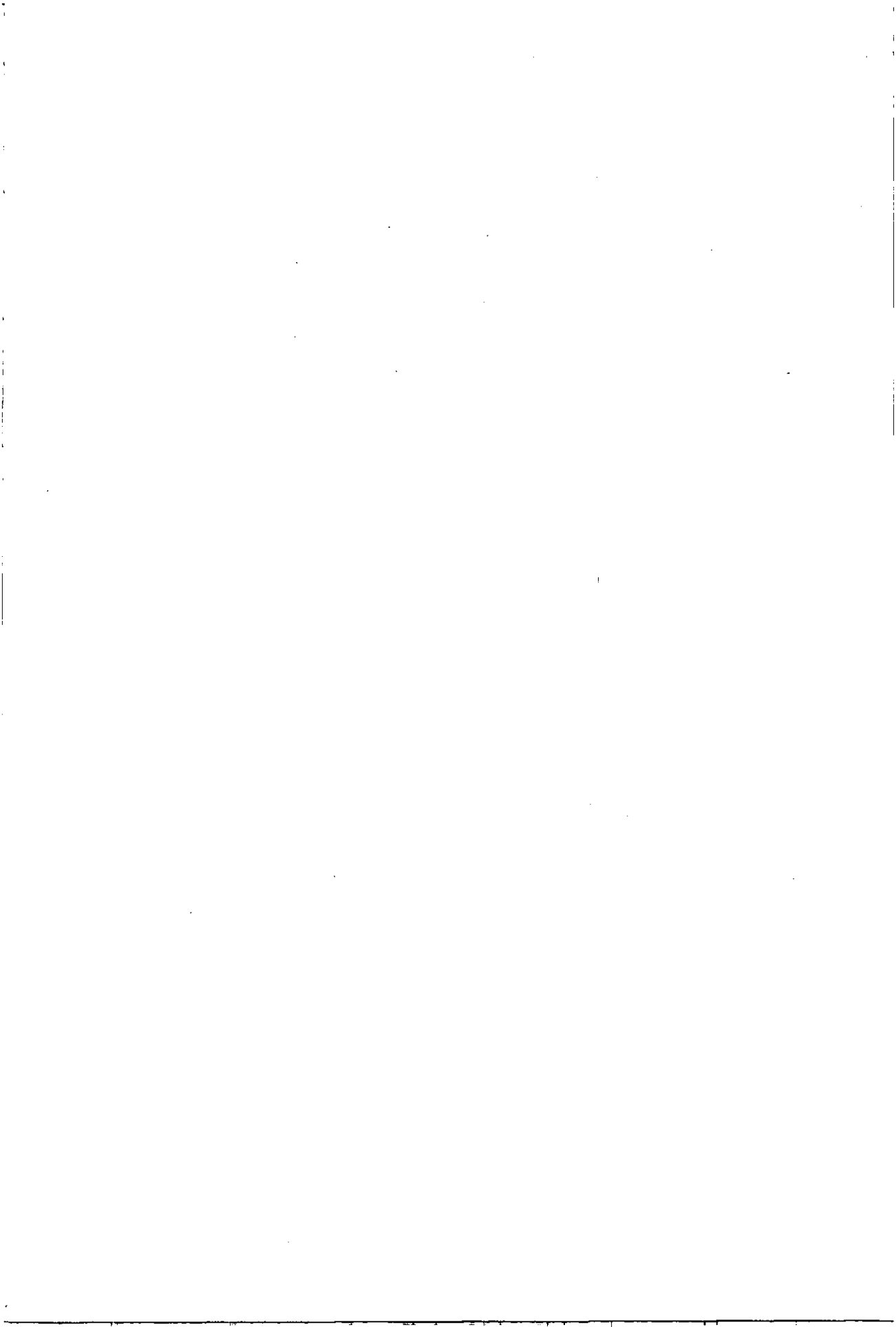


Northwest Atlantic Fisheries Organization (NAFO)



Meeting Proceedings of the General Council and Fisheries Commission for 1992

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Foreword

This is the annual publication of the Proceedings which contains the reports of all meetings of the General Council and Fisheries Commission including those subsidiary bodies held through 1992. The major aim of such an issue is to provide the Contracting Parties with a detailed consolidated text of all discussions initiated during the year. The proceedings of the Scientific Council are published annually in a separate issue of *NAFO Scientific Council Reports*.

SECTION I contains the Report of the Meeting of the Standing Committee on International Control (STACTIC), 18-20 February 1992, Copenhagen, Denmark.

SECTION II contains the Report of the Meeting of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC), 7-9 April 1992, Dartmouth, Nova Scotia, Canada.

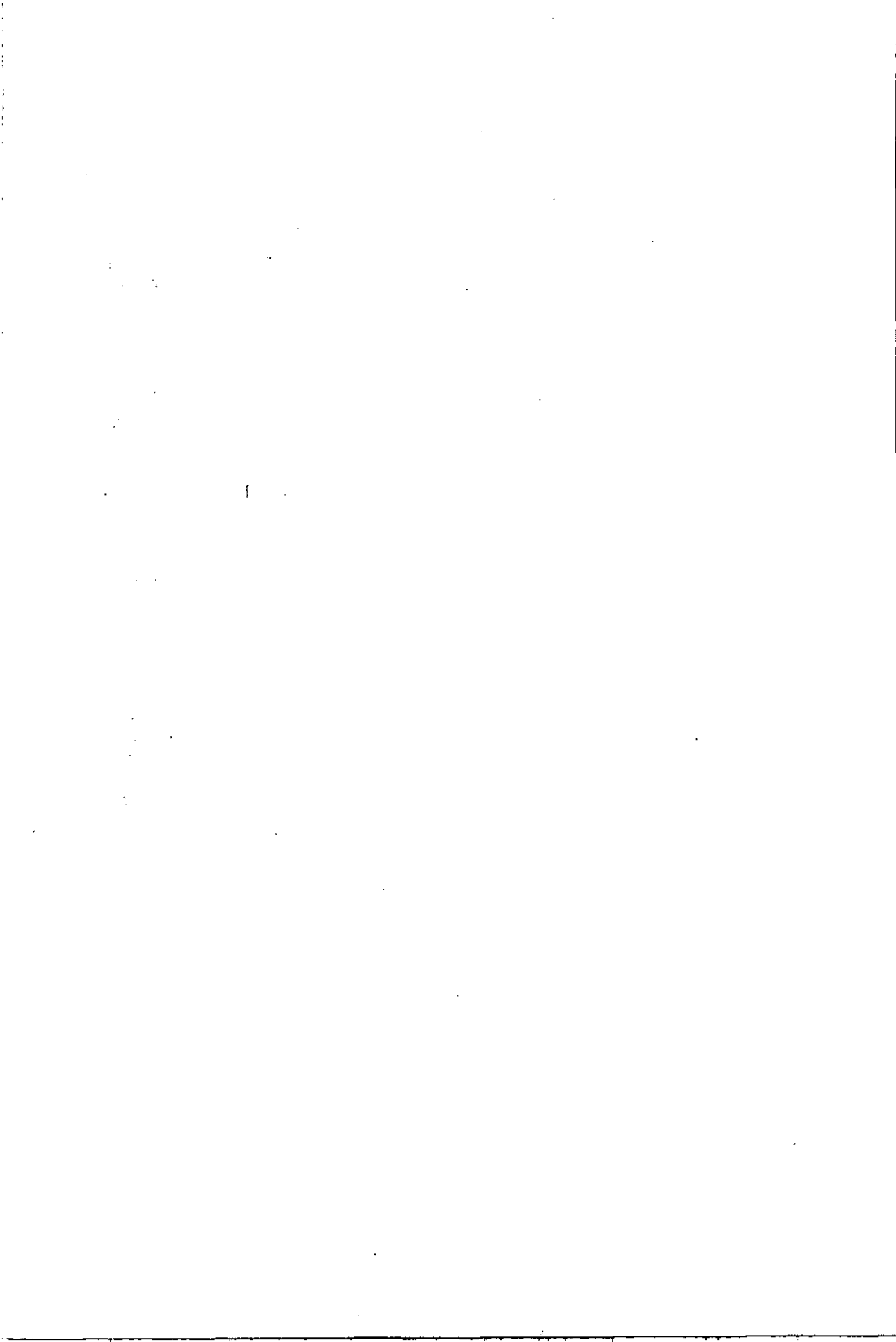
SECTION III contains the Report of the Meeting of the Standing Committee on International Control (STACTIC) Working Group re the NAFO Hail System, 28-29 April 1992, Dartmouth, Nova Scotia, Canada.

SECTION IV contains the Report of the Special Meeting of the Fisheries Commission, 11-14 May 1992, Dartmouth, Nova Scotia, Canada.

SECTION V contains the Report of the Special Meeting of the Standing Committee on International Control (STACTIC), 21-24 July 1992, Copenhagen, Denmark.

SECTION VI contains the Report of the General Council including subsidiary bodies reports (STACFAD and STACFAC), 14th Annual Meeting, 14-18 September 1992, Dartmouth, Nova Scotia, Canada.

SECTION VII contains the Report of the Fisheries Commission (including STACTIC), 14th Annual Meeting, 14-18 September 1992, Dartmouth, Nova Scotia, Canada.



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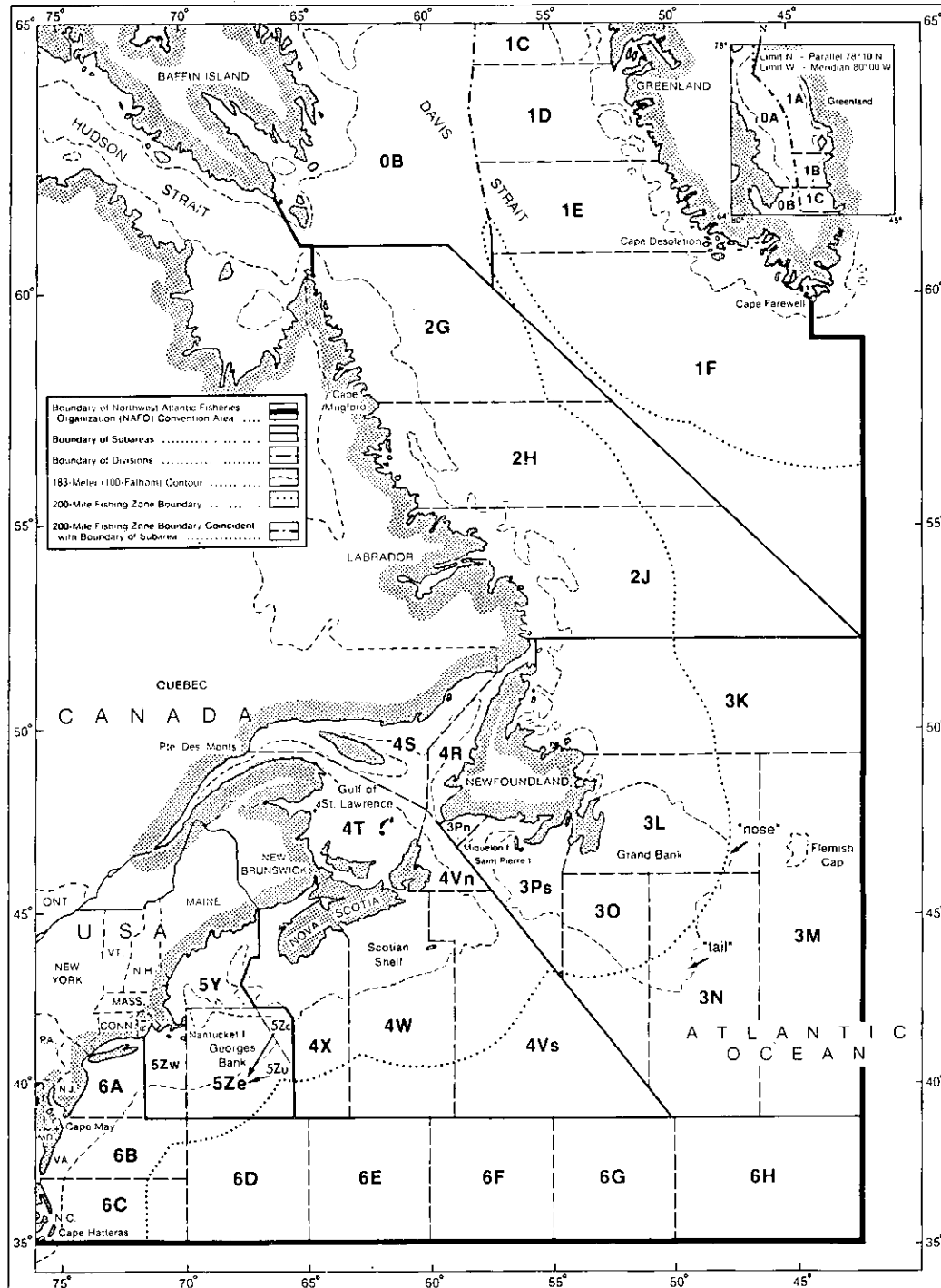
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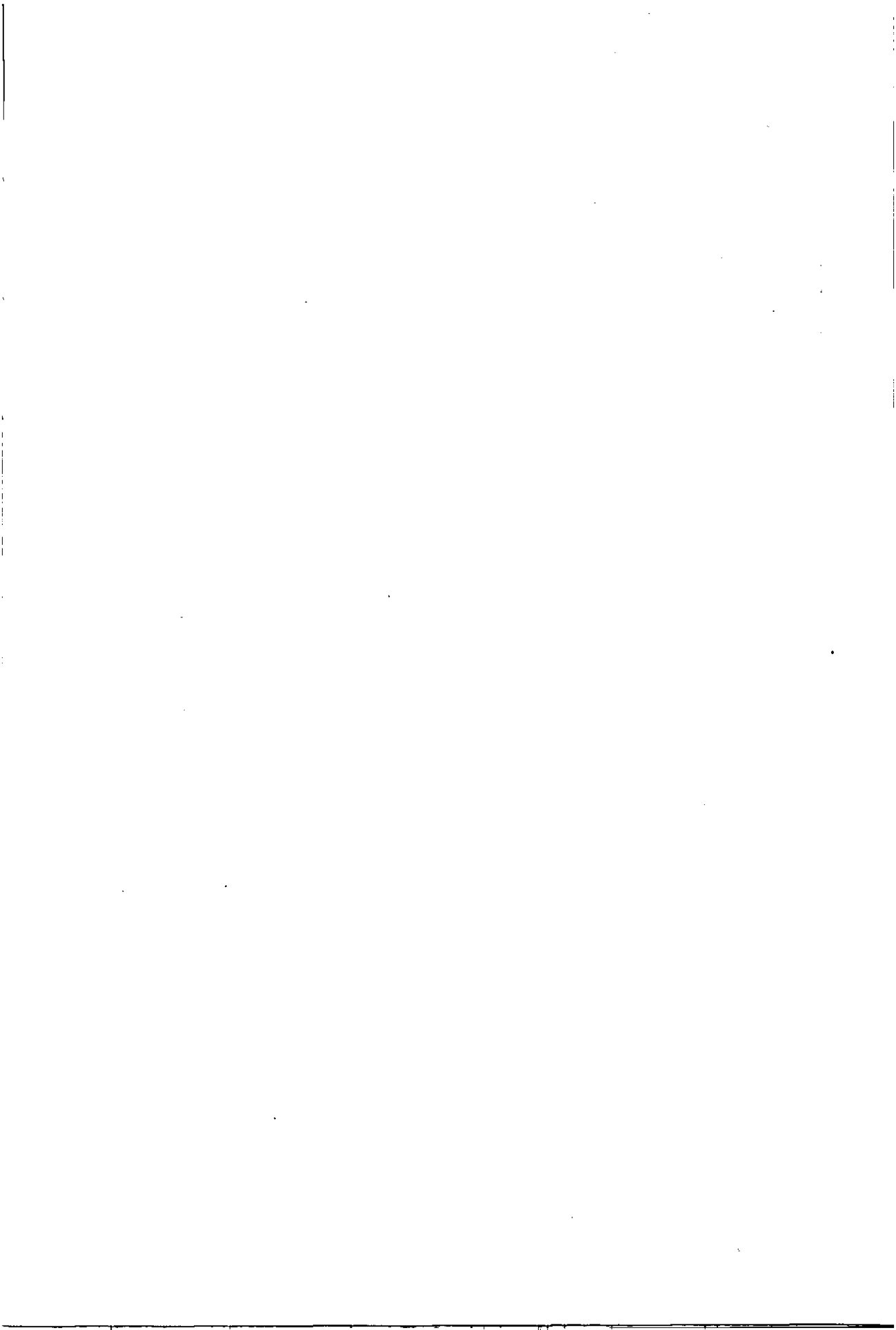
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The Convention Area to which the Convention on Future Multilateral Cooperation in the Northwest Atlantic applies





**Structure of the Northwest Atlantic Fisheries Organization (NAFO) in 1992
(as at 14th Annual Meeting, September 1992)**

Contracting Parties

Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Iceland, Japan, Latvia, Lithuania, Norway, Poland, Romania, and Russia.

President

K. Yonezawa (Japan)

Constituent Bodies

General Council	Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, EEC, Iceland, Japan, Latvia, Lithuania, Norway, Poland, Romania, and Russia.	<i>Chairman</i> - K. Yonezawa (Japan) <i>Vice-Chairman</i> - P. Gullestad (Norway)
Scientific Council	Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, EEC, Iceland, Japan, Latvia, Lithuania, Norway, Poland, Romania, and Russia.	<i>Chairman</i> - V. P. Serebryakov (Russia) <i>Vice-Chairman</i> - H. Lassen (Denmark)
Fisheries Commission	Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, EEC, Japan, Latvia, Lithuania, Norway, Poland, and Russia.	<i>Chairman</i> - E. Wiseman (Canada) <i>Vice-Chairman</i> - P. Hillenkamp (EEC)

Standing Committees

General Council	Standing Committee on Finance and Administration (STACFAD)	<i>Chairperson</i> - D. Gill (Canada) <i>Vice-Chairman</i> - H. Koster (EEC)
	Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC)	<i>Chairman</i> - C. C. Southgate (EEC) <i>Vice-Chairman</i> - B. Garcia Moreno (Cuba)

Scientific Council	Standing Committee on Fishery Science (STACFIS)	<i>Chairman</i> - H. P. Cornus (EEC)
	Standing Committee on Research Coordination (STACREC)	<i>Chairman</i> - A. Avila deMilo (EEC)
	Standing Committee on Publications (STACPUB) Executive Committee	<i>Chairman</i> - H. Lassen (Denmark) <i>Chairman</i> - V. P. Serebryakov (Russia)
Fisheries Commission	Standing Committee on International Control (STACTIC)	<i>Chairman</i> - E. Lemche (Denmark)

Secretariat

Executive Secretary	L. I. Chepel
Assistant Executive Secretary	T. Amaratunga
Administrative Assistant	W. H. Champion
Senior Secretary	B. J. Cruikshank
Finance and Publications Clerk-Steno	F. D. Keating
Documents and Mailing Clerk	F. E. Perry
Senior Statistical Clerk	G. M. Moulton
Clerk-Duplicator Operator	R. A. Myers
Clerk-Duplicator Operator	B. T. Crawford
Clerk-Typist	D. C. A. Auby
Statistical Clerk	B. L. Marshall
Statistical Clerk	C. L. Kerr

Headquarters Location

192 Wyse Road, Dartmouth, Nova Scotia, Canada

SECTION I

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Report of the Meeting of the Standing Committee on International Control (STACTIC)

Copenhagen, Denmark, 18-20 February 1992

1. Opening of Meeting

The Chairman of STACTIC, E. Lemche, Denmark (in respect of the Faroe Islands and Greenland), welcomed the delegates to the Meeting of STACTIC and to Copenhagen. Representatives of the following Contracting Parties were present: Canada, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway, Poland and the Russian Federation (Russia) (Annex 1).

2. Appointment of Rapporteur

R. J. Prier (Canada) was appointed Rapporteur.

3. Adoption of Agenda

The Chairman, before requesting adoption of the agenda, proposed to approach the agenda with two conditions:

- i) To concentrate on the terms of reference STACTIC received from the Fisheries Commission as outlined in FC Doc. 90/9.
- ii) For those items on the agenda for which proposals and documents had not been received from Contracting Parties prior to 1 January 1992, get approval of meeting to introduce such proposals.

There being no objections to this approach, the agenda was accepted as presented to the Meeting (Annex 2).

4. Evaluation of Operation of the Hail System

a) Proposed assessment methodology

The representative of Canada indicated the methodology should be developed to report on the effectiveness of the hail system, and that Contracting Parties with an enforcement presence in the Area should have a better chance to evaluate the system and may be able to report at the Special Meeting of the Fisheries Commission in May. This does not exclude other Contracting Parties from reporting. The Chairman stated that since no Contracting Party has a report ready for this meeting one would be required by the September meeting. The meeting decided the Executive Secretary should request Contracting Parties to submit written reports on their assessments.

b) **Incorporation of a catch reporting feature into the hail system**

- b).1 The representative of Canada presented a proposal in Working Paper 91/4 (Annex 3) and explained that NAFO has had a problem with misreporting of catch and area of capture and the hail system was introduced to get some control over these aspects. By the addition of catch to the hail system we would be adding one more element to our control within the Regulatory Area. The catch system reporting is not new and most countries require the reporting of catch. In addition, by reporting catch we would also be responding to scientific concerns.
- b).2 The Chairman indicated he would like to deal with each point of the Canadian proposal separately and turned to 1(a) of the this proposal. He referred to FC Doc. 91/7 Part I.C.1 which requires Contracting Parties to make a recording of catch on board prior to entering the Regulatory Area. Therefore, Canada is requesting Contracting Parties to report what is already being recorded.
- b).3 The representative of Norway saw the benefits of having the catch report included in the hail system and supports Canada's proposal.
- b).4 The representative of the EEC has reservations with this on a practical as well as a conceptual point. The proposal is requesting information be sent to the competent authority as well as other Contracting Parties and the Executive Secretary. He indicated that if the hail system becomes a useful tool then catch information may not be necessary. The EEC has difficulty with the principle of whether requesting catch reporting is within NAFO's jurisdiction. They indicated they have certain guarantees to their fishermen to protect the location they have caught their fish and are concerned about the confidentiality of the information. He stated that it was the exclusive responsibility of a Contracting Party to maintain catch statistics from their vessels.
- b).5 The representative of Russia shared the concerns of the EEC and again brought up the concerns of confidentiality. The representative of Canada indicated the system would make inspectors job easier and would allow Contracting Parties to utilize resources in a more economical manner. Canada does not see a problem with regard to confidentiality as information is going from government to government and would not be released. By including catch in the hail system it would make our control more effective.

The representative of Denmark supported the Canadian proposal.

- b).6 The Chairman suggested to move to discussion of 1(b) of the Canadian proposal. This requirement would provide better control not only for NAFO but the Contracting Parties who own the vessels as they would know what is on board the vessel prior to its leaving the NAFO zone. He referred to Part I.C 2(a)(ii) which requires Contracting Parties vessels record estimated cumulative catch on a daily basis, and pointed out a difficulty which is reflected in note 2 of Schedule III. Canada is requesting information which is not already being recorded. (Schedule III requires that cumulative information is recorded area by area, not for the Regulatory Area as a whole.)

- b).7 The representative of the EEC pointed out that the Canadian proposal requests all species be reported but Contracting Parties are only required to report regulated species.

The representative of Canada stated we should not be concerned about wording at this time but address the acceptance of the principle.

The representative of the EEC stated it is the principle which they have a problem with.

