 SEC will continue to participate in relevant forums where feasible and contribute NAFO's expertise to international developments and will report to the COM on such participation (ST). CPs are encouraged to participate in relevant forums to share their expertise with respect to international developments (MT). 	
	In relation to special requirements of developing countries, the NAFO Performance Review Panel:								
34. VI.3.1	• Recommends NAFO participates in capacity building initiatives for developing countries. [pg. 46]	Х		Х		ST		 NAFO will continue to take part in capacity building initiatives inter alia, the sharing of NAFO knowledge and experience in fisheries management, science and governance. 	
	VIII. Finance and Administration								

NUMBER/ CHAPTER REF.		LEAD NAFO BODY				PRIORITY ¹	CURRENT STATUS	PROPOSED ACTION
		СОМ	SC	SEC	CPs		COMENT STATUS	THOTOSED ACTION
	In relation to finance and administration, the NAFO Performance Review Panel:							
35. VII.1	• Recommends NAFO develops an annual operational plan for the NAFO Secretariat outlining key objectives and specifying resources required to meet these objectives. [pg. 48]	X (STACFAD)		Х		ST		 SEC will develop a draft operational plan to be presented/discussed in STACFAD. The draft operational plan should be shared with CPs and STACFAD in advance of the Annual Meeting.
36. VII.2	• Recommends NAFO initiates a process to design a new visual identity for NAFO that reflects the role and responsibilities of the Organization. [pg. 48]	X (STACFAD)		X		ST		• COM will request SEC to present options for a process to design a new visual identity for NAFO, including associated costs, and present these options to the COM/STACFAD for consideration.

In addition, considering that the cumulative impact of various human activities beyond the mandate of NAFO on the marine environment is mentioned by the 2018 Performance Review Panel among the significant external challenges for the long-term conservation and sustainable use of the fisheries resources, the **Commission recommends** that:

NUMBER/ CHAPTER REF.	RECOMMENDATION	LEAD NAFO BODY				PRIOR	CURRENT STATUS	PROPOSED ACTION
		СОМ	SC	SEC	CPs	ITY	CONTENT STATUS	
	 Contracting Parties be encouraged to share any relevant research they have completed with the Scientific Council; Scientific Council; Council monitor and provide regular updates on relevant research related to the potential impact of activities other than fishing in the Convention Area, such as oil exploration, shipping and recreational activities, and how they may impact the stocks and fisheries as well as biodiversity in the Regulatory Area. 	(WG-EAFFM)	X (WG-EAFFM)		X	ST		 Contracting Parties encouraged to share relevant research they have completed with the Scientific Council. SC will monitor and provide regular updates on relevant research related to the potential impact of activities other than fishing in the Convention Area, such as oil exploration, shipping and recreational activities, and how they may impact the stocks and fisheries as well as biodiversity in the Regulatory Area.