

## Breaking New Ground. An Action Plan for Rebuilding the Grand Banks Fisheries.

### Report of the Advisory Panel on the Sustainable Management of Straddling Fish Stocks in the Northwest Atlantic.

1. Straddling stocks live on the continental shelf inside and outside the 200 mile limit.
2. Other stocks live entirely inside or entirely outside 200 miles (Flemish Cap)
3. Law of the Sea Conventions of 1958, 1960 and 1982 failed to resolve the management issue, opting instead for “cooperation”.
4. The UN Fisheries Agreement of 1995 attempted to deal with the problem, but did not (in my opinion).
5. The whole NW Atlantic came under the purview of ICNAF from 1949-1978.
6. The NAFO Convention was written to take advantage of LOS, and NAFO manages stocks outside 200 miles, including those portions of the straddling stocks.
7. The groundfish stocks of the Grand Bank and Flemish Cap have been decimated, with rare exception, and are not recovering.
8. Right now, things appear to be under control (at a very low level of productivity) at great expense to Canada.
9. The Grand Banks ecosystem is degraded and should be restored – a good target could be that of the 1950’s.
10. Could NAFO do it? First look at why NAFO failed. Managing for MSY. Inadequate scientific research. Inordinate weight of smaller players with little to lose. Objection procedure. No means to resolve disputes outside the objection procedure.
11. NAFO has had over 20 years to fix its deficiencies, and is now attempting to do so. What is the reason to presume success?
12. What is Custodial Management ? Is it a reasonable alternative to NAFO?
13. How could Custodial Management be implemented?

14. Canada and EU share 80% of the Groundfish allocations.

15. Custodial management promises stock rebuilding and maintenance of historical shares. What about Canada/EU Joint Custody?

15. The time is right for a high level approach to EU, and a Canada-EU bilateral fisheries agreement as the base for a new NAFO which would have no objection procedure, weighted voting, compulsory dispute resolution and enhanced enforcement.

16. The new NAFO would be a model RFMO, taking all the most recent developments in international law into account.

17. Should we expect any less of the world's most developed nations?

18. A wonderful opportunity for Canadian leadership in an area crying for progress, and made to order for Canadian interests and expertise.