- b).8 The Chairman summarized the discussion as follows: Canada's proposal is an attempt to expand the rules to prevent misreporting utilizing same rules as applied by Coastal States; the EEC with regard to both 1(a) and (b) have a concern about confidentiality and that catch reporting is the exclusive responsibility of individual Contracting Parties; there is no consensus and it is not his intention to take a vote; both positions are reflected in the minutes and will be forwarded to the Fisheries Commission; we should look further into the pros and cons and perhaps elaborate on point of confidentiality. The representative of the EEC stated it would be difficult to convince skippers that information will be held confidential. The Chairman indicated what is implied re confidentiality in the Regulatory Area also applies in national zones and all nations require their skippers to report catch. It is recognized the more information we require the skippers to report the more concerned the skippers become. He explained that in Greenland logbooks are collected for scientists and confidentiality is maintained.

The representative of the EEC informed that communications system presently used by most fishing vessels is not secure. The use of INMARSAT may not be cost effective and it would have to be to justify installation.

The representative of Canada related requirement of fishing vessels which fish in other countries zones with regard to catch reporting, logbooks and inspections.

- b).9 The representative of Russia stated we should not draw comparisons between national systems and NAFO with regard to the issues being discussed. Further NAFO should be facilitating ways for fishermen to catch their allocation not hindering them. This system if accepted will make messages longer and more costly. This is a serious matter for Russia. Russia sees no advantage to this proposal as Contracting Parties who have concerns can board and inspect Russian vessels as often as they wish.
- b).10 The representative of Canada stated STACTIC is a committee of technical experts and we are not empowered to make decisions but only recommendations. Canada is not trying to impose a Canadian system but attempting to relate experiences gained from Monitoring, Control and Surveillance (MCS) within its own zone.

- b).11 The representative of Japan shared concerns expressed by EEC and Russia and suggested that if information on catch is required more often than an additional catch reporting system to 2 weeks or one week should be considered.
- b).12 The Chairman summarized the discussion outlining the pros and cons, and indicating the problems identified are not of a technical nature and will have to be referred to the Fisheries Commission.

The representative of Canada stated they would like to come back to discuss this item in relation to Japanese suggestion.

- b).13 The representative of Japan submitted a compromise paper which is outlined in Working Paper 92/12 (Annex 4). Basically the Japanese proposal is to separate the catch reporting requirement from the hail system. Under our present rules Contracting Parties are required to report their cumulative provisional monthly catches to the Executive Secretary. The Japanese proposal would require vessels of a Contracting Party to report their catch at least 6 hours in advance of each entry into the Regulatory Area to the Executive Secretary through the Contracting Party competent authority and prior to the vessels exit from the Regulatory Area. In addition within 48 hours following the week in which catches were made vessels of a Contracting Party provide provisional weekly catches to the Executive Secretary through the Contracting Party's competent authority.
- b).14 The Chairman indicated this is a compromise and it is important to note that this proposal does not combine the catch reporting requirement with the hail reports but keeps them separate. This proposal has nothing to do with the hail system and is an expansion of the rules contained on page 8 of paragraph 3 of FC Doc. 91/7 (Revised), the Conservation and Enforcement Measures.
- b).15 The representative of Canada while indicating it was a good proposal felt it did not go as far as they would like. They indicated they were preparing an amendment to the Japanese proposal but it was not ready.
- b).16 The representative of the EEC stated that discussing the strengthening of the Japanese proposal was a waste of time as it goes too far and the EEC would not like to treat this as a simple add-on feature. The proposal talks about catch reporting and the EEC is not prepared to go this far. It would add work to the vessels. It is a complete change in principle and not just an add-on. All Contracting Parties are free to require our vessels to report to us as a Contracting Party at whatever interval we require. The legal framework for that exists and we do not need anything in NAFO to tell us we can.
- b).17 The Chairman explained that Contracting Parties should be aware that this proposal does not fit under agenda item 4(b). However, no agreement was reached on agenda item 4(b) and the Japanese came up with the compromise. If this compromise had been presented first, then it would not be discussed under this item; however, it was developed from discussions on 4(b) and the Chair recognizes this compromise as part of item 4(b).

- b).18 The representative of Russia indicated that they generally agree with the EEC comments on the Japanese proposal; although, it is not directly connected with the hail system there is a relation. Russia asked for clarification as to what agenda item we were discussing.
- b).19 The Chairman clarified the Russian request and then summarized the discussion as follows: no agreement was reached on the item and Japan came up with a compromise which was accepted by the Chairman; Canada is working on a revised Japanese proposal and both the Canadian and Japanese proposals will go with the report to the Fisheries Commission (Annexes 3 and 4). This was agreed by the meeting.

c) **Reports on operation of the hail system as of February 1992**

- c).1 The **general consensus** was the system has only been in operation for a short period and it is too early to make an assessment of the system. It was **agreed** that all Contracting Parties would be prepared to report on the hail system at the annual meeting in September 1992.
- c).2 The representative of Denmark indicated they are sending hails to both the Executive Secretary and those Contracting Parties which have an enforcement presence in the Area. The Chairman stated that Denmark is doing more than is required by the NAFO Conservation and Enforcement Measures, Part III.E.2.
- c).3 The Executive Secretary reported that the system has been in operation for 1-1/2 months with the greatest number of messages coming from the EEC followed by the Faroes and Japan. These reports were all forwarded to Canada as the only Contracting Party with an enforcement presence in the Area. He indicated some messages are being received with incomplete data.
- c).4 The Chairman explaining the question by Denmark of delays after passing entry message indicated an amended message could be sent where delays are excessive. There was no further discussion on this item.

d) **Finalization of hail message format for transmission by fax or by radio**

- d).1 The representative of the EEC indicated they have had a large volume of messages and a change to the format is necessary to reflect the changes in a vessels change of zone. This will be submitted as a proposal later in the meeting.
- d).2 The representative of Japan raised the question of what messages are required by a vessel moving through the Area but not intending to fish in the Area. The instructions of Part III.E.1a and b are clear that a message for entry and exit of each division is required. It was **agreed** that if it is not the intention of the vessel to fish then one message can be sent indicating the divisions the vessel will be in transit through and the division it is intending to fish.

- d).3 The representative of the EEC presented their Working Paper 92/7 (Annex 5) in reference to their earlier comments with regard to a need to clarify how vessels conducting trans zonal fisheries would report. There was no objection to addressing this paper. The hail system format was amended subsequent to the adoption of STACTIC of the hail system message format and the EEC stated their amendment addressed this change. The Representatives agreed (except Russia) with the EEC proposal.
- d).4 The representative of Japan stated that a vessel captain may not know before crossing the line between the two Areas whether his vessel will conduct trans-zonal operation or move further than 10 miles from the line because the captain decides the fishing ground after he searched for fish school. It was agreed that when a captain cannot decide before crossing the line whether he hails "zone" or "move", he can hail "move" at each time of crossing the line.
- d).5 The representative of Russia provided the following statement:
- "Taking in account total fishing resources and setting up total fishing quotas in NAFO regulation regions 3LN and 3NO, masters of ships should inform about their intentions to fish determinate species of fish inside regions 3LN or 3NO and accordingly inform about their finish of fishing in regions 3LN and 3NO one time only."
- d).6 The representative of Japan raised a point whether the position given in the report is the point of crossing the line. The Chairman stated the way the format reads the geographical position is the position at the time of sending a message and if you looked at this requirement from a legal point then you could question the right of NAFO to require a Nation to report positions outside the Regulatory Area. However, we should not look at in a legal sense but take a pragmatic approach. The Japanese and EEC representatives concurred with the Chairman.
- d).7 The representative of Canada agreed with the interpretation of "the geographical position" in a hail report and suggested the message format 1.1 of Working Paper 92/7 be amended by the addition of the word "present" before the word geographical. The representative of the EEC was not sure of this approach but would clarify their position later.
- d).8 The representative of Russia stated they have not yet agreed to the hail system, but stated the common understanding that the position should represent the point of entry. The Chairman ruled we were dealing with two items and both could be accommodated by changing the rules but since there were no proposals on the table it was not possible to accommodate the Russian statement.
- d).9 The Executive Secretary requested direction on how approval of the amendments should be obtained i.e. by mail or wait until the meeting of the Fisheries Commission. He also raised the question of how the elements of the message are to be identified.

- d).10 The meeting agreed that the messages will use the numerical system (sequential) and the elements of the message are to be identified by letters.

5. Implementation of the Hail System by the NAFO Secretariat - Administration and Costs - Report from the Executive Secretary

- 5.1 The Chairman referred to Working Paper 92/2 which describes a system to handle hail messages. He referred to the Attachment to this paper which outlines a proposal for a Communication Study prepared by Sea Link Ltd. and a request for the establishment of a position of a new staff member. Item 5 is on the agenda for information rather than decision and the Executive Secretary had requested comments by 15 February but this has been delayed to allow comments from this meeting to be taken into consideration.
- 5.2 The representative of Canada supported by the EEC indicated they would like to ensure a system set up at NAFO which is compatible with a system of Contracting Parties. He recommended that a small working group be set up to outline what the system requirements should be and that technical experts from concerned Contracting Parties meet to ensure system compatibility.

The Executive Secretary indicated he was requesting approval of the Fisheries Commission to conduct the study.

- 5.3 The representative of the EEC saw this requirement in two parts with elements within each part. The first part would be an evaluation of the technical aspects, administrative requirements and human resource requirements. The second part would be communications broken into short-term requirements such as computer systems, on line systems and refinement of the terms of reference of the study. The long-term would be the review of the terms of reference of the study and tendering of the contract for a system.
- 5.4 The Chairman reiterated that the report from the Executive Secretary was for information purposes only and it will be necessary at some stage for the Executive Secretary and Contracting Parties to sit down and discuss the short-term communications requirements.
- 5.5 The Representatives agreed for a short meeting of experts during this STACTIC Meeting. Then the small group of experts who reviewed communications requirement for the Secretariat, agreed on the following procedure:
- a) Executive Secretary should Chair a small working group in Halifax - open ended and all Contracting Parties are welcome to send representatives.
 - b) The meeting is to take place as soon as possible but **not before mid-April**.
 - c) Before the working group meets the Executive Secretary will draft a working paper to be ready by the **end of March** and send it to all Contracting Parties.
 - d) To ensure system is compatible it is essential national experts are present.

The working group tasks will be:

- a) Develop the terms of reference, i.e. what do we want new system to do - this must be developed in detail.
- b) When terms of reference are developed, these to be sent to Contracting Parties with aim to go to contractors within their own countries to find a contractor to carry out the tasking.
- c) In replies from contractors costs must be identified.
- d) Deadlines will be left to the working group.
- e) In summer of 1992 the replies from the contractors will have to be evaluated.

5.6 There was **general agreement** to these recommendations.

The representative of Japan commented that when the working group got together they should be careful that their work is for the hail system and not for an electronic tracking system.

6. Amendments to the Conservation and Enforcement Measures

a) **Limits on catches of regulated species in fisheries for unregulated species in nets hauled in the presence of an inspector**

- a).1 The representative of Canada stated this item was deferred from the last meeting of STACTIC. It is being recommended to help in deterring misreporting of catch and to reduce the catching of small regulated fish.
- a).2 A brief discussion was held on the Canadian proposal as follows: The Chairman indicated the existing rule is on p. 10 of the Conservation and Enforcement Measures. We do not have to discuss rationale for by-catch rule. However, we do have a rule of 10% or 2 500 kg, whichever is greater, of regulated species. Canadian paper recommends changes in this procedure. The question is what is wrong with present rule. Canada indicated the problem is outlined in the rationale of their proposal paper.

The representative of Russia asked if this proposal means this regulation applies to the case where the inspector is present on the vessel and if that is the case what regulation applies if inspector is not on board. The representative of Canada stated we would add this paragraph. The vessel would be allowed a certain amount of fish on board. This proposal would add the proposed paragraph to those already there. As a result a vessel could be cited for an apparent infringement and it would then be the responsibility of the Contracting Parties to take follow-up action. Russia indicated they could not discuss this proposal further until a revised draft is available. The Chairman deferred this item until the next day.

- a).3 The Canadian representative presented the revised Working Paper 92/3 (Annex 6) and stressed the reasons for their proposal was because of the serious problem with the catching of juvenile fish. It is impossible for vessels to fish for skate and not catch flatfish. This amendment will give inspectors an opportunity to see the amount of juvenile fish being taken. The inspectors can then issue a citation of an apparent infringement for those instances where significant quantities of regulated catch are observed in a small mesh trawl. The apparent violation would then be followed up by dockside inspections by Contracting Party that could determine the composition of the catch.
- a).4 The representative of the EEC stated they had conceptual difficulties on a practical basis with this proposal. It was difficult to understand when inspectors on board could make it an offense for fish caught in a tow. Captains of vessels at present have the authority to discard fish to stay within the rules. Further they cannot see how a skipper can avoid what he is catching and cannot prevent the catching of immature fish. In our discussions yesterday Canada indicated they have no discard rule. The EEC cannot see where the proposal goes anywhere in solving the problem.
- a).5 The representative of Canada stated they did not indicate they had no discard rule but are considering such a rule. When an inspector is on board and sees a lot of flatfish, it alerts the inspector to the fact that maybe a lot of small fish are being caught. He can then cite the skipper for an apparent infringement and the vessel should then be checked when it goes home. It is an opportunity to alert a Contracting Party that one of their boats may have more small fish than is allowed.
- a).6 The Chairman asked Canada to clarify if the proposed rule makes a single haul a violation for which the skipper cannot control. Another possibility would be to give the skipper the option to discard or to move to stay within the rules.
- a).7 The representative of Canada stated the only way you can see if a skipper is fishing for small fish is on a single haul and when using small mesh. The only time an inspector can check this is when he is on board the vessel and observes the haul back. This is an issue raised by the Scientific Council and this proposal was to try and get a handle on it. The present rule is unenforceable.
- a).8 The representative of Russia indicated that if by-catch is more than 2 500 kg the captain would record the catch in his logbook and change position. In this case it would not be illegal. Repeats of excessive by-catch would be illegal. To find a compromise would be very hard for the captain. In this case the captain would be potentially trapped.
- a).9 The representative of Canada indicated they wanted the proposal to stand and forwarded to the Fisheries Commission. Canada stated within their proposal they were attempting to address a serious situation that is the catch and retention of excessive amounts of regulated species juvenile flatfish by vessels that are using small mesh gear and saying they are directing for other species that are not regulated, but would be willing to look at any other proposals.

- a).10 The Chairman appreciated the concerns but stressed that conceptual problems must be addressed and there are ways to get around these problems. He indicated the proposal would be forwarded to the Fisheries Commission for consideration (Annex 6).
- a).11 The representative of the EEC stated they did not want to be seen as unconstructive because if we are to react in a control fashion to concerns of the Scientific Council, then the Scientific Council should make their concerns known, i.e. what about the possibility of extending the minimum mesh size requirements to avoid retention of juvenile fish? It is not our position to dictate the size of mesh or the size of fish but enforcement could be made more effective if the measures which we are trying to control are more rational and make more sense.
- a).12 The representative of Denmark stated in existing rules Contracting Parties permit when fishing for other species primarily to take regulated species up to 2 500 kg or 10%, whichever is greater. We understand the Canadian proposal if the Contracting Party is fishing for unregulated species. Lets say they were fishing for skate but actually fishing for Greenland halibut under the Canadian proposal it should be reported as an apparent infringement. Denmark understands the problem and needs more time to consider the Canadian proposal.

Item 6(a) was closed on provision that future discussions will be held at STACTIC and the Fisheries Commission meeting.

b) Composition of an inspection party

- b).1 The Chairman moved to Item 6(b), composition of an inspection party and referred to Working Paper 91/10 submitted by Canada and Working Paper 91/12 submitted by the EEC which were submitted in July 1991. The Chairman again stated it is difficult to discuss these items without current papers. The Contracting Parties should present new papers for agenda items and deferred this item until tomorrow when new papers will be available.
- b).2 The representative of Canada referred to the STACTIC Report for 1991 item 5.15 and indicated the present rules state that only two inspectors can go on board a vessel and carry out an inspection. They would like this expanded to include trainees (Working Paper 92/16). The EEC proposal (Working Paper 92/15) would be for a maximum of two inspectors and up to two trainees but only when prior permission is obtained from the skipper.
- b).3 The representative of Denmark stated this would be difficult because of limited accommodation. Canada indicated there may be a misunderstanding as an inspector can only be on board for 3 hours.
- b).4 The Chairman stated it would be easiest to accept the EEC proposal for 1 year and STACTIC would recommend to the Fisheries Commission the EEC proposal with the understanding it will be reviewed at the annual meeting in 1992.

b).5 The representative of Canada stated it does not have to go in regulations. Rather than accept the EEC proposal Canada withdrew the proposal.

c) **Identification of NAFO inspectors operating from an aircraft**

The Chairman, then turned to agenda item 6(c) the identification of NAFO inspectors operating from an aircraft. The rules for this item are outlined on p. 15 of the Conservation and Enforcement Measures (FC Doc. 91/7, Revised) Part IV, 1(ii,iv,ix) and asked for comments. There being no comments it was assumed everyone was in agreement with existing rules.

d) **Finalization of the format for reports on air surveillance activities**

The Chairman moved on to item 6(d) and stated he would like this item combined with 7(c).

e) **Introduction of production logbooks**

e).1 The representative of Canada reviewed their proposal (Working Paper 92/4-Annex 7). This item was deferred from the last meeting. The advantages of production log is that it assists the inspector to determine catch on board. It is difficult to establish catch on board from fish in the hold because it is in product form. This is not a system to standardize conversion factors but a useful indicator of catch on board.

e).2 The Chairman asked if the suggestion is for a separate logbook or a change to Schedule III of the NAFO Conservation and Enforcement Measures to show production figures.

The representative of Canada stated most vessels will have an indication of production weight on board. It would not be necessary to carry a separate production log.

e).3 The representative of the EEC stated that this item was discussed exhaustively at our last meeting. EEC cannot see this requirement negating requirement to check the hold. The inspector has responsibility to correlate what is in a hold with the logbook. Presently the Captain is required to maintain a record of live weight in a log but does not relieve the inspector of responsibility. In the EEC practice, if production logs are maintained they are maintained from a commercial point not a requirement by the EEC.

e).4 The representative of Canada stated the inspector is required to check holds and this is easy when you are concerned with only one species but as species increase it makes this task prohibitive unless conversion factors are available. The EEC stated to do a proper inspection the inspector must make calculations but it is not time related.

- e).5 The representative of Russia indicated they would have serious problems with a production log. There are great many conversion factors and there are many various products. There are agreements with many of the shipowners but many are different. It becomes a prohibitive problem to standardize checking of production. We cannot agree with the requirement for production logs.

EEC indicated that inspectors are required to check holds to get back to whole weight.

Russia stated to check holds plus production log will complicate the system even more.

- e).6 The Chairman indicated this is not a new proposal. The Chairman related how this problem is handled in Greenland. The rule is that product is stored separately in the hold for ease of viewing. After complaints, it was modified that different species could be stored in same area but all the same species had to be together. In addition, a storage plan was required so the inspector can determine where fish is stored.

- e).7 The representative of Canada asked if the Chairman would consider presenting what he just related in the form of a proposal.

The EEC would welcome such a paper by Greenland but **without commitment**. Russia would also welcome such a paper **with reservation**.

- e).8 The representative of Japan stated that Japanese fishing vessels keep production logbooks and they can show them to inspectors when requested and that a proposed regulation on storage arrangement is not appropriate because it would add another factor of infringements. The Chairman stated that when production logbooks are available they would not have to comply with this rule.

- e).9 The Chairman presented the Danish proposal (Working Paper 92/17) and explained its rationale (Annex 8). He proposed to keep the proposal for future discussions at STACTIC and the Fisheries Commission.

The representative of Japan pointed out the difficulty in keeping records of storage arrangements as well as the practical difficulty due to its randomness and the effects it may have on balance.

The Chairman pointed out that you can put the product anywhere for balance, but it must be separated from other species. He did not see any concerns re balance.

- e).10 The representative of the EEC welcomed the Danish proposal and stated they do have certain reservations and will expand on these at a later date.

The Chairman stated that in their deliberations they should refer to EEC vessels operating in Greenland waters because they have been complying with these conditions for years.

7. Modifications to NAFO Forms

a) **Monthly Catch Report Forms - inclusion of additional stocks and divisions**

a).1 The representative of Canada presented its proposal in Working Paper 92/8 (Annex 9) to add a number of species that are being fished in the Regulatory Area to the monthly catch report form. These species are reported annually to the Scientific Council but should also be reported monthly.

a).2 The representative of the EEC stated they have no difficulty in principle. They would request an explanation for doing this. Did this request originate from the Scientific Council and if so should it not be originated by the Scientific Council.

The representative of Canada stated the provisional monthly catch report goes back to ICNAF and they were not initiated by the Scientific Council. The EEC asked why the proposal is being posed if it is not for scientific purposes. They questioned requirements for quota management as these additions are unregulated species.

a).3 The representative of Canada stated the report includes stocks that are not managed by NAFO and we are requesting that the stocks be added.

The representative of the EEC enquired if these stocks are presently reported on an annual basis.

The Executive Secretary stated all Contracting Parties agreed with stocks listed on monthly basis. There is no requirement for STACTIC to discuss this item alone. If there is a requirement then a recommendation, in addition, should come from the Scientific Council.

a).4 The representative of Canada indicated logbooks on vessels operating in the Regulatory Area report these stocks and for consistency we should have some stocks reported on the monthly report. The Chairman stated it is basically a matter of how our reporting systems have evolved.

The EEC indicated if no one is using the information there is no reason to include it.

a).5 The representative of Russia indicated it was his understanding of the Executive Secretary's comments it was not responsibility of STACTIC and we should stop discussion and refer it to the Scientific Council. The Executive Secretary stated STACTIC could consider a recommendation to the Fisheries Commission, and Scientific Council to make decisions based on our recommendation.

a).6 The representative of Canada stated the monthly report should be standardized with information inspectors are getting from logbooks. Russia indicated that on p. 48-51 of FC Doc. 91/7 the new list of species is not listed. Therefore, how

can we be required to report them. The Executive Secretary indicated he receives information on catches from Contracting Parties, and such information is compiled for final catches of Contracting Parties annually.

- a).7 The Chairman concluded **the agreement of the Meeting** to recommend the Fisheries Commission to ask the Scientific Council if there is a scientific aspect and let the Scientific Council make a recommendation to the Fisheries Commission.

Canada indicated their proposal is to correct an anomaly re Conservation and Enforcement Measures, Part I.3(a) (FC Doc. 91/7, Revised).

b) **Annual Return of Inspections and Apparent Infringements**

- b).1 The representative of Canada presented their proposal in Working Paper 92/9 (Annex 10) and indicated there are presently two forms being used to report infringements, and Canada's proposal is an attempt to combine these two forms. An infringement is supposed to stay on books until completed; however, this is not happening.
- b).2 The representative of the EEC stated this is more than a reconciliation as it requests more details than exists on present forms. They also indicated the form causes problems with comprehension and could cause more confusion. We have looked at the forms to make improvements but have not been able to date. The proposal is to keep track of apparent infringements, and EEC does not feel it meets this requirement.
- b).3 The representative of Canada indicated the current forms do not reflect requirements of regulations. They are confusing and the proposal is an attempt to combine these and make them easier to complete. It replaces STACTIC Form 1, 2A and 2B.
- b).4 Further discussions were as follows: The EEC stated there was information requested on the form that was not required before i.e. name of vessel. They had a second question on whether it resolves the problem. One form may complicate the situation, and we would like to have an opportunity to see how cross-flow of several Contracting Parties will work. Canada indicated proposal is clear and straightforward. There is a new column for vessels. Canada explained the form. The EEC indicated the intention is clear but we must ensure no information is lost; and questioned whether the form still referred to inspections in port. It may require instructions on the reverse side. Does a form for each Contracting Party have to be filled out.

Canada indicated one form for each Contracting Party should be filled out. The number of port inspections was missed and can be added. With regard to the disposition column this will be filled in by the Contracting Party and maintained by the Contracting Party until all apparent infringements are disposed of.

b).5 The EEC and Russian representatives proposed that while the efforts of Canada are appreciated we should not rush into this. It was agreed to defer this item to next meeting of STACTIC where a small group will sit down and review the forms and propose changes to the meeting.

c) **Annual Reports on Surveillance and Inspection Activities in the Regulatory Area - inclusion of air surveillance reports**

c).1 The Chairman moved to cover item 7(c) and 6(d) which refers to annual reports on surveillance activities in the Regulatory Area. He indicated this item was discussed at last STACTIC meeting and Contracting Parties were requested to forward comments to the Executive Secretary. The Executive Secretary's Working Paper 92/1 (Annex 11) was developed in accordance with Rule 14(i) found on p. 21 and 22 of FC Doc. 91/7 and was reviewed by the Executive Secretary. The Chairman asked for comments and receiving none accepted the proposal submitted by the Executive Secretary and closed this item.

c).2 The representative of Russia indicated they would like to make a statement regarding air surveillance because of their objection:

"Re: Using aircraft for the purposes of joint international inspection:

It should be underlined that Russian side has no objections for using aircraft as an auxiliary means to increase efficiency of control for fishery in Regulatory Area. At the same time we would like to note that we are against using aircraft as an instrument for inspection of fishing vessels' activities in NAFO Regulatory Area with setting up the report of inspection without boarding of fishing vessels by NAFO inspectors."

8. Information from IMO on Helicopter Signals - Report from Executive Secretary

The Chairman moved to item 8 regarding information from IMO on helicopter signals. The Executive Secretary indicated this was an information item and that **IMO had confirmed NAFO signals were current** and passed on additional signals for our information. It was decided not to incorporate new signals into the NAFO Conservation and Enforcement Measures.

9. Implementation of "Long Term" Measures

a) **An electronic tracking (monitoring) system**

a).1 The representative of the EEC explained their paper (Working Paper 92/10) on the use of electronic tracking and made the following comments:

- technology is changing rapidly and they guided the study along the lines of latest technology;
- theoretically the study could be applied to NAFO;
- the system is technically feasible to provide position of fishing vessels;

- it is expensive and there are various combinations that can be used to adjust cost;
 - there is not a system as described here in operation anywhere in the EEC;
 - EEC is still reviewing system to determine benefits.
- a).2 The representative of Japan indicated they have some experience with a similar system called Argos. The Argos system is more expensive and cannot be used as evidence in a court. However, electronic tracking systems could replace the hail system.
- a).3 The representative of Norway explained they had also used the Argos system. The system is to measure speed, positions, and determine whether vessels were fishing. However they are not considering to adopt the system.
- a).4 The representative of Canada informed they had not tested any system. They have been reviewing literature and been in contact with countries utilizing systems. Canada asked EEC if their system was capable of including catch data. The EEC indicated it was; however, the system is automated and there is not requirement for Captain to input system. This system would be capable of providing a position at any time unlike Argos.
- a).5 The Chairman indicated we are required to report back to the Fisheries Commission on this item and asked for direction. Canada indicated they were not experts in this area and only pilot projects have been run so it is unclear on how to proceed. Russia indicated if we have no proposal we should defer to next meeting. The EEC stated the hail system will provide same information as the satellite system at much less cost. The system tabled in the report is still under evaluation and we should keep it on hold until we see how the hail system develops.
- a).6 The Chairman reminded the Meeting again that STACTIC has the task to look at implementing an electronic tracking system and we **should return** to this item at the next STACTIC meeting to see how it has developed. It was **agreed** to keep this item on the agenda for the next meeting.
- b) **An International Observer Scheme**
- b).1 The representative of Canada presenting their proposal in Working Paper 91/6 (Annex 12) requested Contracting Parties discuss the principle and not the paper and how it is written. Canada indicated they have had an Observer Scheme since 1979 and it is used to accomplish two things:
- i) monitoring compliance;
 - ii) scientific information gathering.

Canada is basically recommending NAFO adopt a similar scheme as an Observer Scheme is a cost effective method of ensuring compliance and the gathering of scientific information. The principle of how it would operate can

be worked out later. That is Contracting Parties only putting their own observers on their own vessels or on other Contracting Parties vessels. The Chairman reminded the delegates that the Fisheries Commission requested STACTIC to look at an International Observer Scheme. Canada indicated the original proposal was to place your own observers on your own vessels.

b).2 The Chairman stated if we stay within the original proposal the concerns would be:

- clarification as to the principle;
- draw attention to Fisheries Commission directive and answer questions regarding:

- i) feasibility;
- ii) type of observer scheme - enforcement and/or scientific;
- iii) cost effective.

b).3 The representative of Canada outlined some of the following advantages of adopting an Observer Scheme: would not have to inspect fishing vessels as often; assist in enforcement as resources are limited at this time; cheaper to have observers than patrol vessels; observers can monitor ongoing operations such as discards and misreporting, and provide biological sampling.

b).4 The representative of the EEC classified the Canadian advantages as not advantages but as the reasons for feasibility of the Observer Scheme. They have a concern re the cost effectiveness of the Observer Scheme and calculate it would cost the equivalent of a patrol vessel. In addition, the scientific terms of reference should be left to the Scientific Council.

b).5 The representative of Canada stated that before we can do a feasibility study we must determine what we want the Observer Scheme to do. Therefore, we suggest a pilot program be set up.

b).6 The representative of Russia asked if the main purpose of the Observer Scheme was to collect scientific information or to improve inspection. Canada indicated it was a dual role and it was not to improve inspection but to monitor compliance. The function of the observers is to observe, record and report.

b).7 The Chairman proposed to break the Scheme down into four functions - observes; records; reports information back to Contracting Parties/Executive Secretary; reports on scientific data;

and go through the four functions to get the opinion of delegations.

The representatives had no problem accepting the observer functions with regard to observing and recording providing the observers were only on their own vessels.

With regard to reports going to Contracting Parties as well as the Executive Secretary, **Russia would have reservations** regarding this procedure. With regard to calling in a patrol vessel of another nationality, **Japan would have reservations** with this procedure.

- b).8 The representative of the EEC requested the Chairman return to address the cost effectiveness of the proposal because they are not convinced whether the Scheme is worthwhile.

The Chairman stated before we can do a cost effectiveness evaluation we must identify the observer scheme we are talking about and what we want in a system.

The representative of the EEC agreed to this "hypothetically" for continuance of the discussion on the system.

- b).9 The Chairman returned to Item 9 (b) and recapped what Contracting Parties had agreed to in previous discussions:

- to a simplified model of an Observer Scheme that would have observers from same nation on their own vessels and reporting only to their own Contracting Parties;
- to discuss the feasibility of cost of such a model.

He indicated it must be kept in mind any recommendations to the Fisheries Commission will be for a model system with a life term.

- b).10 The representative of Denmark felt that NAFO should try to implement an Observer Scheme as a long term measure based on the concerns expressed by the Scientific Council regarding the lack of information for stock assessment and that an Observer Scheme can improve the control measures. It has also been noted as expressed by the Canadian delegation that NAFO shall include the possibility of increasing minimum coverage levels to 15% in 1993 and 20% in 1994.

One can see the benefit of an International Observer Scheme in the Regulatory Area but as a Contracting Party Denmark also will be responsible for ensuring that a minimum of 10% of days on ground for 1992 are observed. When we are participating in the NAFO Scheme of Joint International Inspection with two inspection vessels 28 days in 1992 (two periods) and if the observer cannot at the same time be an inspector we do feel some problems to ensure coverage of 10% of the effort in 1992. Therefore, Denmark needs more time to look at the feasibility of an Observer Scheme.

- b).11 The representative of Japan stated that they foresaw some problems on logistics as well as cost effectiveness and require more time to consider the program.

- b).12 The Chairman stated he understood the Danish delegate supported the establishment of an Observer Scheme but the level of coverage will have to be determined. We are at a point where Contracting Parties are not against a pilot project and we now need to outline the tasks of the observer. One task would be to monitor compliance. Before we make a recommendation to the Fisheries Commission we will have to add to these tasks or we may only want the single task. The coverage levels may not be reached but we will have to wait and see how it works out.
- b).13 The representative of the EEC requested clarification. The EEC is under the understanding that we are having a hypothetical discussion to arrive at some conclusions. Once we arrive at that point a summary would be made and we would then review the scheme again looking at the feasibility and the cost effectiveness of the Observer Scheme.
- b).14 The representative of Russia indicated it also shares the concern voiced by Denmark, Japan and the EEC. He stated these are still areas that need to be clarified and we should be careful not to make any decisions. He recognizes the concern of the Scientific Council with regard to the requirement for additional information, and suggested that we might accept the system on a voluntary basis using our own observers on our own vessels for the purpose of collecting data for the Scientific Council. The information collected would be forwarded to the Scientific Council through the Executive Secretary without commitment. However it may be used later for further development of an International Observer Scheme.
- b).15 The Chairman's question for the rationale of putting scientific observers into the scheme resulted in the following discussions: Canada indicated there is already a Scientific Observer Scheme within NAFO. The recommendation is to have the Observers do both. This would be an expansion of the present Scheme. The recommendation made by Russia is already being done with regard to the scientific side but that program does not address what Canada is requesting with regard to monitoring control and surveillance. The Chairman stated it may not be necessary to discuss further the Scientific Observer Scheme as it is already in place and we should concentrate on the MCS side of the Observer Scheme. Canada would not want to rule it out but would like to indicate to the Fisheries Commission that if Observer Scheme goes forward scientific observers would be available. The EEC stated it was not possible to have a dual system and they should be done by separate observers. They recommended to divorce the scientific requirement from this proposal.
- b).16 The Chairman raised the question of financing the Observer Scheme and asked the delegates if they anticipated each Contracting Party paying for their own observers or the cost being picked up within the NAFO budget. In addition, what levels of coverage are anticipated during the trial period. We will require commitment and asked for comments on these questions.

Canada stated each Contracting Party would pay for their own expenses. Russia stated that all Contracting Parties do not fish in the Regulatory Area and therefore how would these Contracting Parties pay for costs of an Observer Scheme. Canada does not fish in the Regulatory Area. Canada agreed they do not fish to any great extent in the Regulatory Area but did not want to get into a discussion on cost. The Chairman stated cost should be at Contracting Parties expense. The EEC referred to the system in the Canadian zone where foreign vessels pay the cost of observers. If this procedure was adopted in the Regulatory Area it would be costly to some Contracting Parties. However if Contracting Parties contribute to a generalized scheme to establish a MCS Observer Scheme it would not be an undue burden on Contracting Parties carrying observers.

The Chairman asked if it was the EEC's proposal to take money out of NAFO funds. The EEC stated affirmative.

Japan referred to rules regarding the special consideration for minor fishing countries fishing in the Regulatory Area not being required to provide patrol vessels and suggested this same rule should be applied to observers. Japan stated a shared cost by all Contracting Parties would not be acceptable because they have only a few vessels fishing in the Regulatory Area.

Canada stated that STACTIC is not competent to decide this and we should spend our time discussing the program. The EEC felt it was appropriate to give it consideration as costing and funding are key elements for establishing a Scheme. The Chairman stated both Canada and the EEC are correct. Russia stated no one has instructions on payment for the Observer Scheme but Russia would have problems with either way. He suggested to return to this item after discussions with our governments.

- b).17 The Chairman turned to coverage levels indicating reservations have been voiced but asked for suggestions on coverage and to remember this is for a trial period. Canada proposed 10% for 1992. Since this is likely unable to be obtained due to time remaining they recommended this be reduced to 5%. The Chairman suggested the earliest a program could go into effect would be 1993 due to approvals required from the Fisheries Commission and the General Council. The EEC stated this was more reason why we should be looking at a volunteer scheme and it may not be appropriate to fix levels of coverage. Russia agreed with the EEC stating that last year Canada proposed in Working Paper 91/3 to put observers on board primarily for scientific collection and for a 3-year pilot project. We should, therefore, concern ourselves with the length of the pilot project.
- b).18 The Chairman specified Canada's proposal was a recommendation for a dual project. We should concern ourselves not with what Canada said last year but what Canada has said this year. He invited representatives to discuss this issue. Canada does not agree with EEC statement that observers cannot do a dual role. Canada is not at this stage ready to agree that observers will only do MCS. The Chairman agreed but stated we are only talking about a volunteer system on our own vessels. It would be within competence of Contracting Parties to allow

observers to do dual roles. The EEC stated it may be possible to establish a dual role for the observers provided terms of reference are laid down for the dual role. You could conceivably have a conflict of interest and the quality of scientific information will deteriorate. If dual role is established then tasks must be established. Canada stated scientific collection of data is laid down by the scientific community. This would be laid down by the Scientific Council. With regard to EEC comment about 50/50 utilization of observers it would be difficult to indicate the time but would be predicted on fishery patterns. The dual role is practical and observers can do the two functions. The EEC stated it was not a question of whether observers are capable of doing two roles. It is recognized in the Scientific community the scientific observer is working on trust and information is confidential. Working on the hypothesis we are under in this discussion the scientific data will deteriorate. We do not think the observers will be accepted on board the vessels.

- b).19 The representative of Canada stated they were not looking for a voluntary system but a commitment by NAFO to an Observer Scheme. We did not look at a reciprocal scheme because of the time it would take to develop such a system. All we have to do is agree to an Observer Scheme and outline functions. The legal basis of putting observers on board vessels would be left with each Contracting Party.
- b).20 The representative of Russia stated the constant reference to Canadian experience is not acceptable. The observer program creates many problems for the Russian skipper. It will cause delays of up to 10 days in fishing to exchange observers. Shipowners would not agree to such a scheme and captains will not understand such an approach.
- b).21 The representative of Denmark referred to their previous comments and added observers can be useful and suggested cost should be the responsibility of the Contracting Parties. They would agree to a coverage but of 5% for 1992. They asked if other Contracting Parties had observer schemes within the Regulatory Area. Finally he indicated cost will have to be considered as it was the shipowner who will eventually pay for the system.
- b).22 In response to Denmark's question, the following information was provided:

Norway indicated they have tried observers on special boats (seal boats) as well as some larger vessels this year. They drew no conclusions on their use but he indicated unofficially the cost will likely preclude Norway from continuing with such programs. Greenland has 10 observers on vessels for one month and they are exchanged at sea. Japan has observers for particular fisheries but not for all fisheries. The EEC indicated they have no observers in EEC internal waters. However, observers may be used on EEC vessels under fishing agreements with certain third countries. Russia has no observer system on Russian vessels. However they do have observers on foreign vessels fishing within their 200 mile zone. Poland generally supports the observer scheme. They use observers in the Bering Sea but only for scientific purposes.

b).23 The Chairman put together a report, Working Paper 92/18 (Annex 13), with elements which he hoped were not controversial. The EEC welcomed the paper however expressed certain reservations concerning mixing science and enforcement. This Committee should ask the Scientific Council if they have any objections to mixing scientific and enforcement requirements. The risk may be there that we could jeopardize our scientific information. The Chairman agreed we should not mix science and enforcement but this is not scientists but individuals who take samples. The EEC stated they saw a problem and needed the assurance of the Scientific Council that they agree to a mix. The Chairman agreed and stated that in our report to the Fisheries Commission this question will be raised and we will request the Fisheries Commission to put the question to the Scientific Council in June. Therefore, the Fisheries Commission would take note of this proposal and pass it on to the Scientific Council. Then the Scientific Council will provide answer to the Fisheries Commission and STACTIC during the September meeting. Canada requested the Canadian proposal (Annex 12) and the proposal Working Paper 92/18 be presented to the Fisheries Commission.

c) **A NAFO Licensing System**

- c).1 The representative of Canada presented the proposal in Working Paper 92/13 (Annex 14) and explained its rationale. The reason for its proposal is basically to address limited quotas of fish and to control the effort against these limited quotas. Most nations put into effect control systems such as licensing systems. Under present rules Contracting Parties are required to send a list of vessels which intend to fish in the Regulatory Area. This list is much longer than that required to fish their allocations. Contracting Parties are required to come up with a system to control the number of vessels which will be authorized to fish in the Regulatory Area. The proposal is straight forward a methodology presented to limit the number of vessels authorized to come to the Regulatory Area. The Chairman asked that the proposal does not imply NAFO will be responsible for licensing the vessels but for each Contracting Party to establish methods of their own to license their vessels. Canada stated that is correct but does not exclude NAFO from having a licensing system of their own in the future.
- c).2 The Chairman asked if the delegations agree that there should be a balance between quota and fishing capacity of the Contracting Parties which send vessels to the Regulatory Area. There **was general agreement** on this point.
- c).3 The Chairman asked the Executive Secretary if a paper is put out which relates vessels to quotas. The Executive Secretary said no such paper is issued.
- c).4 The Chairman stated we agree there should be a balance but no one knows what actually takes place. Canada stated the list of vessels submitted by some Contracting Parties far exceeds the required number of vessels to catch the quotas granted to those Contracting Parties. What Canada is attempting to do is to more realistically match the number of vessels to the quotas. The Chairman said it is obvious to everyone that if all vessels which are registered

actually fished it would be an unmanageable system. My question is do we know the number of vessels which actually fish in the zone. Canada indicated through their surveillance they have a good indication of the number of vessels in the Area. Through a system of limiting the number of vessels will provide for better management.

- c).5 The representative of the EEC stated we started off outlining a lengthy list of Contracting Party vessels. Then we looked at actual situations as not all vessels go to the Regulatory Area. We are not certain of the number of vessels which go to the Regulatory Area or how long they stay or the actual catch. We should look at other means of controlling i.e. reducing the list. The extent of the problem is not adequately defined in terms of the length of stay by the vessels. We should refine the overview of the present situation before we look at the Canadian proposal. Various reasons for being on the list but we are not in a position to define extent of stay of vessels in area. The EEC asked Canada if a limited license system is in use in the Canadian zone.
- c).6 The representative of Canada explained the Canadian license system for foreign vessels fishing within the Canadian zone. As for domestic vessels, the number of licenses are limited.
- c).7 The representative of Russia indicated from a practical point they have small quotas in the NAFO area. The number of vessels operating in the area is based on capacity and this system could require reducing allocations to vessels. Canada does not have experience outside the zone. The Russian vessels fish in many zones and they schedule their vessels to be in the zones when it will be most productive. Therefore, the suggested scheme proposed by Canada would not be acceptable to Russia. It would be very difficult for Russia to assign only certain vessels to the Regulatory Area as they fish in many areas throughout the year and it would be difficult to manage them in this manner.
- c).8 The representative of Japan stated that Japan has substantially reduced the number of vessels fishing in the Regulatory Area and they believe that the current number of Japanese vessels is balanced with their quota. The reduction of number of vessels is not such a simple mathematics as shown in the Canadian proposal. It is impossible to control the number of vessels before the fishing season starts because operational patterns of vessels vary each year.
- c).9 The representative of Canada requested delegates to consider the terms of reference received from the Fisheries Commission (FC Doc. 90\9) which outlined both short term and long term measures. Therefore, when we attempt to come up with a proposal we looked at the paragraph where both Norway and the EEC stated the list of vessels was too great.
- c).10 The Chairman returned to the 2nd paragraph of Canada's proposal and indicated he was proposing to develop parameters for a licensing scheme and a methodology, so that Contracting Parties can determine acceptable limitations on their fishing effort, based on quota levels and legitimate fishing possibilities.

All representatives agreed with this approach. The Chairman then reemphasized it was up to Contracting Parties to develop this and there was a methodology suggested in the Canadian proposal and requested comments on this methodology.

- c).11 The representative of Denmark referred to the last sentence of methodology and indicated it is the system Denmark uses. He stated they indicate to the Executive Secretary the number of vessels and then Denmark issues certificates to the vessels which indicate authorization to fish in the Regulatory Area and amount of fish authorized.
- c).12 The representative of Canada indicated few of her vessels fish in the Regulatory Area as they fish NAFO allocations within the Canadian zone. Canada establishes boat and fleet quotas and their vessels are restricted by them.
- c).13 The representative of the EEC stated they have their own system, a National Member State Licensing System. They do not have individual boat quotas but quotas are subdivided amongst Member States, and they license their vessels to catch allocations.
- c).14 The representative of Norway informed that Norwegian vessels have not fished in the NAFO area in the past year. They do not have a requirement for a license but vessels wishing to fish in the Regulatory Area must apply to the Norwegian Government to get on a list.
- c).15 The representative of Japan stated they foresaw technical difficulty to implement a licensing scheme utilizing all these conditions and reserve judgement. Japanese government issues licenses to Japanese vessels.
- c).16 The representative of Russia indicated the shipowners distributed quotas to ships in each case. A large number of vessels operate in the Regulatory Area and shipowners control these vessels. It would be difficult to control fishery by effort. Possibility would exist that large quotas would not be realized.
- c).17 The Chairman summarized the discussions as follows: It is not the time to get into the mathematics but only to look at quota on one side and effort on the other. Canada's proposal outlines five points under methodology and Canada is recommending Contracting Parties consider these points especially the first three. Do Contracting Parties have any comments on using these points to establish a licensing system? Each Contracting Party could consider a methodology at home. We can then look at this again at the next STACTIC meeting in September. Each Contracting Party to submit a paper by 15 July which would reflect that Contracting Party's examination of how it would handle its own vessels.
- c).18 The representative of Canada stated this should not preclude to address the issue at the Fisheries Commission meeting in May.

- c).19 The Chairman stated the Fisheries Commission will determine whether it will be discussed; however, that does not change our requirement. Russia agrees with the Chairman's proposal. The EEC requested confirmation that the Chairman would like to see Contracting Parties prepare a paper of possible methodology they might adopt on limiting the number of vessels of its own Contracting Parties authorized to fish in the Regulatory Area.
- c).20 The representative of Canada suggested the date could be moved up for delegation heads to have paper available at May meeting of the Fisheries Commission.

The EEC stated we are speaking of Contracting Parties being asked to devise their own methodology for limiting vessels in the Regulatory Area. Russia indicated the papers should be presented to STACTIC for discussion prior to being submitted to Fisheries Commission for consideration. The Chairman agreed with the Russian suggestion.

- c).21 The representative of Canada asked if there was general agreement that a license system might be acceptable.
- c).22 The representative of the EEC stated the document presented requests to discuss a NAFO restricted licensing system. However, we have talked about what Contracting Parties do presently. Contracting Parties are to develop a paper to seek how to reduce vessels authorized to fish in the Regulatory Area. We do not have any information to provide the Fisheries Commission; therefore, we have not discussed the proposal. If the Canadian proposal is to be presented to the Fisheries Commission, it would stand alone because we have not discussed it.
- c).23 The Chairman requested representatives to develop a paper to reduce their fishing effort in the Regulatory Area by 15 July at the latest and **if they can by 1 May**. These papers to be submitted to the Executive Secretary by dates above.

10. Other Matters

Under this item the delegations agreed to discuss the issue concerning minimum cod size and Canadian proposal for reciprocal arrest.

- 10.1 The Chairman indicated the question was raised by the EEC, Working Paper 92/6 (Annex 15). In the Danish paper, Working Paper 92/14 (Annex 16), it indicates there are three length measures that can be taken of cod. However, in 1965 ICNAF and ICES discussed the possibility of using total length. The EEC indicated their preference was to adopt a system based on total length. However there are three related questions:
- method of measure;
 - tolerance;
 - applicability to NAFO.

- 10.2 The representative of the EEC referred to the Executive Secretary's letter to Contracting Parties. The EEC letter was appended to this letter and the Executive Secretary's letter GF/92-017 requested comments. No comments were received other than the EEC comments and, therefore, Working Paper 92/6 was produced (Annex 15).
- 10.3 The Chairman referred to the three questions raised by the EEC and stated there should be agreement on the method.
- 10.4 The representative of Canada indicated they use fork length but also have procedures for measuring fish with head and or tail removed. Therefore, Canada would have to **reserve decision** on this procedure.
- 10.5 The Chairman indicated all Contracting Parties except Canada **agree** to method of measuring. The question of undersized fish has to be clarified. It is not wise to have a rule that applies to only one part of the total area.
- 10.6 The representative of the EEC stated they made a proposal at the last Fisheries Commission Meeting (September 1991), and it had become binding on 6 November 1991. The wording is poorly formulated and we should ask for clarification. EEC is not sure whether a vote was taken on the way the recommendation is worded. We should not have a recommendation as well as a question.
- 10.7 The Executive Secretary indicated the report from the Fisheries Commission was sent to Contracting Parties for comments and no comments were received. The proposals for international measures were sent to the Contracting Parties for the objection period of 60 days during which no objection to this proposal was received. Then the measure became binding on all Contracting Parties.
- 10.8 The Chairman asked the feelings on the other two questions. Denmark stated any fish that does not meet minimum requirements should be returned to the water and we should follow the direction of the Fisheries Commission. It is controllable and total length should be the method of measuring. The Chairman indicated it was the common opinion of delegates that undersized fish should be discarded.
- 10.9 The representative of Canada stated that because of straddling stocks we would have two sets of regulations. We are considering putting in a regulation that prohibits discards. The Chairman indicated Canada voted on this measure. Russia indicated Canada voted against the measure for 3M cod and referred to paragraph 7.18 of the Fisheries Commission Report (FC Doc. 91/14).
- 10.10 The Chairman indicated common opinion except for Canada on method of measuring and discards and now asked opinion on question three. Canada indicated it was not up to STACTIC to make this recommendation and stated that cod stocks for which NAFO has a management responsibility within the Regulatory Area are being managed in accordance with minimum size rule.
- 10.11 The representative of the EEC stated this question is within competence of NAFO as it would be unenforceable if it is not for all areas. It is the responsibility of this group to advise the Fisheries Commission of the same.

- 10.12 The Chairman in summary stated they received a letter from EEC with three questions. All delegations agree except Canada on the first two questions. Norway cannot support a proposal that allows discards. With regard to the last question EEC agree if a measure is introduced so that it is for the complete area. Canada indicated this is what the Fisheries Commission had done and the measure applies to all cod stocks managed by the Fisheries Commission. Russia supports Canadian position for the following reasons: if we discard undersized fish, we will not know the size of the problem; if we are required to record by-catch, we would know amount of undersized fish; it is not a good fishing economy to discard cod catches.
- 10.13 The Chairman indicated **everyone except Russia and Canada** agreed to discard undersized fish.
- 10.14 The representative of Canada indicated with respect to the proposal for Reciprocal Arrest that this was not intended as a proposal but only as an information paper because it is on the agenda for the May meeting.
- 10.15 The Chairman asked that a rule of procedure be adopted by STACTIC which would require proposals to be discussed at the annual meeting of STACTIC be distributed to Contracting Parties **by 15 July** or they will not be discussed. Canada with respect to submission of papers and the establishment of rules stated we should not establish new rules until we have had an opportunity to review them. The Chairman agreed but requested that the Executive Secretary take note that the Chairman was officially requesting that **this be an agenda item for our next meeting.**
- 10.16 Canada made concluding remarks which are appended as Annex 17.
- 10.17 The Chairman agreed with some of the remarks and made the following conclusion: While we are proceeding in some respects quite slowly, as Chairman, on the other hand, I say that the way forward is to continue in the good spirit of cooperation which is here. I would think that if delegations with problems, in between meetings, have some contact in the good spirit we have here, there may be things developed which then could be adopted formally at meetings. Such a process in my view would contribute to a much quicker advancement of our tasks then if we are only meeting in the official meetings and putting forward papers we have prepared back home.

11. Time and Place of Next Meeting

The Chairman indicated that, subject to the decision of the Fisheries Commission, the next meeting of STACTIC will be during the special meeting of the Fisheries Commission to be held in Dartmouth, Nova Scotia, Canada during the week of 11-15 May 1992.

12. Adjournment

The Chairman adjourned the meeting at 1500 hours on 20 February 1992.

Annex 1. List of Participants

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L. I. Chepel, NAFO Executive Secretary

B. Cruikshank, Senior Secretary

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Annex 2. Agenda

1. Opening by Chairman, E. Lemche (Denmark in respect of the Faroe Islands and Greenland)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Evaluation of Operation of the Hail System:
 - a) proposed assessment methodology (proposal by Canada)
 - b) incorporation of a catch reporting feature into the hail system (STACTIC Report, 1991, items 5.6-5.12)
 - c) reports on operation of the hail system as of February 1992 (national reports or information)
 - d) finalization of hail message format(s) for transmission by fax or by radio (STACTIC Report, 1991, item 5.20)
5. Implementation of the Hail System by the NAFO Secretariat - Administration and Costs - Report from the Executive Secretary
6. Amendments to the Conservation and Enforcement Measures:
 - a) limits on catches of regulated species in fisheries for unregulated species in nets hauled in the presence of an inspector (STACTIC Report, 1991, item 5.14)
 - b) composition of an inspection party (STACTIC Report, 1991, item 5.15)
 - c) identification of NAFO inspectors operating from an aircraft (STACTIC Report, 1991, item 5.21)
 - d) finalization of the format for reports on air surveillance activities (STACTIC Report, 1991, item 5.17)
 - e) introduction of production logbooks (STACTIC Report, 1991, item 5.12)
7. Modifications to NAFO forms:
 - a) Monthly Catch Report Forms - inclusion of additional stocks and divisions (proposal by Canada)
 - b) Annual Return of Inspections and Apparent Infringements (proposal by Canada)
 - c) Annual Reports on Surveillance and Inspection Activities in the Regulatory Area - inclusion of air surveillance reports (STACTIC Working Group Working Paper 91/15)

8. Information from IMO on helicopter signals - Report from Executive Secretary (STACTIC Report, 1991, item 5.18)
9. Implementation of "Long Term" Measures:
 - a) An electronic tracking (monitoring) system (STACTIC Report, 1991, items 6.1-6.3)
 - b) An international observer scheme (STACTIC Report, 1991, items 6.4-6.10)
 - c) A NAFO Licensing System
10. Other Matters
11. Time and Place of Next Meeting
12. Adjournment

**Annex 3. Canadian Proposal to Amend the Hail System
for the Purpose of Incorporating a Catch Reporting
Feature (Part III-E.1)**

1. A Contracting Party shall ensure that vessels of that Party to which the Scheme of Joint International Inspection applies shall report to their competent authorities:
 - (a) each entry into the Regulatory Area. This report shall be made at least six (6) hours in advance of the vessel's entry and shall include the date, the time, the geographical position of the vessel **and the total cumulative round weight of catch by species onboard.**
 - (b) each exit from the Regulatory Area and each movement from one NAFO division to another NAFO division. This report shall be made prior to the vessel's exit from the Regulatory Area or entry into a NAFO division and shall include the date, the time, the geographical position of the vessel **and the total cumulative round weight of catch by species [taken] in the Regulatory Area.**

Benefits

The inclusion of a catch reporting feature in the hail system would:

- (i) ensure a higher level of accountability with respect to the documentation of catch on board a vessel and provide NAFO Inspectors with reported quantities in advance of inspections.
- (ii) improve inspection and control in the Regulatory Area by providing NAFO Inspectors with information that may not be consistent with observations of other vessels, and, hence, may indicate the possibility of an apparent infringement.
- (iii) provide current data on vessels that have not been boarded.
- (iv) provide for better utilization of inspection platforms since they could be targeted to specific problem areas or vessels.
- (v) provide a good measure of deterrence to prevent vessels from misreporting since it would be difficult for Captains to adjust figures later.

Rationale

This proposal seeks to increase the overall effectiveness of the Scheme of Joint International Inspection and Surveillance by facilitating the role and responsibilities of NAFO Inspectors and Contracting Parties with an inspection presence in the Regulatory Area.

As log records are required to be kept up-to-date on a daily basis, the catch reporting requirement should not add unduly to the administration entailed for vessels by the hail system.

This proposal further responds, as a first step, to the observations and concerns as raised by the Scientific Council (SCS Doc. 91/19) relative to high levels of unreported catch.

Annex 4. Japanese Proposal re Additional Catch Report

- Part I.C.3
- (a) no change
 - (b) no change
 - (c) no change
 - (d) A Contracting Party shall ensure that vessels of that Party report the total cumulative round weight of catch by species on board at least (6) hours in advance of each entry into the Regulatory Area to the Executive Secretary through the competent authority.
 - (e) A Contracting Party shall, within 48 hours following the week in which the catches were made, report provisional weekly (Sunday to Saturday) catches by species on board and by division to the Executive Secretary through the competent authority.
 - (f) A Contracting Party shall ensure that vessels of that Party report the total cumulative round weight of catch by species taken in the Regulatory Area prior to the vessel's exit from the Regulatory Area to the Executive Secretary through the competent authority.
 - (g) The NAFO Executive Secretary shall transmit the information provided by (d), (e) and (f) above to other Contracting Parties with an inspection presence in the Regulatory Area as soon as possible.

Annex 5. EEC Proposed Modification to the Hail System Message Format

1. The communications described below shall be entitled "NAFO REPORT". The information to be transmitted, which shall be presented in the form specified, is as follows:
 - 1.1 Each entry of the vessel into the Regulatory Area. This report shall be made at least six hours in advance of the vessel's entry and shall contain the following particulars in the following order:
 - Name of vessel,
 - Call sign,
 - External identification letters and numbers,
 - The date, the time and geographical position,
 - Indication of the message code: "ENTRY",
 - The NAFO division into which the vessel is about to enter,
 - The name of the master.
 - 1.2 Each movement from one NAFO division to another NAFO division **except** when moving between divisions 3L and 3N, and 3N and 3O under the conditions provided for in 1.3 below, and each movement from the delimited zone of 10 miles either side of the lines separating divisions 3L and 3N and 3N and 3O when the conditions set out in 1.3 no longer apply. These reports shall be made prior to the vessel's entry into a NAFO division and shall contain the following particulars in the following order:
 - Name of vessel,
 - Call sign,
 - External identification letters and numbers,
 - The date, the time and geographical position,
 - Indication of the message code: "MOVE",
 - The NAFO division into which the vessel is about to enter,
 - The name of the master.
 - 1.3 Vessels conducting trans-zonal fishery between NAFO divisions 3L and 3N or between divisions 3N and 3O which cross the line separating these divisions more than once during a period of 24 consecutive hours, and provided that they remain within the delimited zone (of 10 miles either side of the line between the divisions) shall report when first crossing the line between the divisions and at intervals not exceeding 24 hours thereafter (while remaining in the delimited zone), the following particulars in the following order:
 - Name of vessel,
 - Call sign,
 - External identification letters and numbers,
 - The date, the time and geographical position,
 - Indication of the message code: "ZONE",
 - The name of the master.

1.4 Each exit from the Regulatory Area. These reports shall be made prior to the vessel's exit from the Regulatory Area and shall contain the following particulars in the following order:

- Name of vessel,
- Call sign,
- External identification letters and numbers,
- The date, the time and geographical position,
- Indication of the message code: "EXIT",
- The NAFO division from which the vessel is about to leave,
- The name of the master.

Annex 6. Canadian Proposal to Amend the NAFO Conservation and Enforcement Measures to Limit the Catch of Regulated Species in Small Mesh Trawls (Part II.B.3a)

II.B.3a Mesh Size

In order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of regulated species incidentally:

A Contracting Party shall permit vessels of that Party fishing primarily for other species to take regulated species with nets having a mesh size less than specified in Paragraph 2, provided that

- (i) no vessels, in nets hauled in the presence of an inspector, catches regulated species in quantities that exceed 2 500 kg. in total or 10% by weight of the non-regulated species.
- (ii) no vessel has regulated species on board which taken together are in amounts in excess of 2 500 kilograms for each or 10% by weight for each, of all fish on board, whichever is greater.

Benefits

The inclusion of this amendment into the Conservation and Enforcement Measures would ensure that inspectors can effectively deal with vessels that catch excessive quantities of regulated species with small mesh trawls and thereby eliminate or minimize the capture of juvenile fish.

Rationale

The present measure links the allowable regulated catch in a small mesh trawl to the quantity on board a given vessel. Under existing circumstances, this requirement enables master(s) to use small mesh nets and catch significant quantities of regulated species in the presence of an inspector. The inspector cannot "confirm" the composition of regulated vs. non-regulated catch in the hold of a vessel nor can he/she determine whether the catch in the hold was taken with large or small mesh gear.

The Canadian proposal enables inspectors to issue citations of apparent infringements for those instances where significant quantities of regulated catch are observed in a small mesh trawl. Such a measure may result in the issuance of citations of apparent infringements when vessels inadvertently catch regulated species with small mesh gear during legitimate non-regulated fisheries, however, these exceptional cases could be dealt with through dockside inspections that would determine the composition (i.e. percentage of non-regulated versus regulated) on board a given vessel. Such a process would then clearly identify vessels that frequently use non-regulated fisheries as a means to fish regulated species with small mesh nets.

Annex 7. Canadian Proposal to Introduce the Requirement to Complete Production Logbooks for Fisheries in the NAFO Regulatory Area (Part I.C.2(a) and Schedules)

Part I.C.2 - Recording of Catch

For fish taken subject to Commission measures, a Contracting Party shall ensure that all vessels of that Party fishing in the Regulatory Area record:

- i. their catches on a daily basis. All logbook entries listed in Schedule II shall be completed in accordance with its instructions and using the codes specified therein, and
- ii. the estimated cumulative catch on a daily basis in the form prescribed in Schedule III.
- iii. the cumulative production by species and product form as prescribed in Schedule __ (subject to final format).

Benefits

The inclusion of this amendment into the Conservation and Enforcement Measures will enhance an inspector's ability to determine the quantity of fish on board a given vessel in relation to reported or logged catch and thereby more effectively determine if vessels are operating in accordance with Commission measures.

Rationale

Production logbooks are a common control mechanism required in most jurisdictions and completed, in some form, by all fishing masters. Production logbooks, or records of daily production by species and product type improve the inspector's ability to ascertain product weight on board and, consequently, total round weight taken by a given vessel. During vessel inspections, inspectors must complete two (2) related exercises:

1. Volumetric hold measurements including the application of stowage factors to determine product weight on board.
2. Comparison of his/her determination of product weight (and round weight through the application of conversion factors) with the master's record of catch.

The introduction of production logbooks in the NAFO Conservation and Enforcement Measures will ensure a higher level of accountability with respect to documentation of catch on board a vessel. Presently, inspectors must deal with the many variables associated with reconciling a round weight(s) recorded in fishing logs in relation to a volume of product on board. One of these variables (conversion factors) could be eliminated through the introduction of production logbooks as this would enable inspectors to draw a **direct** comparison between his/her estimation of production and the master's record of production **prior** to the application of appropriate conversion factors

to determine total round weight. Any significant discrepancies could result in the issuance of citations of apparent infringements or product weight discrepancies.

The Canadian proposal will result in a **standard** production record format for a process that is used by all fishing masters that operate in the NAFO Regulatory Area. This standard format will provide inspectors with access to information that will enhance their ability to determine the catch taken by a given vessel.

**Annex 8. Proposal by Denmark (in respect of Faroe Islands and Greenland)
re Stowage of Products**

Catches processed shall be stowed so that each species is stowed separately. Products of the same species may be stowed on several places in the hold, but only when visibly separated from products of other species.

The master shall maintain a stowage plan showing the location of the products in the hold.

Annex 9. Canadian Proposal to Amend the Provisional Monthly Catch Reports

The monthly provisional catch reports for the current year do not include catches of all species that are fished in the NAFO Regulatory Area. Examples are: skate in all divisions in the Regulatory Area and Greenland halibut in Div. 3M.

Catches of these species are included in the annual reports on provisional nominal catches produced in the subsequent year in preparation for the June meeting of the NAFO Scientific Council. Such catches may also be mentioned in the monthly reports of logbook catch statistics for the current year.

The omission of certain catches from the monthly provisional catch reports means that no cumulative total catches by Contracting Party are maintained throughout the year although catches of the omitted species may be significant. High catches of the omitted species may also indicate significant by-catches of regulated stocks.

It is proposed that catch reports for the following species be added to the monthly provisional catch reports for the current year:

Catfish -	3L, 3NO, 3M
White hake -	3NO, 3M
Witch flounder -	3M
Skate -	3L, 3NO, 3M
Flounder NES -	3L, 3NO, 3M
Greenland halibut -	3NO, 3M

Annex 11. Annual Return of Surveillance Information in Compliance with the Hail System

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Annual Return of Surveillance Information in
Compliance with the Hail System
(to be used by Authorities of Contracting Parties
conducting surveillance)

Contracting Party: _____

1. General surveillance record

Number of air hours flown on NAFO patrol	Total number of sightings

2. Surveillance record balanced by Contracting Parties

Contracting Party whose vessels are surveyed in the Regulatory Area	Number of surveillance reports/established with the date, time, position of sightings	Number of surveillance reports which do not correspond with "hail system" reports
Bulgaria		
Canada		
Cuba		
Denmark (on behalf of Faroes & Greenland)		
European Community		
Iceland		
Japan		
Norway		
Poland		
Romania		
Russia		
TOTAL		

Date of Return: _____

Reported by: _____
Address _____

Annex 12. Canadian Proposal re NAFO Observer Scheme

Recommendation

That the Fisheries Commission endorse initiation of a possible international Observer Scheme to monitor fishing by Contracting Party vessels in the NAFO Regulatory Area.

That the Fisheries Commission direct STACTIC to meet as soon as possible following the 1991 Annual Meeting of NAFO to discuss implementation in 1992 of a pilot project to test operation of an international Observer Scheme in the NAFO Regulatory Area.

That STACTIC report to the Fisheries Commission with a report and recommendations for implementation of a pilot project by 31 December 1991.

That the Fisheries Commission assess the operation of the *pilot* project at the 1992 Annual Meeting of NAFO, including the possibility of increasing minimum coverage levels to 15% in 1993 and 20% in 1994.

Benefits of an International Observer Scheme in the Regulatory Area

The use of fisheries observers on board Contracting Party vessels fishing in the Regulatory Area would be a cost-effective method of monitoring compliance with NAFO management decisions and the provisions of the NAFO Conservation and Enforcement Measures.

It would provide a way to obtain biological sampling data from Contracting Party fisheries in the Regulatory Area as required by the Scientific Council.

Principles

Each Contracting Party would be responsible for:

- deploying on their vessels fishing in the Regulatory Area trained individuals to observe fishing operations in accordance with criteria agreed by STACTIC and approved by the Fisheries Commission;
- ensuring that a minimum of 10% of its total estimated fishing effort (days on ground) for 1992 are "observed" in such a way as to ensure coverage across as many NAFO managed stocks and NAFO divisions as possible;
- paying all costs associated with their obligations under the pilot project;
- advising the Executive Secretary of the scheduling and movement of their vessels on which observers are deployed for subsequent transmission to Contracting Parties with an inspection presence in the Regulatory Area;
- tabling with the Fisheries Commission at the 1992 Annual Meeting of NAFO a detailed report assessing the operation of the pilot project on their vessels and outlining administrative and operational problems that should be addressed by the Fisheries Commission.

Functions of the Observers

- To monitor their assigned vessel's compliance with NAFO management decisions and the provisions of the NAFO Conservation and Enforcement Measures.
- To report their observations to Contracting Party authorities and to send a copy of their reports to the NAFO Executive Secretary for onward transmission to Contracting Parties with an inspection presence in the Regulatory Area.
- To conduct biological sampling in accordance with guidelines and a work plan established by the Scientific Council.

Annex 13. Chairman's Proposal re Trial Observer Scheme

STACTIC recommends to the Fisheries Commission that a Trial Observer Scheme be applied, containing following elements:

Duration:	12 months
Vessels observed:	Only vessels from the same Contracting Party as the Observer.
Initiative:	Up to each Contracting Party
Task:	Monitoring compliance with NAFO rules. In addition (if the Contracting Party so prefers) scientific sampling.
Observers' reports:	To be sent only to own Contracting Party.
Coverage:	Up to each Contracting Party
Financing:	NAFO budget
Evaluation:	Each Contracting Party submits a report to NAFO within 2 months after end of trial period. Reports should also address the questions of feasibility and cost-effectiveness.

Annex 14. Canadian Proposal re NAFO Licensing Scheme

Recommendation

That STACTIC endorse implementation of a licensing scheme for vessels of Contracting Parties fishing in the Regulatory Area.

That STACTIC develop the parameters for such a scheme and propose methodology so that Contracting Parties can determine acceptable limitations on the numbers of vessels each Contracting Party should have as a maximum operating in the Regulatory Area, based on quota levels and legitimate fishing possibilities.

Rationale for Licensing Scheme

Licensing schemes are used around the world as fisheries management tools. There are basically two ways a licensing scheme can operate. First, it could just be a means of generating revenue or of collecting statistics on how many vessels are fishing. Secondly, it can be used as a method to control the number of vessels (i.e., limited entry), that have access to a given resource, to a level that can harvest that resource without risk of exceeding quotas.

Article II of the **Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries** notes that:

The Contracting Parties agree to establish and maintain an international organization whose object shall be to contribute through consultation and cooperation to the optimum utilization, rational management and conservation of the fishery resources of the Convention Area.

The concept of licensing is but one of a number of management tools available to manage fisheries resources on a rational basis as stated in the NAFO Convention.

The basic reason for "limited entry" licensing is to balance resource availability with fishing capacity.

Part III, Section D of the Conservation and Enforcement Measures (NAFO/FC Doc. 91/7, Revised) states that each year each Contracting Party shall notify the Executive Secretary of all vessels of that Party of more than 50 gross tons engaged in fishing or in processing of fish in the Regulatory Area. In the past, it appears that many have viewed this as merely an administrative requirement and have dutifully complied by submitting long lists of vessels that **could possibly** fish in that year. However, in many cases, the lists of vessels from a Contracting Party are considerably greater than the number of vessels required to fish their quota.

The presence of, or potential presence of so many vessels from one Contracting Party can lead to considerable overfishing of a particular stock.

Therefore, in order to effectively deal with Article II of the NAFO Convention, STACTIC recommends that the Fisheries Commission approve a licensing scheme to control the number of vessels of any Contracting Party operating in the Regulatory Area each year.

Methodology

Recognizing that each Contracting Party has different size vessels, fishing patterns, etc. each Contracting Party should consider the following in developing a licensing system to limit the number of vessels sufficient to harvest its quotas and consistent with its ability to control its fleet:

- Division of its allocation (of a particular stock) between the various gear types/fleets;
- Establishment of a catch rate for the various vessels and gear types;
- Determination of the appropriate number of vessels with associated periods of time relating to the assigned quotas;
- This information is then forwarded to the Executive Secretary for distribution;
- Inspectors boarding a vessel would confirm that the vessel is fishing in accordance with a license.

Annex 15. Implementation of the Minimum Cod Size (40 cm) for the Regulatory Area

Information on implementation of the minimum cod size (40 cm) in the Regulatory Area presented to the NAFO Secretariat by the EEC was distributed to the Contracting Parties on 15 January 1992 (GF/92-017). In the EEC presentation the following concerns were expressed:

- a minimum size which is only applicable in certain parts of the Regulatory Area would be almost impossible to control;
- consideration should be given to the specific rules which may be required for the implementation of this measure; and, with respect to this:
- a uniform method to be used for measuring the fish;
- it should be decided whether the retention on board of vessels of any undersized fish should be absolutely prohibited or whether it should be permitted as by-catch.

The Contracting Parties were requested to provide their proposals to the NAFO Secretariat no later than 5 February 1992 for presentation of the summary of proposals to STACTIC. As a result, by 7 February comments were received from the EEC only and those comments are attached to this paper.

Directorate-General for Fisheries
XIV/C/3

Dear Dr. Chepel,

Introduction of a minimum 40 cm length for Cod
in the NAFO Regulatory Area

I refer to your letter of 15 February 1992, Ref GF/92-017 seeking the views of Contracting Parties on the implementation of a minimum size for cod in the NAFO Regulatory Area.

I can confirm the Community's position which, as stated at the 13th Annual Meeting is that we fully support the introduction of this measure provided it applies to the whole of the Regulatory Area. To apply it only in certain divisions would not allow for effective control.

Concerning enforcement of minimum fish sizes, the Community takes the view that no tolerance should be allowed. The 40 cm minimum length should be regarded as an absolute minimum and there should be no provision made for permissible "by-catches" of undersize fish.

With regard to measurement used to determine fish size, the Community favours the standard ICES method related to total length, whereby the size of a fish is measured from the tip of the snout to the end of the tail fin.

Yours sincerely,

(original signed by)

A. LAUREC
DIRECTOR

Dr. L. I. Chepel, Exec. Sec.
Northwest Atlantic Fisheries Organization
P. O. Box 638
Dartmouth, Nova Scotia B2Y 3Y9
CANADA

Annex 16. Length Measurements for Fish Resource Appraisal by the Danish Delegation

Fish

Length measurements of fish are standardized into three different methods: Total length, Fork length and Standard length, for definition of these measures see the attached drawings. In resource appraisal studies only the two first methods are applied and total length is used whenever feasible. This is also the case for fish in the North Atlantic and more specific in the NAFO region. ICES and ICNAF in 1965 jointly agreed to use total length except for tunas and salmonids, where fork length is used. The length measurement should be made on fresh fish, fish will shrink when frozen.

Shrimp

Length measurements of shrimps, prawns and nephrops are made on the carapace (see drawing).

Units

Lengths are to be recorded in metric units (m or cm). Further, length is usually recorded to "the centimeter" or "the half centimeter" below, which means that a fish of 20.7 cm is recorded as 20.5 cm when measured to the "half cm below" or 20 cm when measured to the "cm below" and often reported as such. That is for practical reasons when recording data. Cod is recorded to the cm below, but when analyzing for selectivity, the appropriate 1/2 cm is added.

The following pages are copies from two standard text books on marine resource appraisal.

Introduction to tropical fish stock assessment Part 1—Manual

by
Per Sparre
Marine Resources Service
Fishery Resources and Environment Division
FAO Fisheries Department
Rome, Italy

Erik Ursin
Consultant
GCP/INT/392/DEN
Gislinge, Denmark

Siebren C. Venema
Project Manager
GCP/INT/392/DEN
Rome, Italy

FAO
FISHERIES
TECHNICAL
PAPER

306/1

DANIDA



DENMARK
FUNDS-IN-TRUST
GCP/INT/392/DEN

FOOD
AND
AGRICULTURE
ORGANIZATION
OF THE
UNITED NATIONS
ROME 1989

1.5 Definitions of body length

In the present context, "body length" means the average body length of a cohort. Individual fish are not considered in the models. When talking about "the length of an animal" in connection with a model it is always tacitly assumed that it is the "average length of the animals of a cohort". The estimate of average length, however, is derived from averaging the length measurements of individual specimens. The actual measure used for body length is not important as far as the theory behind the growth model is concerned. It is common practice to use the "total length" measured to the "nearest unit below" unless anatomical details make it not practicable (see Fig. 1.5.1). "Fork length" may be used for fish with stiff caudal fins (tunas) or special fin shapes (Nemipteridae). The "standard length" is not recommended for length frequency sampling. Ron or Barry

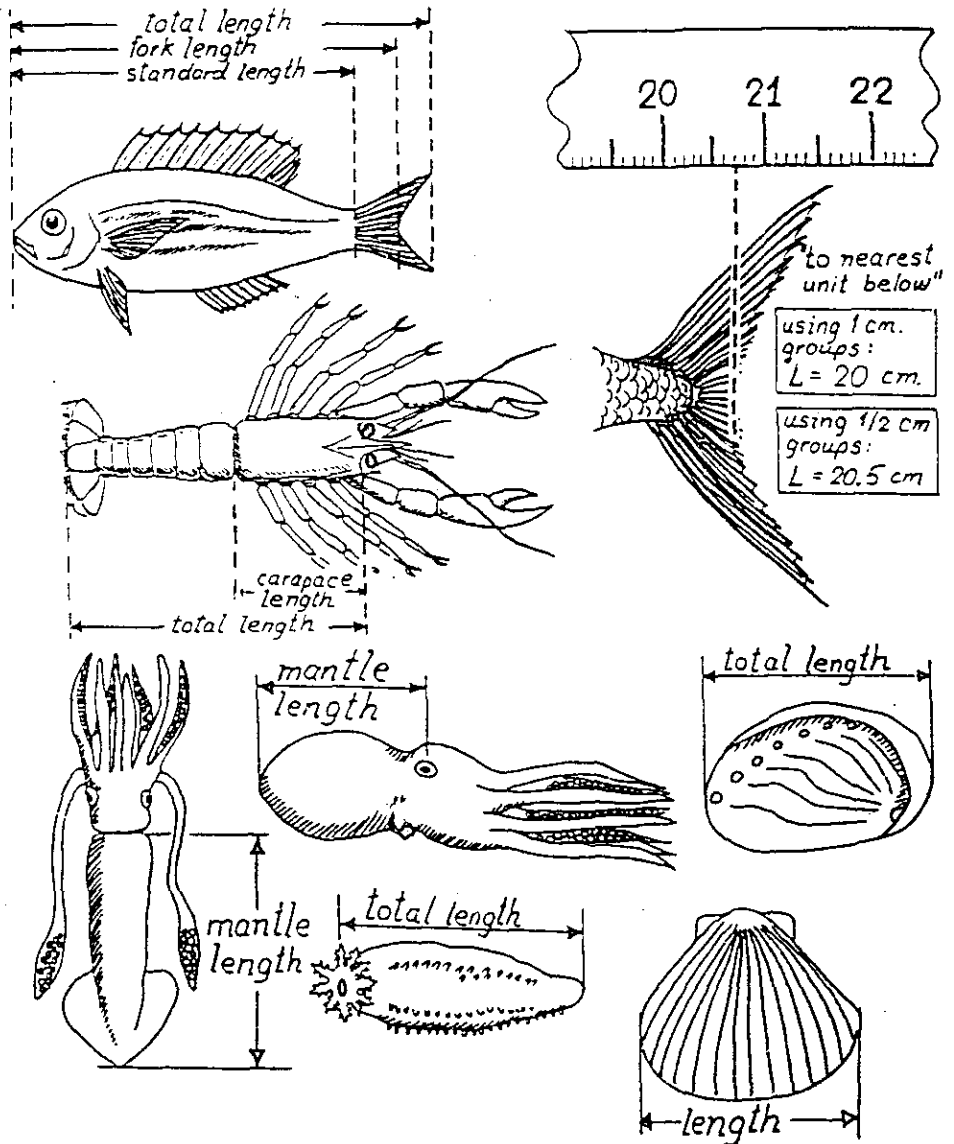


Fig. 1.5.1 Definitions of body length

Annex 17. Concluding Remarks by the Canadian Delegation

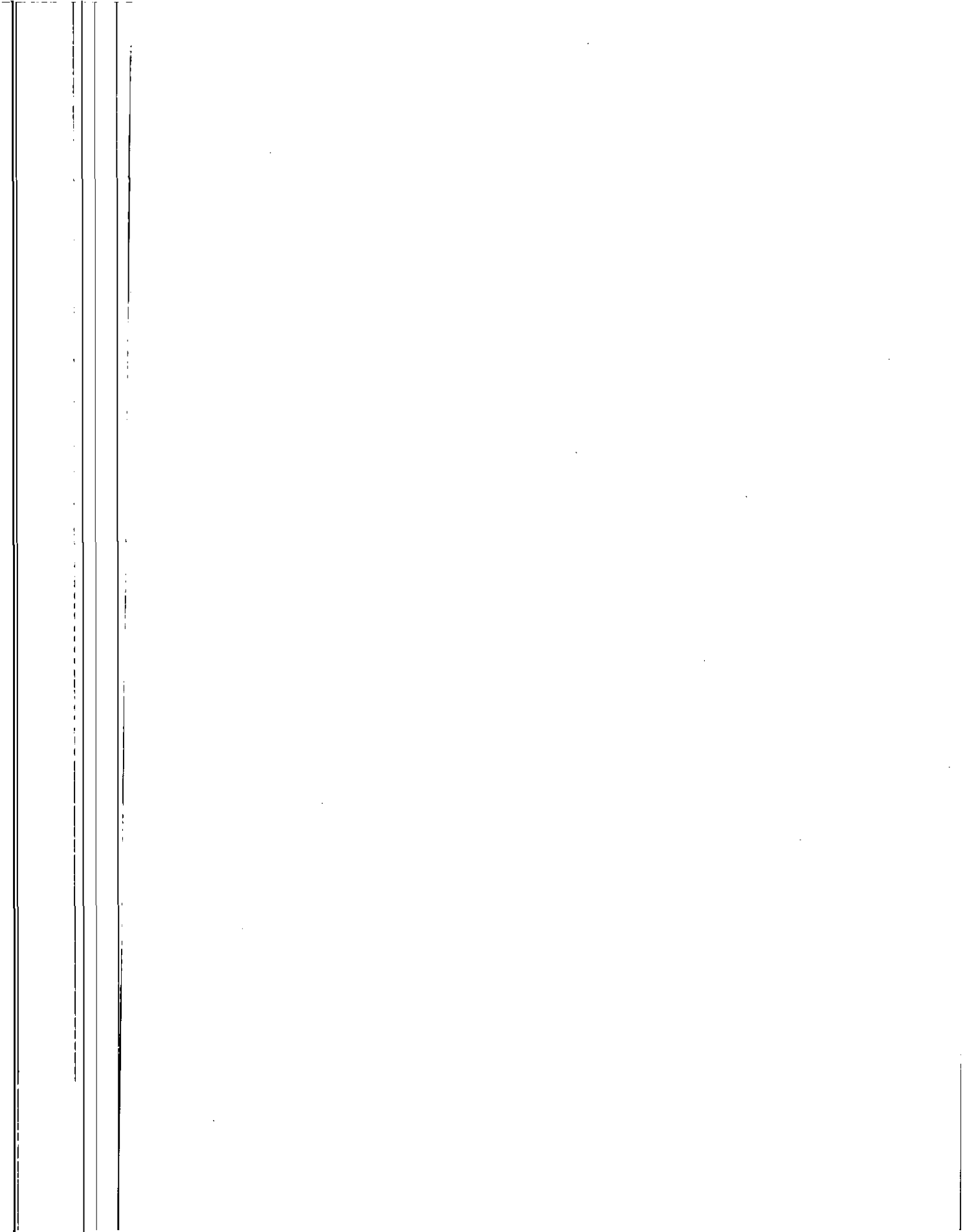
For the most part we have had very constructive discussions of the various papers and issues that have been tabled at the meeting. I would particularly like to express our appreciation to you Mr Chairman for your efforts to focus our discussion and point to relevant issues and identify where there may be common views. We have examined both points of principle and technical aspects. It has been a useful meeting but I must express Canada's concern that we have failed to recognize the very real urgency of the issues we are discussing. Last June and at the annual meeting our scientific colleagues issued a warning and a challenge. They concluded that unreporting and misreporting of catches are so prevalent that they are no longer able to conduct proper scientific assessment of NAFO managed stocks. What they were certain of was the depletion of fish stocks is continuing. The state of 3M cod is particularly relevant indeed our current mandate very much reflects the decision of the Fisheries Commission in 1990 where it agreed to lift the moratorium. The decision to do so was contingent on the implementation of more effective surveillance and control measures.

STACTIC was instructed to proceed with immediate action on designing a hail system which was originally to be in place in January of 1991. We were also told to consider a number of longer term measures. In 1991 several further NAFO quotas were further reduced and I have mentioned the Scientific Council has highlighted what was in effect a control problem.

Despite real efforts to make the existing system work estimates of catches in the Regulatory Area for 1991 by Canadian surveillance authorities suggest that no real reduction has occurred. As you all know this is a problem which Canada's Minister of Fisheries and Oceans has been raising and highlighting in the International forum for the last little while. We therefore are concerned about the lack of urgency which perceive to find ways and means to introduce additional measures which will address this serious problem.

Canada is not wedded to any of our proposals we are conscious that there may be various ways to achieve the same management objectives. In our view a package approach can serve to address the various constraints which different Contracting Parties face. Obviously real effort limitation will greatly reduce the cost involved in the control problem for the remaining vessels. The cost of a 10 percent observer coverage depends on whether you have 149 vessels or a number which more approximates the resources available. But effort limitation as one of our colleagues has observed has significant political dimensions. For this reason we accept that any NAFO licensing system must have some flexibility and we recognize the competence of Contracting Parties. We are and continue to be always open to alternate suggestions. In a couple months time we will be advising our heads of delegations at the Special Fisheries Commission meeting which Canada has requested to provide for an authoritative debate and to make decisions on effective International Control Measures, decisions which we have not been able to make here today or this week.

Canadian stock holders, Canadian industry, Canadian government, Provincial government, are all watching NAFO very closely and we recognize that the effectiveness of International bodies is improved by slow gradual incremental steps, but our patience is running out and the special meeting must produce some concrete results. Thank-you.



SECTION II

(pages 73 to 124)

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Report of the Meeting of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC)

Dartmouth, Nova Scotia, Canada, 7-9 April 1992

1. Opening of the Meeting

- 1.1 The fourth meeting of the Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) was held at NAFO Headquarters in Dartmouth, Nova Scotia, Canada through 7-9 April 1992 under the chairmanship of C. Southgate (EEC).
- 1.2 The following Contracting Parties were present: Canada, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, Poland and the Russian Federation (Russia) (Annex 1).
- 1.3 The Chairman welcomed delegates and asked for nomination of a rapporteur; A. Donohue (Canada) was appointed Rapporteur.
- 1.4 The agenda was adopted as previously circulated (Annex 2).

2. National Reports on Fishing Activities of Vessels of Non-Contracting Parties in the Regulatory Area (including details on the type, flag of vessels and reported or estimated catches by species and area)

- 2.1 The Canadian representative tabled Canada's report (Annex 3) and presented its highlights. She pointed out that there were no sightings in 1991 of vessels from the Cayman Islands, Mexico, the USA or Chile. She also drew attention to Table II that indicates that many vessels sighted in 1991 had already been sighted in 1992. Estimated catches by Panamanian flag vessels continued to be very high.
- 2.2 In response to an inquiry by the representative of Japan, the Canadian representative informed the meeting that the absence of USA vessels from the Regulatory Area in 1991 might have resulted from the fact that the two USA companies that had fished in the Regulatory Area had gone bankrupt. There had been no indication that the USA had prohibited fishing by its vessels in the Regulatory Area.
- 2.3 The EEC representative commented that fishing activity in the Regulatory Area by non-Contracting Parties continued to be a threat to conservation. The absence from the Regulatory Area in 1992 of vessels from certain countries could have resulted from the demarches undertaken in July 1991 but these were not entirely successful as Venezuelan, Panamanian and Korean vessels continued to operate in this Area. On a more positive note, Panama had de-registered two trawlers but further follow-up would be needed. The EEC representative provided an overview of its report (Annex 4) which represented sightings in the Regulatory Area by the EEC inspection vessel.

- 2.4 In response to the Chairman's comment that certain vessels were reported under the flags of more than one country, the Canadian representative indicated that she would seek confirmation of the sightings information provided by Canada. The Chairman suggested it would be necessary to cross check between Canadian and EEC lists.

3. Consideration of Statistics Submitted by Contracting Parties on Their Imports of Groundfish Species Regulated by NAFO From Non-Contracting Parties Whose Vessels Fish in the Regulatory Area

- 3.1 The Canadian representative tabled a report (Annex 5) on relevant imports into Canada for 1991. She explained that it updated the previous statistics to September 1991 that had been attached to the Executive Secretary's letter GF/92-010 of 9 January 1992. The report indicated that imports of sole from Korea were down to 157 tons from 980 tons in 1990. These imports went mostly into the provinces of Ontario and Quebec. No conclusion could be drawn from the reduction. She said imports from the USA had not been included in the Canadian report since the USA had not fished in the Regulatory Area in 1990 and 1991. USA import statistics were available and showed the USA imported cod and flatfish mostly from Korea.
- 3.2 The Chairman noted that Cuba, Russia, the Faroes and Greenland reported to the Executive Secretary that they do not import fish species caught in the Regulatory Area from non-Contracting Parties whose vessels have been sighted in this Area. Japan imports fish from Korea and the USA but does not distinguish between those caught in the Regulatory Area and elsewhere. The Japanese representative explained that the figures tabled by Japan (Annex 6) were official import statistics and were not exact figures for the North Atlantic, e.g., redfish imports from Korea could have originated in either the Atlantic or Pacific. Similarly, there was no way to determine if fish imported from the USA were caught in the Regulatory Area.
- 3.3 The EEC representative stated that a similar caveat applied to EEC statistics. Certain deductions could be made from the statistics, e.g., where else would Maltese catches of witch and yellowtail have come from besides the Northwest Atlantic? The Chairman commented that the statistics were a useful indication of where products caught in the Regulatory Area by non-Contracting Party vessels were being landed.
- 3.4 The EEC representative highlighted the EEC's report (Annex 7) on imports from non-Contracting Parties fishing in the NAFO Regulatory Area. He pointed out that it included statistics for fresh, frozen and whole fish but not fillets. He also indicated that while there was no conclusive proof, the statistics pointed to a link between landings and sightings in the Regulatory Area. The Canadian representative agreed and added that imports of salted fish from Panama might also usefully be included in the reports. It was clear to her that certain patterns emerged when the statistics were viewed as a whole. The EEC representative agreed and added that the exercise confirmed that solutions were needed to end the threat to conservation posed by non-Contracting Party effort in the Regulatory Area.

4. National Reports on the Results of the Aide-Memoire (for Joint Diplomatic Demarches) Dispatches to Non-Contracting Parties and Proposals for Follow-up Action

- 4.1 The Chairman pointed out that replies from non-Contracting Parties and the results of other contacts should be reviewed, in addition to any action taken by non-Contracting Parties in relation to undertakings.
- 4.2 The EEC representative reported on its initiatives as follows:

Panama

Following the NAFO demarche Panamanian authorities had issued a decree banning fishing by its vessels in the Regulatory Area with sanctions for non-compliance. The application of such sanctions should be monitored. Panamanian catches in the NAFO Regulatory Area in 1991 were estimated to be substantial. Further follow up was needed.

Venezuela

NAFO had received a positive reaction to its initiative and authorities had warned Venezuelan vessels to refrain from fishing in the NAFO Regulatory Area and other waters managed by international conservation organizations under threat of withdrawal of license. Although only a limited quantity of cod was estimated to have been taken by Venezuelan vessels their activities continued and follow up was needed.

Cayman Islands

The EEC had approached UK authorities concerning activities of the Marsopla and were informed that its licence had been withdrawn. UK authorities had indicated that henceforth only Cayman nationals would be permitted to register vessels there. The vessel had subsequently registered in Panama.

USA

On behalf of NAFO, the EEC had made a high level demarche in Washington. The USA had indicated that its vessels had taken only 3 000 tons in 1989 and the USA was considering joining NAFO. No USA vessels had fished in the Regulatory Area in 1991.

Korea

Korea had reported catches of 24 000 tons of various species in the Regulatory Area in 1990.

Malta

Maltese authorities said they did not know that one of their vessels had been fishing in the NAFO Regulatory Area and would be prepared to withdraw its license. Its activities had not been significant.

St. Vincents and the Grenadines

There had not been a positive response from authorities who simply took note of the problem.

- 4.3 The EEC representative concluded that Korea and Panama appeared to be the biggest problem.
- 4.4 The Chairman stated that whilst no further action would be needed with respect to the Cayman Islands and Malta, Contracting Parties would have to approach Korea, Panama and Venezuela again.
- 4.5 The Canadian representative stated that the responses to the EEC's efforts were consistent with those elicited by Canada, and reported on Canada's efforts as follows:

Panama

Canada had made a joint demarche in Brussels with the EEC. In its bilateral efforts Canada had provided photos and computer generated data to Panamanian authorities who undertook to impose sanctions and had de-registered 2 vessels. They had been provided with evidence in respect of 10 vessels. Follow-up would be needed. Canada's Minister of Fisheries and Oceans, was going to Panama on 10 April 1992 and would meet with Panamanian Ministers. The outcome of his visit would be shared with NAFO Contracting Parties.

Venezuela

A follow up demarche could include surveillance data to assist Venezuela to carry out measures it had undertaken in response to the first demarche.

Korea

Bilateral contacts disclosed the complexity of the situation. Korea Licensed 5 vessels to fish in the Regulatory Area - 3 Korean and 2 Panamanian. Korean authorities had stated that one vessel, thought to have been Korean, was owned and predominantly crewed by Moroccan nationals. Korea had undertaken to withdraw 1 of the 5 licenses by June 1992 and another in 1993. Similar promises had been made before without result and there was no guarantee that vessels whose licences had been withdrawn would not continue to fish in the Regulatory Area. Korea had reported 22 967 tons had been caught in the Regulatory Area in 1991 (Canada's estimate was 24 200 tons), mainly redfish and sole and a small amount of cod. However, neither the number of vessels nor total catches had been substantially reduced from previous years.

Honduras

One vessel with a Korean crew had been sighted. A demarche should therefore be made to Honduras.

Morocco

If the vessel thought to have been Korean was Moroccan, a demarche should be made to Morocco.

St. Vincents and the Grenadines

It appeared that the vessel that had been flying the St. Vincent flag had been reflagged to Sierra Leone.

Sierra Leone

It appears that Sierra Leone had become a "fallback" flag for Korean vessels. A demarche should therefore be made to Sierra Leone.

Cayman Islands, Malta, USA

No vessels of these states had been sighted. The USA was taking steps to enable it to join NAFO should it choose to do so. It was not clear what the USA decision would be.

- 4.6 A brief discussion ensued regarding Korean licensing procedures. It was agreed that Korea did not exercise effective control over the activities of its nationals in the Regulatory Area.
- 4.7 The Japanese representative reported that Japan had received a reply from Korea in January 1992 indicating that Korea would withdraw 1 vessel from the NAFO Regulatory Area by June 1992 and would limit the future sending of crew for replacement of crew on board the 5 vessels currently fishing under Korean license in the Area, including the 2 reflagged vessels.
- 4.8 The representative of Denmark supported the idea of new diplomatic demarches to non-Contracting Parties, and proposed to develop new texts of Aide-Memoires for such countries as Panama, Venezuela, and Korea, and to send the Aide-Memoires along the lines of the old text to new countries fishing in the Regulatory Area.
- 4.9 Further discussion followed on the Korean problem. The Executive Secretary drew attention to the fact he had not received any communication from Korea. The EEC representative suggested that the NAFO demarche should be followed up bilaterally in order to demonstrate to Korea the importance the Contracting Parties attach to the problem. He suggested Contracting Parties carry out a joint initiative before the Annual Meeting. He also said Panama and Venezuela should be approached again to express concern at the lack of action. He suggested the new joint demarches should contain stronger language. It was agreed new demarches would be made. A drafting group was asked to prepare a set of demarches to the new non-Contracting Parties whose vessels had been sighted for the first time in 1991 and 1992, second round texts for Panama and Venezuela and a text for Korea that expressed concern with Korea's practice of licensing vessels to fish in the Regulatory Area.

- 4.10 Drafts produced by a working group comprising representatives from Canada, Japan and the EEC were discussed as they became available throughout the meeting. It was agreed that the demarche to Morocco would be held in abeyance to be executed only if a Moroccan vessel reappeared in the Regulatory Area in 1992. Canada undertook to inform the Executive Secretary of such sighting.
- 4.11 The Executive Secretary undertook to circulate the agreed texts (Annex 8) to Contracting Parties for comments and approval by mail vote and indication as to which non-Contracting Parties each would agree to approach. The meeting unanimously requested the Executive Secretary to handle the matter expeditiously. It was agreed that on the basis of brief reports by Contracting Parties to the Executive Secretary, the Rapporteur would prepare a draft report on the results of the demarches.

5. Report by the Executive Secretary on his Contacts with Non-Contracting Parties Regarding Fishing by Their Vessels in the Regulatory Area

- 5.1 The Executive Secretary indicated that his report (Working Paper 92/1) contained a full account of his activities on this subject. The Moroccan vessel referred to earlier had not been sighted in the Regulatory Area in 1992. It had been indicated that the owner had been reprimanded by Moroccan authorities and would not be authorized to return in 1992. Finland and Estonia had sought information on providing the Finnish flag to Estonian vessels to fish in the Regulatory Area. The Executive Secretary had sent letters to the Finnish agent and to the Finnish Ambassador to Canada explaining the role of NAFO and discouraging these plans.
- 5.2 In the discussion that followed it was noted that it was evident that non-Contracting Party vessels were supplying fish for sale in Contracting Party markets. The representative of Denmark restated that Denmark does not supply its market with fish product from non-Contracting Parties fishing in the Regulatory Area. He further suggested that NAFO needs some sort of "brain storming" for elaboration of positive suggestions and ideas to deal with this problem.

6. Examination of Methods of Improving the Reporting of Catches, Transshipment, etc., and Landings from the Regulatory Area by Non-Contracting Parties

- 6.1 The Chairman opened the discussion, pointing out that the catch estimates tabled by Canada gave a starting point for consideration of the volume of catches of each non-Contracting Party and import data from non-Contracting Parties was also available for some Contracting Parties. While there was no direct evidence to show how much of the cod the EEC, for example, imported from Panama had been caught in the NAFO Regulatory Area, it seemed probable that most Panamanian cod did in fact come from the NAFO Regulatory Area. It was noted that flag of convenience non-Contracting Parties probably did not collect catch statistics for their vessels fishing in the Regulatory Area and therefore could provide none. It was agreed that while caution should be exercised not to confer legitimacy on the activity of non-Contracting Party vessels in the Regulatory Area, non-Contracting Parties should be asked to fulfil their Law of the Sea obligation to cooperate in the provision of statistics.

- 6.2 The Canadian representative pointed to the need to improve information on transshipment. For example, it would be useful to receive statistics on transshipment through St. Pierre and Miquelon. The EEC representative agreed that a standard format including information on transshipment would be desirable. The EEC would check its import statistics for imports from St. Pierre and Miquelon.
- 6.3 At the suggestion of the Canadian representative it was agreed to compile all statistical data into a single document showing each non-Contracting Party's vessels, total catches in the Regulatory and corresponding imports by Contracting Parties (Annex 9). This document would be appended to the Committee's report to the General Council and could, in addition to providing an overview of non-Contracting Party activity, prove useful to the work of the Scientific Council.

7. Examination of Options Open to Contracting Parties to Dissuade Their Nationals from Fishing in the Regulatory Area Under Non-Contracting Party Flags and to Discourage Such Activities Where They Are Currently Taking Place

- 7.1 The Canadian representative reported that Canada would make efforts to include in any future relevant legislation measures to deal with the problem should it arise with respect to Canadian vessels. It had not hitherto been a problem in Canada. Canada had been involved in recommending that provisions addressing this problem be included in the new North Pacific anadromous species convention, in the NASCO convention and in the Living Marine Resources text being developed in the UN Conference on Environment and Development. The Chairman offered the view that this subject was at the heart of STACFAC deliberations.
- 7.2 The EEC representative agreed that this was an increasingly important issue that was also being considered in NASCO and ICCAT. While it was a priority for the EEC, it was not an easy problem to solve and posed serious impediments to the implementation of the EEC fisheries policy. The EEC was examining ways of preventing nationals of its member states from contravening conservation regulations since under the UN Convention on the Law of the Sea (UNCLOS) states were responsible for controlling the activities of their nationals.
- 7.3 The Danish representative agreed that states had to control their nationals and reported that Denmark had unsuccessfully tried to solve the problem in the NASCO context.
- 7.4 The Canadian representative suggested that one way to deal with the problem would be to withdraw fishermen's privileges such as port access. Delegates agreed that effective domestic solutions would have to be found.

8. Examination of Landing Declaration System to Collect Data on Landing of Catches by Non-Contracting Party Vessels in the Regulatory Area (for possible implementation in 1992)

- 8.1 Discussion opened with a review of the purpose of the paper annexed to the EEC proposal (Working Paper 92/26 at the 13th Annual Meeting) - whether it was intended to record the volume of imports into the territories of Contracting Parties for

statistical purposes alone or to provide a record of non-Contracting Party vessel catches in the Regulatory Area to establish a link to the point of importation.

- 8.2 In response to the Danish delegate's concern that inclusion of the word "statistical" in the title of the form could be misinterpreted as an indication that the form is unimportant, it was agreed to amend the form by inserting an explanation into the first footnote. (Annex 10)
- 8.3 Discussion also focussed on which domestic authorities would be responsible for administering the system. It was noted that the form was drafted with customs administration in mind but that fisheries inspectors could also be involved if necessary.
- 8.4 With respect to its scope, it was agreed the declaration would be required only of non-Contracting Party vessels whose flag state had not provided catch statistics to NAFO.
- 8.5 With respect to implementing the system, the EEC representative explained that to be effective given its purpose, the system should be simple, non-discriminatory and be used to document the link between non-Contracting Parties fishing in the Regulatory Area and the species being caught. The Canadian representative added that another crucial link was the point of landing. She concluded that the meeting should agree on a common understanding of the purpose of the declaration. Contracting Parties should consult domestic authorities on how to implement the system and distribute the form to those who will be asked to submit it.
- 8.6 Discussion on potential problems posed by transshipment elicited comments that:
- fish are the product of the flag state of the vessel;
 - the master of the vessel that catches the fish must fill out the form, sign it and it must accompany the shipment into the Contracting Party port;
 - if the form is not filled out by the master of the catcher vessel, the master of the transport vessel would fill it out to present on landing;
 - customs authorities should have no difficulty in dealing with transshipment;
 - Japan does not generally permit direct landings by foreign vessels in its ports and transshipments must be reloaded in port, not at sea. Thereupon the fish are considered the product of the country where they were reloaded.
- 8.7 On scope and implementation it was suggested that,
- no system is perfect; STACFAC should try to recommend the best possible system that will work;
 - since there will be no trade penalties for reporting catches from the Regulatory Area, there will be no incentive to evade producing the landing declaration;

- product coverage should include raw fish and processed products to the frozen fillet stage;
- trade between non-Contracting Parties would not be captured;
- the system could be a useful tool for management and cooperation in the NAFO Regulatory Area; if adopted the system would be a NAFO obligation and should be implemented by all Contracting Parties;
- if the General Council adopts the recommendation to implement the system, this would be communicated to the non-Contracting Parties that had not provided requested statistics;
- the system should be consistent with international law and the GATT, should not disrupt trade and should simply be used to collect statistical information for a clear conservation purpose.

9. Preparation of Comprehensive Report to the General Council and Recommendations on Measures to Resolve the Problem

- 9.1 The Committee discussed the text of a draft report to the General Council prepared by the Chairman and agreed that the Chairman prepare a revision including comments of the Contracting Parties (Annex 11). This was a first attempt at the outline of a Report and will be subject to correction and revision in the light of an analysis of catch estimates and import data (Annex 9) and of further information which might become available at the next STACFAC meeting. The report sets out clearly the information gathered to date, the need for further work, areas of agreement between the parties and current undertakings. The report will be finalized at the next STACFAC meeting in September, once the second round of diplomatic representations has been completed. Canada agreed to prepare a compilation of non-Contracting Party catches and Contracting Party import statistics and draw any apparent inferences.

10. Other Business and Adjournment

- 10.1 There being no other business the meeting adjourned at 1240 hrs on 9 April 1992.

Annex 1. List of Participants

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NAFO SECRETARIAT

L. I. Chepel, Executive Secretary

T. Amaratunga, Assistant Executive Secretary

B. Cruikshank, Senior Secretary

Annex 2. Agenda

1. Opening by the Chairman, C. C. Southgate (EEC)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. National reports on fishing activities of vessels of non-Contracting Parties in the Regulatory Area (including details on the type, flag of vessels and reported or estimated catches by species and area)
5. Consideration of statistics submitted by Contracting Parties on their imports of groundfish species regulated by NAFO from non-Contracting Parties whose vessels fish in the Regulatory Area (including details on the quantities by species landed, transhipped and countries and ports through which the product may be shipped)
6. National reports on the results of the Aide-Memoire (for joint diplomatic demarches) dispatches to non-Contracting Parties and proposals for follow-up action
7. Report by the Executive Secretary on his contacts with non-Contracting Parties regarding fishing by their vessels in the Regulatory Area
8. Examination of methods of improving the reporting of catches, transshipments, etc. and landings from the Regulatory Area by non-Contracting Parties
9. Examination of options open to Contracting Parties to dissuade their nationals from engaging in fishing activities in the Regulatory Area under non-Contracting Party flags and to discourage such activities where they are presently taking place
10. Examination of a landing declaration system to collect data on landing of catches by non-Contracting Party vessels in the Regulatory Area (for possible implementation in 1992)
11. Preparation of a comprehensive report to the General Council and recommendations on measures to resolve the problem
12. Other business
13. Adjournment

Annex 3. Canadian Report on Non-Contracting Parties Fishing Activities in the NAFO Regulatory Area - 1991

1.0 Introduction

This report examines the activities of NAFO non-Contracting Party vessels that fish groundfish species in the NAFO Regulatory Area. The report attempts to distinguish between "non-Contracting Party vessels", such as those from Korea or the USA and reflagged vessels, generally crewed by western Europeans.

The information sources for this report are Canadian air surveillance and courtesy boardings¹ conducted by Canadian officials on non-Contracting Party vessels. Catch reports to NAFO are used in the case of USA vessels.

2.0 Fleet Profile

During the 1985-91 period, approximately 200 NAFO Contracting Party vessels fished groundfish in the Regulatory Area on an annual basis. By comparison, the annual presence of non-Contracting Party vessels increased from 11 in 1984 to 35 - 45 for the 1985 - 91 period. Table 1 provides a full summary of groundfish vessels for the 1985-91 period.

TABLE 1. Number of vessels fishing for groundfish in the NAFO Regulatory Area from 1985 to 1991.

	Year						
	1985	1986	1987	1988	1989	1990	1991
Contracting Parties - Total	191	196	182	179	198	218^b	220^{a,b}
Caymen Islands	1	1	1	1	1	1	0
Honduras	0	0	0	0	0	0	1
Korea	1	1	1	3	5	6 ^c	3
Mauritania	0	1	0	1	1	0	0
Malta	0	0	0	0	1	1	0
Morocco	0	0	0	0	0	0	1
Panama (Korean crewed)	4	3	4	5	5	2	2
(European crewed)	4	5	8	15	19	22	23
Mexico/Chile	6	4	6	4	0	0	0
Sierra Leone	0	0	0	0	0	0	1
St. Vincents	0	0	0	1	1	1	1
USA	14	15	9	11	14	9	0
Venezuela	0	0	0	0	0	2	2
Non-Contracting Parties - Total	30	30	29	41	47	44	34
TOTAL	221	226	211	220	245	262	254

^a Preliminary data.

^b Excludes thirteen (13) and nine (9) Norwegian vessels that fished exclusively for capelin in 1990 and 1991 respectively.

^c May include a squid fishing vessel registered in Taiwan (Hes Wen No. 1).

¹ Non-Contracting Party vessels are not subject to NAFO Conservation and Enforcement Measures and, therefore, are not required to permit NAFO inspectors on board.

The 1991 non-Contracting Party fleet included 25 crewed by Western Europeans (6 pair trawlers, 13 single trawlers) and 9 crewed by Koreans. No USA groundfish vessels¹ were sighted in the NAFO Regulatory Area during 1991.

Table 2 provides a list of non-Contracting Party vessels and crew nationalities that fished in the NAFO Regulatory Area in 1991.

TABLE 2. Non-Contracting Party vessels and crew nationalities that fished in the NAFO Regulatory Area during 1991.

Western European	Korean	USA
Colombo III - Panama	Marsopla - Panama	NIL
Columbo IV - Panama	Peona #9 - Panama	
Columbo V - Panama	Golden Venture - Korea	
Columbo VI - Panama	Puk Yang II - Korea	
Columbo VII - Panama	Sam Won Ho - Korea	
Columbo VIII - Panama	Great Splendor - Sierra Leone	
Anita I - Panama	Hao Quang #3 - St. Vincent's	
Elly I - Panama	Danica - Honduras	
Pescamex III - Panama	Ein Chanech - Morocco	
Pescamex IV - Panama		
Pescagel - Venezuela		
Bacanova - Venezuela		
Alpes II - Panama		
Leone - Panama		
Santa Joana - Panama		
Cidade de Aveiro - Panama		
Espadarte - Panama		
Porto Santo - Panama		
Amazones - Panama		
Classic Belair - Panama		
Tierra de Lemos - Panama		
Porto de Aveiro - Panama		
Rio Gabriel - Panama		
Leone III - Panama		
Izarra - Panama		

¹ Prior to 1985, there were no observations of USA groundfish vessels in the NAFO Regulatory Area. Since 1985, an average of 12 USA vessels have been sighted in the NAFO Regulatory Area on an annual basis. This average is believed accurate. However, due to the nature of fishing trips (4-6 days in the NAFO Regulatory Area) and air surveillance deployment strategies, it is conceivable that the average could be higher.

3.0 Catch Statistics

3.1 Method of determining catch statistics

In the absence of catch reports to NAFO, the catch statistics for each non-Contracting Party are obtained from logbooks/verbal conversations with masters during courtesy boardings combined with an estimate for non-inspected periods. Estimated statistics represent a "best estimate" of vessel activity and catches.

The catch estimate methodology involves four (4) basic procedures:

- 1) Calculation of Total Logged Catch and Effort obtained during courtesy boardings on a nation by nation basis for all NAFO divisions and species. This provides the total "logged" catch for each nation, as well as blended or overall year-to-date catch rates for each fishery.
- 2) Calculation of Effort not obtained during courtesy boardings on a vessel by vessel basis through the application of formulas that estimate effort between surveillance sighting dates. This effort calculation is then summarized by nation to provide total estimated effort by division for non-inspected periods.
- 3) Calculation of Non-Inspected Catch through the application of the blended catch rates calculated in Procedure I applied to the non-inspected effort calculated in Procedure II to provide estimated catch on a nation, division and species basis.
- 4) Combination of "Logged" and Estimated Catch and Effort to provide total catch and effort by nation, division and species.

NOTE: Present sighting ratios for fishing vessels are once for each 12 days fished in the NAFO Regulatory Area. The formulas calculate effort on the basic assumption that vessels have remained in the Regulatory Area between sighting dates. This assumption is consistent with comparisons drawn between sighting dates and inspected catch records. Additionally, the formulas reduce effort by 15% to account for fishing vessel downtime.

3.2 Overview - 1991

During 1991, 254 groundfish vessels fished in the NAFO Regulatory Area. Eight of these nations are NAFO Contracting Parties and accounted for 220 vessels. Seven (7) non-Contracting Parties accounted for the remaining 34 groundfish vessels.

In 1991, it is estimated that non-Contracting Parties caught 47 300 tons of groundfish consisting of 11 600 tons of cod, 17 050 tons of redfish, 11 650 tons of flounder, 6 150 tons of Greenland Halibut and 850 tons of various other species. Tables 3 and 4 give a breakdown of catch for each non-Contracting Party which fished in the NAFO Regulatory Area in 1991.

TABLE 3. Groundfish catches of non-Contracting Parties in the NAFO Regulatory Area in 1991.

Non-Contracting Parties	No. of vessels	Effort (days)	Catch (tons)	C/R
Honduras	1	225	4 000	17.7
Korea	3	550	7 400	13.4
Morocco	1	60	600	10.0
Panama - European	23	2 200	22 000	10.0
- Korean	2	400	7 000	17.5
Sierra Leone	1	225	3 200	14.2
St. Vincents	1	200	2 000	10.0
Venezuela	2	125	1 100	8.8
Sub-Total (European)	25	2 300	23 100	10.0
(Korean)	9	1 700	24 200	14.2
Overall Total	34	4 000	47 300	11.8

TABLE 4. Groundfish catches (by species) of non-Contracting Parties in the NAFO Regulatory Area in 1991.

Non-Contracting Parties	Estimated catch (tons)					Total
	Cod	Redfish	Flounder	Greenland halibut	Other	
Honduras	200	3 200	600			4 000
Korea	600	3 750	2 850	50	150	7 400
Morocco			600			600
Panama - European	9 200	4 800	1 400	6 100	500	22 000
Panama - Korean	100	2 300	4 500		100	7 000
Sierra Leone	300	1 500	1 350		50	3 200
St. Vincent's	100	1 500	350		50	2 000
Venezuela	1 100					1 100
Total	11 600	17 050	11 650	6 150	850	47 300

Explanatory Notes:

Catch information is generally provided verbally by master(s) and, therefore, the separation of catches on a divisional basis cannot always be completed accurately. In 1991, it is believed that

all (95%) flounder catches were taken in Div. 3N and 3O, cod catches were primarily (60 - 70%) from Div. 3L and 3M, Greenland halibut catches were primarily (90%) from Div. 3L and redfish catches were split between Div. 3L, 3M and 3N.

3.3 Catch Overview - 1984-91

Since 1984, there has been an increase in the amount of effort by all nations fishing in the NAFO Regulatory Area. Non-Contracting Party activity increased dramatically from 840 days in 1984 to 4 400 days in 1990 and 4 000 days in 1991. Non-Contracting Party catches increased from 12 000 tons in 1984 to 30 000 tons in 1987, 46 800 tons in 1990, and 47 300 tons in 1991.

From 1984 to 1991 Non-Contracting Parties used an average of 33 fishing vessels per year in the NAFO Regulatory Area. These vessels fished for an average of 2 760 days catching approximately 31 200 tons of groundfish, an average catch per day of 11 tons (Table 5). Except for 1986, the estimated groundfish catches have increased in every year during the 1984-91 period.

The yearly average of 31 200 tons of groundfish caught by non-Contracting Parties consisted of a yearly average of 7 700 tons of cod, 13 200 tons of redfish, 8 200 tons of flounder, 1 200 tons of Greenland halibut, 870 tons of various "other" species.

TABLE 5. Fishing activity of Non-Contracting Parties fishing in the NAFO Regulatory Area from 1984 to 1991.

Year	No. of different vessels	Estimated effort (days)	Estimated catch (tons)
1984	11	840	12 000
1985	30	1 730	23 500
1986	30	2 030	19 300
1987	29	2 640	29 400
1988	41	3 130	35 200
1989	47	3 290	35 400
1990	44	4 420	46 800
1991	34	4 000	47 300

TABLE 6. Groundfish catches (by species) of non-Contracting Parties in the NAFO Regulatory Area from 1984 to 1991.

Year	Estimated catch (tons)					Total
	Cod	Redfish	Flounder	Greenland halibut	Other	
1984	3 800	0	8 200	0	0	12 000
1985	7 100	500	15 300	0	600	23 500
1986	4 500	0	14 600	0	200	19 300
1987	5 400	20 900	3 100	0	0	29 400
1988	7 800	23 500	3 000	0	900	35 200
1989	5 900	24 000	4 500	0	1 000	35 400
1990	15 400	19 400	5 300	3 300	3 400	46 800
1991	11 600	17 050	11 650	6 150	850	47 300

3.3.1 USA

From 1984 to 1990 an average of ten (10) USA vessels per year fished in the NAFO Regulatory Area. These vessels averaged 320 fishing days and 2 785 tons of groundfish (primarily flounder species) per year over the seven (7) years. No USA groundfish vessels were observed in 1991. Attachment I outlines USA fishing activity for 1984-90.

3.3.2 St. Vincents (Korean crew)

A St. Vincent's-registered vessel fished in the NAFO Regulatory Area during the 1988-91 period catching an average of 2 300 tons of groundfish in 150 days.

3.3.3 Cayman Islands (Korean crew)

From 1984 to 1990 one (1) vessel (Marsopla) fished in the NAFO Regulatory Area catching an average of 2 700 tons in 170 days. In 1991, the Marsopla transferred registry to Panama.

3.3.4 Korea

During the years 1984 to 1991, an average of three (3) Korean vessels fished the NAFO Regulatory Area. Attachment II outlines the Korean fishing activity for 1984-91.

3.3.5 Malta (Korean Crew)

In 1989 and 1990, one (1) Maltese vessel was observed fishing in the NAFO Regulatory Area catching an estimated 1 100 tons per year. No Maltese vessels were sighted in 1991.

3.3.6 Panama (West European and Korean crews)

During the years 1984 to 1991 an average of nineteen (19) Panamanian-registered vessels per year fished in the NAFO Regulatory Area. The number of vessels has risen from a low of ten (10) in 1984 to a high of twenty-five (25) in 1991. Panamanian flagged vessels averaged 17 924 tons of groundfish in 1 725 fishing days for each of the past eight (8) years. Attachment III outlines Panamanian fishing activity for 1984-91.

3.3.7 Mauritania (European crew)

One (1) Mauritanian vessel operated in the NAFO Regulatory Area during 1986, 1988 and 1989.

3.3.8 Venezuela (Western European)

In 1990 and 1991, one (1) Venezuelan pair trawler (Bascanova/Pescagel) was observed fishing in the NAFO Regulatory Area. It is estimated that this vessel caught an average of 850 tons of cod in each year.

**Attachment I. USA fishing activity and groundfish catches (by species)
in the NAFO Regulatory Area from 1984 to 1990.**

USA fishing activity			
Year	No. of different vessels	Estimated effort (days)	Catch reported to NAFO (tons)
1984	0	0	0
1985	14	370	5 531
1986	15	380	5 770
1987	9	580	3 345
1988	11	560	2 868
1989	14	330	1 956
1990	9	20	27

USA groundfish - estimated catch (tons)					
Year	Cod	Redfish	Flounder	Other	Total
1984	0	0	0	0	0
1985	84	85	5 362	0	5 531
1986	315	4	5 451	0	5 770
1987	217	0	3 128	0	3 345
1988	266	0	2 602	0	2 868
1989	111	---	1 749	96	1 956
1990	---	---	---	0	27

**Attachment II. Korean fishing activity and groundfish catches (by species)
in the NAFO Regulatory Area from 1984 to 1991.**

Korean fishing activity			
Year	No. of different vessels	Estimated effort (days)	Estimated catch (tons)
1984	1	240	4 900
1985	1	220	3 400
1986	1	210	3 200
1987	1	220	3 000
1988	3	130	2 100
1989	5	620	11 800
1990	6	1 000	17 200
1991	3	550	7 400

Korean groundfish - estimated catch (tons)					
Year	Cod	Redfish	Flounder	Other	Total
1984	300	0	4 600	0	4 900
1985	0	0	3 300	100	3 400
1986	100	0	3 100	0	3 200
1987	0	2 000	1 000	0	3 000
1988	0	1 800	200	0	2 000
1989	0	10 800	1 000	0	11 800
1990	5 900	7 700	3 400	200	17 200
1991	600	3 750	2 850	200	7 400

**Attachment III. Panamanian fishing activity and groundfish catches (by species)
in the NAFO Regulatory Area from 1984 to 1991.**

Panamanian fishing activity			
Year	No. of different vessels	Estimated effort (days)	Estimated catch (tons)
1984	10	600	7 100
1985	14	1 050	15 700
1986	12	1 230	12 000
1987	18	1 570	18 900
1988	24	2 150	24 500
1989 ^a	24	1 850	14 500
1990 ^a	24	2 700	21 700
1991 ^a	25	2 600	29 000

Panamanian groundfish - estimated catch (tons)						
Year	Cod	Redfish	Flounder	Greenland halibut	Other	Total
1984	3 500	0	3 600	0	0	7 100
1985	7 000	400	8 100	0	200	15 700
1986	4 200	0	7 800	0	0	12 000
1987	5 300	13 600	0	0	0	18 900
1988	7 500	16 100	0	0	900	24 500
1989 ^a	5 700	6 500	1 400	0	900	14 500
1990 ^a	8 900	6 300	0	3 300	3 200	21 700
1991 ^a	9 300	7 100	5 900	6 100	600	29 000

^a Includes four (4) trawlers formerly registered in Mexico/Chile.

**Annex 4. EEC Report on Activity of Non-Contracting Parties in the
NAFO Regulatory Area in 1991**

Vessel	Date/Time Position	Remarks
LEONE III Vessel no: 18599-LP Call sign: Nat: PAN Gear: GO	01-09-1991 1045 N4358 W05008 Area: N3N-I	Drifting
IZARRA Vessel no: PAN-xx Call sign: Nat: PAN Gear: TT	01-09-1991 1715 N4339 W05047 Area: N3N-I	Fishing
PEONIA Vessel no: 9 Call sign: 0 Nat: PAN Gear: TT	03-09-1991 1114 N4325 W04918 Area: N3N-I	Hauling
COLOMBO VI Vessel no: HP-5140 Call sign: Nat: PAN Gear: TS	06-09-1991 1335 N4706 W04443 Area: N3M-I	Fishing
COLOMBO V Vessel no: HP-5141 Call sign: Nat: PAN Gear: TS	06-09-1991 1335 N4706 W04443 Area: N3M-I	Fishing
ELLY Vessel no: HP-4689 Call sign: Nat: PAN Gear: TS	06-09-1991 1314 N4704 W04444 Area: N3M-I	Fishing
ANITA Vessel no: HP-4690 Call sign: Nat: PAN Gear: TT	06-09-1991 1314 N4704 W04444 Area: N3M-I	Fishing

Vessel	Date/Time Position	Remarks
ELLY Vessel no: HP-4689 Call sign: Nat: PAN Gear: TT	08-09-1991 1025 N4646 W04442 Area: N3M-I	Fishing
ANITA Vessel no: HP-4690 Call sign: Nat: PAN Gear: TT	08-09-1991 1025 N4642 W04442 Area: N3M-I	Fishing
COLOMBO VI Vessel no: HP-5140 Call sign: Nat: PAN Gear: TT	08-09-1991 1015 N4643 W04441 Area: N3M-I	Fishing
COLOMBO V Vessel no: HP-5141 Call sign: Nat: PAN Gear: TT	08-09-1991 1015 N4643 W04441 Area: N3M-I	Fishing
Nat: KOREA, REPUBLIC Area: N3N-I		
GOLDEN VENTURE Vessel no: Call sign: 6MAN Ves. type: TT	23-09-1991 1000 UTC N4344 W05020	Fishing
HO QUANG Vessel no: NO-3 Call sign: Ves. type: TT	24-09-1991 1034 UTC N4333 W04918	Fishing

Vessel	Date/Time Position	Remarks
Nat: PANAMA Area: N3M-I		
SANTA JOANA Vessel no: 1073-LP Call sign: Ves. type: TT	30-09-1991 0925 UTC N4700 W04347	Fishing
ANITA I Vessel no: PAN-1 Call sign: HP4690 Ves. type: TT	02-10-1991 1556 UTC N4707 W04511	Fishing
ELLY Vessel no: PAN-2 Call sign: HP4684 Ves. type: TT	02-10-1991 1556 UTC N4707 W04511	Fishing
COLOMBO VIII Vessel no: Call sign: Ves. type: TT	02-10-1991 1418 UTC N4702 W04458	Fishing
COLOMBO VII Vessel no: Call sign: Ves. type: TT	02-10-1991 1418 UTC N4702 W04458	Fishing
AMAZONAS Vessel no: 19776-LP Call sign: HP-5620 Ves. type: TS	04-10-1991 1217 UTC N4642 W04413	Fishing
CLASSIC BEL AIR Vessel no: 19855-LP Call sign: 3EAB8 Ves. type: TT	04-10-1991 1301 UTC N4639 W04419	Fishing

Vessel	Date/Time Position	Remarks
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Nat: PANAMA

Area: N3N-I

TERRA DE LEMOS

Vessel no: Z0935-PEXT

Call sign: 6318-HP

Ves. type: TT

23-09-1991

1630 UTC

N4333 W05031

Fishing

IZARRA I

Vessel no: 20069LPEXT

Call sign: HP 5826

Ves. type: TT

24-09-1991

1820 UTC

N4345 W04917

Fishing

Nat: PANAMA

Area: N3L-I

PESCAMEX III

Vessel no: PAN-1

Call sign: HP 5562

Ves. type: TT

28-09-1991

1118 UTC

N4711 W04716

Steaming

PESCAMEX IV

Vessel no: PAN-2

Call sign: HP 5563

Ves. type: TT

28-09-1991

1118 UTC

N4711 W04716

Steaming

Nat: HONDURAS

Area: N3O-I

DANICA

Vessel no: HND-1

Call sign: HQID4

Ves. type: TT

17-10-1991

0925 UTC

N4317 W05128

Fishing

Vessel	Date/Time Position	Remarks
Nat: KOREA, REPUBLIC Area: N3N-1		

GOLDEN VENTURE		
Vessel no: KOR-2	18-10-1991	Fishing
Call sign: GMAU	1640 UTC	
Ves. type: TT	N4247 W05011	

GOLDEN VENTURE		
Vessel no: KOR-2	20-10-1991	Fishing
Call sign: GMAU	0955 UTC	
Ves. type: TT	N4347 W05018	

Nat: PANAMA Area: N3N-1		

IZARRA 1		
Vessel no: 20935-PEXT	18-10-1991	Fishing
Call sign:	1134 UTC	
Ves. type: TT	N4335 W05051	

PEONIA 9		
Vessel no: PAN-3	18-10-1991	Fishing
Call sign: 3EGZ7	1757 UTC	
Ves. type: TT	N4250 W04957	

CLASSIC BEL AIR		
Vessel no: 19655LP	19-10-1991	Fishing
Call sign:	1035 UTC	
Ves. type: TT	N4355 W04933	

ELLY		
Vessel no: PAN-1	19-10-1991	Fishing
Call sign: HP-4684	1010 UTC	
Ves. type: TT	N4357 W04930	

ANITA		
Vessel no: PAN-2	19-10-1991	Fishing
Call sign: HP-4690	1010 UTC	
Ves. type: TT	N4357 W04930	

Vessel	Date/Time Position	Remarks
TERRA DE LEMOS		
Vessel no: 20936-PEXT	25-10-1991	Fishing
Call sign: 6318-HP	0949 UTC	
Ves. type: TT	N4338 W05040	
Nat: SIERRA LEONE		
Area: N3N-I		
HAO QUANG NR3		
Vessel no: SLE-1	18-10-1991	Fishing
Call sign: 9LGJH	1632 UTC	
Ves. type: TT	N4250 W05009	
GREAT SPLENDOR		
Vessel no: SLE-1	18-10-1991	Fishing
Call sign: 9LFZT	1632 UTC	
Ves. type: TT	N4250 W05009	
Nat: HONDURAS		
Area: N3N-I		
DANICA		
Vessel no: HND-1	14-10-1991	Fishing
Call sign: HQID4	2104 UTC	
Ves. type: TT	N4247 W05013	
Nat: KOREA, REPUBLIC		
Area: N3N-I		
PUK YANG NR11		
Vessel no: KOR-1	14-10-1991	Steaming
Call sign: DTUV	1935 UTC	
Ves. type: TT	N4252 W04959	

Vessel	Date/Time Position	Remarks
Nat: PANAMA Area: N3M-I		
COLOMBO VI Vessel no: PAN-4 Call sign: HP-5140 Ves. type: TT	21-10-1991 1357 UTC N4656 W04450	Fishing
COLOMBO V Vessel no: PAN-5 Call sign: HP-5141 Ves. type: TT	21-10-1991 1357 UTC N4656 W04450	Fishing
ESPADARTE Vessel no: PAN-6 Call sign: HP-5129 Ves. type: GO	21-10-1991 2009 UTC N4725 W04458	Fishing
COLOMBO VII Vessel no: PAN-7 Call sign: Ves. type: TT	22-10-1991 1155 UTC N4704 W04425	Fishing
COLOMBO VIII Vessel no: PAN-8 Call sign: Ves. type: TT	22-10-1991 1155 UTC N4704 W04425	Fishing
COLOMBO VI Vessel no: PAN-4 Call sign: HP-5140 Ves. type: TT	23-10-1991 1206 UTC N4704 W04426	Fishing
COLOMBO V Vessel no: PAN-5 Call sign: HP-5141 Ves. type: TT	23-10-1991 1206 UTC N4704 W04426	Fishing
TERRA DE LEMOS Vessel no: 20935-PEXT Call sign: 6318-HP Ves. type: TT	12-10-1991 1340 UTC N4335 W05045	Fishing

Vessel	Date/Time Position	Remarks
ELLY Vessel no: PAN-1 Call sign: HP-4684 Ves. type: TT	13-10-1991 1047 UTC N4416 W04944	Fishing
ANITA Vessel no: PAN-2 Call sign: HP-4690 Ves. type: TT	13-10-1991 1047 UTC N4416 W04944	Fishing
PEONIA NR9 Vessel no: PAN-3 Call sign: 3EGZ7 Ves. type: TT	14-10-1991 1033 UTC N4318 W04924	Fishing
IZARRA 1 Vessel no: 20069-LPEXT Call sign: HP-5826 Ves. type: TT	15-10-1991 0931 UTC N4315 W05027	Fishing
TERRA DE LEMOS Vessel no: 20935-PEXT Call sign: 6318-HP Ves. type: TT	15-10-1991 1415 UTC N4336 W05031	Fishing
ELLY Vessel no: PAN-1 Call sign: HP-4684 Ves. type: TT	16-10-1991 1125 UTC N4437 W04917	Fishing
ANITA Vessel no: PAN-2 Call sign: HP-4690 Ves. type: TT	16-10-1991 1125 UTC N4437 W04917	Fishing
Nat: SIERRA LEONE Area: N3N-I		
HAO QUANG NR3 Vessel no: SLE-1 Call sign: 9LGJH Ves. type: TT	14-10-1991 1035 UTC N4317 W04923	Fishing

Vessel	Date/Time Position	Remarks
Nat: PANAMA Area: N3M-I		

CIDADE DE AVEIRO		
Vessel no: 20393-LP	07-11-1991	Fishing
Call sign:	1056 UTC	
Ves. type: TT	N4645 W04415	

COLOMBO		
Vessel no: PAN	05-11-1991	Fishing
Call sign: XXXX	1005 UTC	
Ves. type: TT	N4407 W04933	

Annex 5. Canadian Report on Groundfish Imports from Non-Contracting Parties (January-December 1991)

Statistics Canada International Trade Division
 Statistique Canada Division du Commerce International
 Domestic Imports of Selected Commodities
 Groundfish Imports by Non-NAFO Countries/Species/HS Code
 Values in Canadian Dollars QTY(Tonnes) / Value (\$,000)
 December 1991

Date: 25/03/92

	January to December, 1991			January to December, 1990			Total 1990		
	Quantity (Tonne)	Unit Val Value (\$,000) Per kg)		Quantity (Tonne)	Unit Val Value (\$,000) Per kg)		Quantity (Tonne)	Unit Val Value (\$,000) Per kg)	
Country: Sierra Leone									
Control 1 Total:	0	0	***.***	0	0	***.***	0	0	***.***
Country: Morocco									
Control 1 Total:	0	0	***.***	0	0	***.***	0	0	***.***
Country: Korea, South									
Species Code: Cod									
HS0304200030: Cod Fillets/Frozen	0	0	6.96	0	0	4.71	0	0	4.71
HS0304900011: Cod Blocks/Slabs/Frozen	0	0	***.***	2	10	5.75	2	10	5.75
HS0305620000: Cod Salted and/or in Brine	0	0	***.***	0	0	3.24	0	0	3.24
Control 2 Total:	0	0	6.96	2	10	5.52	2	10	5.52
Species Code: Haddock									
HS0303720000: Haddock Frozen/Whole/Dressed	1	5	4.51	0	0	***.***	0	0	***.***
HS0304900012: Haddock Blocks/Slabs/Frozen	0	0	***.***	1	7	5.95	1	7	5.95
Control 2 Total:	1	5	4.51	1	7	5.95	1	7	5.95
Species Code: Sole									
HS0304200023: Sole Fillets/Frozen	122	688	5.62	798	3 820	4.79	798	3 820	4.79
HS0304900015: Sole Blocks/Slabs/Frozen	35	158	4.50	182	816	4.49	182	816	4.49
Control 2 Total:	157	846	5.37	980	4 635	4.73	980	4 635	4.73
Species Code: Turbot									
HS0304900016: Turbot Blocks/Slabs/Frozen	0	0	***.***	0	0	3.77	0	0	3.77
Control 2 Total:	0	0	***.***	0	0	3.77	0	0	3.77
Species Code: Flatfish									
HS0304200029: Flatfish, Nes Fillets/Frozen	0	0	***.***	1	5	5.17	1	5	5.17
Control 2 Total:	0	0	***.***	1	5	5.17	1	5	5.17

	January to December, 1991			January to December, 1990			Total 1990		
	Quantity		Unit Val	Quantity		Unit Val	Quantity		Unit Val
	(Tonne)	(\$,000)	Per kg)	(Tonne)	(\$,000)	Per kg)	(Tonne)	(\$,000)	Per kg)
Country: Korea, South (Continued)									
Species Code: Pollock									
HS0304200060: Pollock Fillets/Frozen	392	1 328	3.38	139	338	2.43	139	338	2.43
HS0304900014: Pollock Blocks/Slabs/Frozen	454	1 716	3.78	136	321	2.36	136	321	2.36
Control 2 Total:	847	3 044	3.59	275	659	2.40	275	659	2.40
Control 1 Total:	1 005	3 895	3.87	1 259	5 318	4.22	1 259	5 318	4.22
Country: Venezuela									
Control 1 Total:	0	0	***.**	0	0	***.**	0	0	***.**
Country: Honduras									
Control 1 Total:	0	0	***.**	0	0	***.**	0	0	***.**
Country: Panama									
Control 1 Total:	0	0	***.**	0	0	***.**	0	0	***.**
Grand Total:	1 005	3 895	3.87	1 259	5 318	4.22	1 259	5 318	4.22

Annex 6. Japanese Report on Groundfish Imports from Non-Contracting Parties for January-December 1990 and January-October 1991.

Non-Contracting Party	Amount of import (tons)									
	Redfish		Cod		Greenland halibut		American plaice		Others ^a	
	1990	1991	1990	1991	1990	1991	1990	1991	1990	1991
Cayman Islands	-	-	-	-	-	-	-	-	-	-
Honduras	58	-	-	-	7	-	-	-	66	22
Korea	2 028	1 165	2	-	72	1 170	-	9	10 794	6 860
Mauritania	-	-	-	-	-	-	-	-	124	-
Malta	16	-	-	-	2	-	-	-	1 030	580
Morocco	-	-	-	-	-	-	-	5	347	527
Panama	-	112	-	-	-	41	-	-	228	48
St. Vincents	-	-	-	-	-	-	-	-	-	-
USA	20 521	7 689	33 975	19 024	7 950	4 345	-	1	32 024	38 025
Mexico	-	-	-	-	-	-	-	-	-	-
Chile	125	26	-	-	-	-	-	-	40	6
Venezuela	-	-	-	-	-	-	-	-	-	-

^a Witch flounder, Yellowtail flounder

NOTE: The figures are extracted from the trade statistics, but do not confirm the imports which were caught by Non-Contracting Parties in the NAFO Regulatory Area.

Annex 7. EEC Report on Groundfish Imports from Non-Contracting Parties during 1990 and 1991

Non-Contracting Party	Amount of import ('000 kg)					
	Flatfish		Cod		Redfish	
	1990	1991	1990	1991	1990	1991
Panama	260	507	3 685	3 706	825	536
S. Korea	69	31	1 789	-	-	8
Venezuela	33	-	-	-	-	-
Malta	68	-	423	1	426	7
St. Vincents	372	325	-	-	-	-

CM codes:

Flatfish - 0303 31 and 39

Source: Eurostat

Cod - 0302 5010, 5090 and 6935
0303 6010, 6090 and 7941

Redfish - 0302 69, 31 and 33
0303 79, 35 and 37

Annex 8. Draft Aide Memoire (for Joint Diplomatic Demarches)

The Northwest Atlantic Fisheries Organization (NAFO) was established in 1979 inter alia to implement obligations under international law regarding conservation and management of fishery resources in the Northwest Atlantic beyond the areas in which coastal states exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

In respect to the relevant provisions of the 1982 United Nations Convention on the Law of the Sea, all States have the duty to take, or to co-operate with other States in taking, such measures for their respective nationals as may be necessary for the conservation of the living resources of the high seas.

NAFO manages numerous important stocks of fish occurring in the NAFO Regulatory Area, including stocks that occur both within the 200-mile zone of the principal coastal state, Canada, and in the area beyond and adjacent to that zone. The NAFO Regulatory Area has been divided into alphanumeric divisions as described in the attached map. It sets Total Allowable Catch (TACs), quotas and other conservation measures for the NAFO Regulatory Area. Fisheries conducted in the NAFO Regulatory Area by vessels of countries that are not members of NAFO, and that are, therefore, operating outside the NAFO conservation regime, undermine that conservation regime and make NAFO stock maintenance objectives unattainable.

The number of vessels from non-member countries fishing in the NAFO Regulatory Area has increased from 11 in 1984 to 34 in 1991. Total catches by such vessels are estimated to have steadily increased over the same period by about 70% and amount to approximately 40% of the total NAFO groundfish quotas in the NAFO Regulatory Area.

In the face of declining stocks, the increased presence of vessels from non-NAFO members represents a threat to the conservation of NAFO managed stocks. The TACs for key groundfish stocks, notably cod in division 3NO, American plaice in division 3LNO and redfish in division 3LN, have been significantly reduced over the past two years leading to reduced fishing opportunities for fishermen of NAFO member countries. As a result of these reductions, the fishing activities of the NAFO Contracting Parties and the fishing communities of the Parties dependent on such activities are undergoing an extremely difficult period.

PARAGRAPHS REGARDING FISHING ACTIVITY OF SPECIFIC TARGET COUNTRY

HONDURAS:

One fishing vessel, the Danica, was observed in the NAFO Regulatory Area. As Honduras is not a NAFO Contracting Party, it has not received a quota in the NAFO Regulatory Area. Continued unregulated fishing outside the framework of the NAFO conservation regime is having an increasingly negative effect on the various stocks concerned.

NAFO is prepared, if Honduras wishes, to provide additional evidence of Honduran vessel activity in the NAFO Regulatory Area.

MOROCCO:

One fishing vessel, the Ein Chanech, was observed in the NAFO Regulatory Area. As Morocco is not a NAFO Contracting Party, it has not received a quota in the NAFO Regulatory Area. Continued unregulated fishing outside the framework of the NAFO conservation regime is having an increasingly negative effect on these significantly reduced stocks.

NAFO is prepared, if Morocco wishes, to provide additional evidence of Moroccan vessel activity in the NAFO Regulatory Area.

SIERRA LEONE:

Two vessels, the Hao Quang and the Great Splendor, were observed in the NAFO Regulatory Area. As Sierra Leone is not a NAFO Contracting Party, it has not received a quota in the NAFO Regulatory Area. Continued unregulated fishing outside the framework of the NAFO conservation regime is having an increasingly negative effect on the various stocks concerned.

NAFO is prepared, if Sierra Leone wishes, to provide additional evidence of Sierra Leone vessel activity in the NAFO Regulatory Area.

The issue of non-member fishing activity in the NAFO Regulatory Area was addressed at the 1990 and 1991 Annual Meetings of NAFO. A resolution was passed (copy attached) by the General Council of NAFO which outlines possible steps for NAFO Contracting Parties to take to end this activity. The resolution underlines the concern of all NAFO members who view this activity as a serious threat to the conservation of stocks in the NAFO Regulatory Area.

The NAFO Standing Committee has met and is developing proposals for consideration at the annual NAFO Meeting in September 1992. Joint démarches made by NAFO members to all countries fishing in the NAFO Regulatory Area who are not members of NAFO, reflect the seriousness of NAFO members' concern. In response to the earlier demarches, some non-Contracting Parties have already taken action to prevent fishing in the NAFO Regulatory Area. Contracting Parties will be calling for all non-Contracting Parties whose vessels fish in the Regulatory Area to halt such activities without delay.

Pursuant to the relevant provisions of the United Nations Convention on the Law of the Sea, NAFO requests _____ to forward to the NAFO Secretariat catch and fishing effort statistics respecting fishing activity of their vessels in the NAFO Regulatory Area to the end of 1991, which are required by NAFO scientists in assessing the state of NAFO managed stocks. Statlant forms 21A and 21B for reporting nominal catches and corresponding fishing effort, issued by the Food and Agriculture Organization of the United Nations, should be used for this purpose.

In view of the threat to the conservation of fish stocks caused by non-Contracting Party vessels, all NAFO members request the Government of _____ to take all necessary measures to prevent any fishing by vessels registered in _____ contrary to NAFO conservation measures.

K. Yonezawa
Chairman of the General Council
President of the Northwest Atlantic
Fisheries Organization (NAFO)

Aide Memoire (for Joint Diplomatic Demarche)

The Northwest Atlantic Fisheries Organization (NAFO) was established in 1979 inter alia to implement obligations under international law regarding the conservation and management of fishery resources in the Northwest Atlantic beyond the areas in which coastal states exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

Following the joint diplomatic demarche made by the Contracting Parties of NAFO in September 1991, the Republic of Korea will already be aware of the continuing concern of NAFO Contracting Parties about fishing in the NAFO Regulatory Area by vessels from countries that are not Contracting Parties to the NAFO Convention.

The NAFO Contracting Parties wish to express their concern that Korea is licensing vessels to fish in the NAFO Regulatory Area contrary to NAFO conservation measures and urge Korea to rescind all such licenses.

The NAFO Contracting Parties note the Korean authorities have undertaken to reduce the number of licensed vessels in the NAFO Regulatory Area. Observed sightings confirm that Korean vessels are continuing to operate in the NAFO Regulatory Area and these activities are undermining NAFO conservation measures. A list of vessels sighted is attached. NAFO Contracting Parties would be grateful if Korea would inform them as to the measures Korea will take to halt the fishing activity of these vessels in the NAFO Regulatory Area.

NAFO is prepared, if Korea wishes, to provide evidence of Korean vessel activity in the NAFO Regulatory Area.

Pursuant to the relevant provisions of the United Nations Convention on the Law of the Sea, NAFO again requests Korea to forward to the NAFO Secretariat catch and fishing effort statistics respecting fishing activity of Korean vessels in the NAFO Regulatory Area to the end of 1991, which are required by NAFO scientists in assessing the state of the NAFO managed stocks. Statlant forms 21A and 21B for reporting nominal catches and corresponding fishing effort, issued by the Food and Agriculture Organization of the United Nations, should be used for this purpose.

In view of the threat to the conservation of fish stocks caused by non-Contracting Party vessels, the NAFO Contracting Parties are also considering the possibility of taking further actions against non-Contracting Parties fishing in the NAFO Regulatory Area. The NAFO Contracting Parties urge Korea to take all necessary actions to prevent any fishing by Korean vessels contrary to NAFO conservation measures.

K. Yonezawa
Chairman of the General Council
President of the Northwest Atlantic
Fisheries Organization (NAFO)

Korean vessels sighted in 1991 and 1992:

Golden Venture

Puk Yang II

Sam Won Ho

Aide Memoire (for Joint Diplomatic Demarche)

The Northwest Atlantic Fisheries Organization (NAFO) was established in 1979 inter alia to implement obligations under international law regarding the conservation and management of fishery resources in the Northwest Atlantic beyond the areas in which coastal states exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

Following the joint diplomatic demarche made by the Contracting Parties of NAFO in July 1991, Panama will already be aware of the continuing concern of NAFO Contracting Parties about fishing in the NAFO Regulatory Area by vessels from countries that are not Contracting Parties to the NAFO Convention.

The NAFO Contracting Parties are pleased that the Panamanian authorities have introduced resolution No. 603-04-151-ALCN encouraging owners of concerned vessels to comply with the NAFO conservation measures, and warning of sanctions for non-compliance with NAFO's conservation policy.

Observed sightings confirm that Panamanian vessels are continuing to operate in the NAFO Regulatory Area and these activities are undermining NAFO conservation measures. A list of the [26] vessels sighted in 1991 and 1992 is attached. Although Panama has not submitted any data to the NAFO Secretariat concerning catches, taking into account the number of vessels involved, it is considered that Panamanian fishing activities and catches are substantial. NAFO Contracting Parties would be grateful if Panama would inform them as to the measures Panama will take to halt the fishing activities of these vessels in the NAFO Regulatory Area.

NAFO is prepared, if Panama wishes, to provide additional evidence of Panamanian vessel activity in the NAFO Regulatory Area.

Pursuant to the relevant provisions of the United Nations Convention on the Law of the Sea, NAFO again requests Panama to forward to the NAFO Secretariat catch and fishing effort statistics respecting fishing activity of Panamanian vessels in the NAFO Regulatory Area to the end of 1991, which are required by NAFO scientists in assessing the state of the NAFO managed stocks. Statlant forms 21A and 21B for reporting nominal catches and corresponding fishing effort, issued by the Food and Agriculture Organization of the United Nations, should be used for this purpose.

In view of the threat to the conservation of fish stocks caused by non-Contracting Party vessels, the NAFO Contracting Parties are also considering the possibility of taking further actions against non-Contracting Parties fishing in the NAFO Regulatory Area. The NAFO Contracting Parties urge Panama to take all necessary actions to prevent any fishing by Panamanian vessels contrary to NAFO conservation measures.

K. Yonezawa
Chairman of the General Council
President of the Northwest Atlantic
Fisheries Organization (NAFO)

Panamanian vessels sighted in 1991 and 1992:

Alpes II	Colombo VI	Peonia No. 9
Alpes III	Colombo VII	Pescamex III
Amazones	Colombo VIII	Pescamex IV
Anita I	Elly I	Porto de Aveiro
Cidade de Aveiro	Espadarte	Porto Santo
Classic Belair	[Izarra]	Rio Gabriel
Colombo III	Leone	Santa Joana
Colombo IV	Leone III	Tierra de Lemos
Colombo V	Marsopla	

Aide Memoire (for Joint Diplomatic Demarche)

The Northwest Atlantic Fisheries Organization (NAFO) was established in 1979 inter alia to implement obligations under international law regarding the conservation and management of fishery resources in the Northwest Atlantic beyond the areas in which coastal states exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

Following the joint diplomatic demarche made by the Contracting Parties of NAFO in July 1991, Venezuela will already be aware of the continuing concern of NAFO Contracting Parties about fishing in the NAFO Regulatory Area by vessels from countries that are not Contracting Parties to the NAFO Convention.

The NAFO Contracting Parties are pleased that the Venezuelan authorities have warned the owners of the Pescagel and Bacanova to comply with NAFO's policy on conservation.

Observed sightings confirm that Venezuelan vessels are continuing to operate in the NAFO Regulatory Area and these activities are undermining NAFO conservation measures.

According to the Venezuelan communication in reply to the NAFO joint diplomatic demarche, Venezuelan authorities indicated the possible use of sanctions for non-compliance with NAFO conservation policy. NAFO Contracting Parties would be grateful if Venezuela would inform them of the outcome of imposing the necessary sanctions to keep them from fishing in the NAFO Regulatory Area.

NAFO is prepared, if Venezuela wishes, to provide additional evidence of Venezuelan vessel activity in the NAFO Regulatory Area.

Pursuant to the relevant provisions of the United Nations Convention on the Law of the Sea, NAFO again requests Venezuela to forward to the NAFO Secretariat catch and fishing effort statistics respecting fishing activity of Venezuelan vessels in the NAFO Regulatory Area to the end of 1991, which are required by NAFO scientists in assessing the state of the NAFO managed stocks. Statlant forms 21A and 21B for reporting nominal catches and corresponding fishing effort, issued by the Food and Agriculture Organization of the United Nations, should be used for this purpose.

In view of the threat to the conservation of fish stocks caused by non-Contracting Party vessels, the NAFO Contracting Parties are also considering the possibility of taking further actions against non-Contracting Parties fishing in the NAFO Regulatory Area. The NAFO Contracting Parties urge Venezuela to take all necessary actions to prevent any fishing by Venezuelan vessels contrary to NAFO conservation measures.

K. Yonezawa
Chairman of the General Council
President of the Northwest Atlantic
Fisheries Organization (NAFO)

Annex 9. Draft Summary of Data Concerning Fishing by Non-Contracting Parties in the Regulatory Area

1. Nature of Information

- 1.1 At the 12th and 13th Annual Meetings of NAFO, Contracting Parties agreed that STACFAC should obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area and on landings and transshipment of fish caught in the Regulatory Area by non-Contracting Parties.
- 1.2 Two annual reports of activities, estimated effort and catches were provided by Canada. Sightings information was also provided by Japan, the EEC, and the USSR (Russia).
- 1.3 Import data for 1991 were provided by Japan, the EEC and Canada. While no conclusive links could be established, indications are that as Panama does not have a national cod fishing fleet, EEC imports of cod from Panama must come from reflagged EEC vessels. Japanese statistics showed significant imports of relevant species from Korea but it was not possible to determine how much was harvested in the Regulatory Area. Similarly, the small quantities of Canadian imports of groundfish from Korea could not be linked direct to Korean fishing in the Regulatory area.

2. Summary of Data by Country

- 2.1 Vessels from the following non-Contracting Parties have been sighted fishing in the Regulatory Area in 1991 and first quarter of 1992:

Panama
 Korea
 Venezuela
 Honduras
 Sierra Leone
 Morocco
 St. Vincents and the Grenadines

- 2.2 **Panama**

Twenty five Panamanian flagged vessels were sighted fishing in the Regulatory Area in 1991. Of these, 10 were pair trawlers and 3 were gillnetters. Twenty-three of these vessels had EEC nationality crews and two, the Peonia No. 9 and the Marsopla had crews of Korean nationality. These two vessels were also licensed by Korea to fish in the Regulatory Area. The 23 EEC crewed Panamanian vessels caught an estimated 22 000 tons (round weight) of groundfish over 2 200 effort days, at an average catch rate of 10 tons per day. The two Panamanian flag but Korean licensed and crewed vessels fished 7 000 tons of groundfish over 400 days at a rate of 17.5 tons per day.

The EEC imported 4 749 tons (product weight) of groundfish from Panama, not including salted cod. Japan imported 201 tons. There were no Canadian imports.

2.3 Korea

Three Korean flagged vessels were sighted fishing in the Regulatory Area in 1991. These Korean flagged vessels were estimated to have caught 7 400 round weight of groundfish over 550 days at an average of 13.4 tons per vessel day. Two Panamanian flagged Korean crewed vessels have been licensed by Korea to fish in the Regulatory Area. These two Korean licensed vessels were estimated to have harvested 7 000 tons of groundfish over 100 days at an average of 10 tons per vessel day. Vessels under the flag of Sierra Leone, St. Vincents, Honduras and Morocco also had Korean crews. Total catches for Korean licensed and crewed vessels were approximately 24 000 tons round weight.

The EEC imported 1 828 tons product weight of NAFO-managed groundfish species from Korea, Canada 158 tons product weight, and Japan 9 195 tons product weight.

2.4 Venezuela

Two Venezuelan flagged pair trawlers were sighted in the Regulatory Area in 1991. These vessels had EEC nationality crews. They were estimated to have fished 1 150 tons round weight of groundfish over 125 days at an average rate of 9.2 tons per vessel day.

The EEC imported 33 tons product weight of groundfish from Venezuela. There were no Canadian or Japanese imports.

2.5 Honduras

One Korean crewed Honduran flagged vessel (Danica) fished in the Regulatory Area in 1991. It was estimated to have caught 4 000 tons round weight of groundfish over 225 days at an average rate of 17.7 tons per day. There were no EEC statistics for imports from Honduras. Japan imported 22 tons product weight of flounder from Honduras. There were no Canadian imports.

2.6 Sierra Leone

One Sierra Leone flagged vessel (Great Splendour) fished in the Regulatory Area in 1991. It had a Korean crew and was estimated to have caught 3 200 tons round weight of groundfish over 225 days at a rate of 14.2 tons per day. There were no EEC or Japanese statistics for imports from Sierra Leone. There were no Canadian imports.

2.7 Morocco

One Moroccan vessel (Ein Chanech) fished in the Regulatory Area in 1991. It had some Korean crew and fished an estimated 600 tons round weight of groundfish over 60 days at a rate of 10 tons per day. There were no EEC statistics for imports from Morocco. Japan imported 527t of flounder from Morocco. There were no Canadian imports.

2.8 St. Vincents and the Grenadines

One Korean crewed vessel (Hao Quang III) fished in the Regulatory Area in 1991. It caught an estimated 2 000 tons round weight of groundfish over 200 days at a rate of 10 tons per day. The EEC imported 697 tons of flatfish from St. Vincent. There were no Japanese or Canadian imports.

3. Conclusions

- 3.1 It seems clear that much of the catch by non-Contracting Party vessels is being imported into the territories of Contracting Parties. This points to the conclusion that the activity of these vessels is being economically supported by trade with Contracting Parties.
- 3.2 Moreover, the nationality of the crews of vessels flying non-Korean third country flags indicates that these vessels are controlled by EEC member states and Korean fishing interests and fly flags of convenience to circumvent NAFO conservation measures and (in the case of Korean crewed vessels) Korean licensing requirements.
- 3.3 Part of the solution therefore should be to prevent vessels owned and controlled in the territories of Contracting Parties from reflagging under flags of convenience.
- 3.4 This would solve only half the problem, however. The activity by Korean flag vessels or vessels operating under flags of convenience with Korean crews was substantial. It accounted for 24 200 tons out of total non-Contracting Party catches of 47 350 tons or over 51% of such catches. There is a high risk that even if Korea reduces the number of the vessels it licenses to fish in the Regulatory Area, unlicensed vessels would simply adopt flags of convenience and continue to fish in the Regulatory Area. Accordingly, means must be found to halt Korean and Korean surrogate fishing in the Regulatory Area.

Annex 10. EEC Draft of Landing Declaration¹

1. Exporter (Name, full address, country) Exportateur (Nom, adresse complète, pays)	2. Number 000 Numéro	
	DECLARATION IN REGARD TO Atlantic Cod (Gadus Morhua) Atlantic Redfish (sebastes spp) American Plaice (Hippoglossoides platessoides) Yellowtail Flounder (Limanda Ferruginea) Witch Flounder (Glyptocephalus cynoglossus) (2) Issued with a view to obtaining statistical information on harvest origin (1) DECLARATION CONCERNANT La Morue Fraiche (Atlantique) (Gadus Morhua) Sébaste (Atlantique Nord) (Sebastes spp) Plie canadienne (Hippoglossoides platessoides) Limande à queue jaune (Limanda ferruginea) Plie grise (Glyptocephalus cynoglossus) (2) Délivrée en vue de l'obtention d'information statistique concernant l'origine de pêche (1)	
3. Consignee (Name, full address, country) Destinataire (Nom, adresse complète, pays)	4. Country of origin Pays d'origine	5. Country of destination Pays de destination
6. Place and date of catch/shipment/transshipment/ - name and flag of catch-/transport vessel(s) lieu et date de pêche/d'embarquement/-de transbordement/ - nom et pavillon du (des) navire(s) de pêche/de transport		
7. Marks and numbers-Number and kind of packages-DETAILED DESCRIPTION OF GOODS (3) Marques et numéros-nombre et nature des colis-DESIGNATION DETAILLEE DES MARCHANDISES (3)	8. Quantity in tonnes Quantité en tonnes	
9. DECLARATION BY THE CAPTAIN I the undersigned, declare that in accordance with the entries in the logbook the consignment described above contains Atlantic Cod (Gadus Morhua), Atlantic Redfish (Sebastes spp), American Plaice (Hippoglossoides Platessoides), Yellowtail Flounder (Limanda Ferruginea), Witch Flounder (Glyptocephalus cynoglossus) from the stocks of the North-West Atlantic Ocean fished in the Regulatory Area of the Northwest Atlantic Fisheries Organization - NAFO. (2) DECLARATION DU CAPITAINE Je soussigné déclare qu'en accord avec les inscriptions dans le livre de bord l'envoi décrit ci-dessus contient de la Morue Fraiche (Atlantique) (Gadus Morhua), Sébaste (Atlantique Nord) (sebastes spp), Plie canadienne (Hippoglossoides platessoides), Limande à queue jaune (Limanda ferruginea), Plie grise (Glyptocephalus cynoglossus) provenant des stocks de l'océan de l'Atlantique Nord-Ouest et capturée dans la Zone de Réglementation de l'Organisation de Pêche de l'Atlantique du nord-Ouest - OPANO. (3)		
10. CAPTAIN (Name, full address, country) CAPITAINE (Nom, adresse complète, pays)	At/A..... on le..... (Signature)	

(1) This Landing Declaration for statistical purposes has to be presented to the competent authorities upon landing
 Cette Déclaration Débarquement pour de statistique doit être présentée aux autorités compétentes lors du débarquement

(2) Delete as appropriate
 Biffer la mention inutile

(3) - Fresh/Frozen (Harmonized System 0302-0303) Frais/Congelé (Système harmonisé 0302-0303)
 - Fillets/Filets
 - Meat/Chair
 - Salted/Salé

Annex 11. Report on Fishing Activities by Vessels Flying the Flag of Non-NAFO Contracting Parties in the NAFO Regulatory Area (Draft by the Chairman)

The 12th meeting of the NAFO General Council established the Standing Committee on Fishing Activities of Non-Contracting Parties (STACFAC), the terms of reference of which are attached (Attachment 1).

At the 13th meeting of the NAFO General Council a Recommendation was adopted by consensus (NAFO/GC Doc. 91/6) according to which, *inter alia*, STACFAC shall submit a comprehensive report.

STACFAC agreed to report as follows:

- I Database
- II Diplomatic persuasion
- III Other measures such as:
 - consideration of a Landing Declaration system to improve the statistical database
 - consideration of measures to discourage reflagging of vessels to Non-Contracting Parties for fishing in the Regulatory Area

I. Database

The statistical information available to STACFAC consists of:

- sightings of non-Contracting Party vessels in the Regulatory Area and information obtained from courtesy boardings
- Contracting Party statistics on imports of certain groundfish species from non-Contracting Parties
- information obtained from some non-Contracting Parties on their catches in the Regulatory Area

In relation to the information required from Contracting Parties this information is insufficient. STACFAC does not have at its disposal complete information on catches by non-Contracting Parties.

In order to assess the impact of non-Contracting Party fishing activities estimates have been made on the basis of assumed catch rates and of the period of time during which these vessels have been sighted in the Regulatory Area. These estimates have been compared with statistics on groundfish imports from non-Contracting Parties. Although very significant errors cannot be excluded, this method allowed STACFAC broadly to substantiate the non-Contracting Party fishing activities. (Annex 9 of this STACFAC Report)

The following conclusions can be drawn on the basis of the above information:

- Non-Contracting Party fishing activities in the Regulatory Area account for approximately 40% of the total NAFO groundfish quotas.
- Non-Contracting Party catches in the Regulatory Area are not intended for non-Contracting Party markets except for the United States of America but are presumably exported mainly to Contracting Party markets such as the EEC, Japan and Canada.

Obviously, non-Contracting Party fishing activities in the Regulatory Area impede the conservation and rational management of fish stocks by NAFO, especially since fishing vessels flying non-Contracting Party flags are not bound by NAFO rules and do not respect NAFO decisions.

STACFAC considered possible ways of improving the database on non-Contracting Party fishing activities bearing in mind that this information is required for conservation and rational management decisions. It was agreed that non-Contracting Parties whose vessels have been sighted in the NAFO Regulatory Area should be requested to withdraw from the Area and to supply information on amounts already taken, in accordance with their obligations under the relevant provisions of the UN Law of the Sea. Furthermore, it was agreed that uncontrolled transshipments complicate any scheme for the collection for such data. In that respect, Contracting Parties agreed to do everything possible to obtain better information including transshipment information, from their own and non-Contracting Parties authorities.

For the above reasons, it was agreed that the current information sources on non-Contracting Party fishing activities would be explored in detail and expanded where possible in order to obtain as much information as possible.

II. Diplomatic Persuasion Efforts

Contracting Parties to NAFO have made diplomatic demarches to seven (7) non-Contracting Parties, namely: Cayman Islands, Korea, Malta, Panama, St. Vincents and Grenadines, Venezuela, and USA.

STACFAC concluded that the results of certain demarches have been satisfactory whilst others have not yet produced the results desired.

- Malta and Cayman Islands had withdrawn their flags from their vessels sighted in the Regulatory Area.
- Panama and Venezuela responded positively but vessels flying their flag continue to be sighted in the Regulatory Area.
- USA vessels have not been sighted in the Regulatory Area and USA authorities have said that the USA relationship with NAFO is under review.
- Korea continues to operate in the Regulatory Area and continues to undermine NAFO conservation measures.

Despite NAFO's diplomatic initiatives the overall level of non-Contracting Party fishing activities has not been reduced and certain vessels de-registered in one flag state have re-registered in another non-Contracting Party (e.g. from Cayman Islands to Panama).

For the above reasons STACFAC has arranged for further joint diplomatic demarches to Korea, Panama and Venezuela as well as first joint demarches to Sierra Leone and Honduras. (Annex 8 of this STACFAC Report)

III. Other Measures

STACFAC considered further measures that could be implemented to resolve the problem.

Taking full account of the international obligations of Contracting Parties, STACFAC explored options along two lines. The obligation of conservation of the marine living resources has to be respected by States:

- in respect to the vessels flying their flag
- in respect of their nationals

To the extent that non-Contracting Parties do not respond to diplomatic approaches STACFAC has considered the following specific measures:

- a) **Landing Declaration** - in order to improve the information on non-Contracting Party fishing activities STACFAC has been considering the implementation of a system of landing declarations, which would be required for landing and transshipment of NAFO-managed species of fish caught by non-Contracting Parties' vessels which were sighted in the Regulatory Area and which do not cooperate in providing catch data to NAFO. The landing declarations would indicate whether or not the quantities of fish imported had been caught in the NAFO Regulatory Area and would provide suitable supplementary data on non-Contracting Party catches in the NAFO Regulatory Area.

The details of implementation of a system of landing declarations and its implications for the administrative systems of the Contracting Parties are currently under discussion.

- b) **Measures to dissuade nationals from reflagging** - Discussions within STACFAC have concluded that measures to dissuade nationals of Contracting Parties from reflagging their vessels to non-Contracting Party flag states for use within the NAFO Regulatory Area are essential. Such measures, however, depend upon an in-depth consideration of the national legislation of Contracting Parties and the need for any such measures to respect the principles of international law and an open international system of trade. Consideration of such measures has therefore to date been largely confined to internal debate within Contracting Parties but STACFAC members expressed their support for efforts being made to address this problem and their hope that solutions would be forthcoming.

Attachment 1. Terms of Reference for the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC)

The Committee will examine, on the basis of the best available information, options to cause non-Contracting Parties to withdraw from fishing activities contrary to NAFO Conservation Measures in the Regulatory Area. The Committee will make recommendations to that effect to the General Council.

In particular, the Committee will

- obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area, including details on the type, flag and name of vessels and reported or estimated catches by species and area;
- obtain and compile all available information on landings, and transshipments of fish caught in the Regulatory Area by non-Contracting Parties, including details on the name and flag of the vessels; the quantities by species landed, transshipped; and the countries and ports through which the product was shipped;
- examine and assess all such options open to NAFO Contracting Parties including measures to control imports of fish caught by non-Contracting Party vessels in the Regulatory Area and to prevent the reflagging of fishing vessels to fish under the flags of non-Contracting Parties;
- recommend to the General Council measures to resolve the problem.

The Committee will include one representative from each Contracting Party that wishes to participate. The chairperson will be elected for a term of 2 years.

The initial chairperson will be _____.

The Committee will report to the General Council once a year, at the Annual Meeting of NAFO, and as otherwise requested by the General Council.

SECTION III

(pages 125 to 155)

Report of the Meeting of the Standing Committee on International Control (STACTIC) Working Group re the NAFO Hail System 28-29 April 1992 Dartmouth, Nova Scotia, Canada

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Report of the Meeting of the Standing Committee on International Control (STACTIC) Working Group re the NAFO Hail System

Dartmouth, Nova Scotia, Canada, 28-29 April 1992

1. Opening

The Executive Secretary of NAFO, L. Chepel, opened the meeting by welcoming the working group membership (Annex 1) to Dartmouth, Nova Scotia and briefly outlining the terms of reference as extracted from FC Doc. 92/1, STACTIC Report, February 1992, Copenhagen.

2. Appointment of Rapporteur

L. Strowbridge (Canada) was appointed Rapporteur.

3. Adoption of Agenda

The agenda, as amended, was adopted (Annex 2).

4. Elaboration of Terms of Reference

4.1 Presentation and discussion of Working Papers

The working group reviewed STACTIC W.G. Working Paper 92/1 (Communication study to handle the hail system) presented by the Executive Secretary and 92/2 (Proposed Definition of Requirements and Implementation Strategy for an Automated Hail System) presented by Canada.

The working group exchanged views on these documents and requested clarification of certain points from the authors. The delegate of the EEC presented STACTIC W.G. Working Paper 92/3 (Annex 3) as a description of their current hail reporting process.

4.2 Recommendation of system architecture and approximation of cost

STACTIC W.G. Working Paper 92/2 (Annex 4), as amended, was **accepted** as a document that generally represented the definitions of requirements for an automated hail system. The delegate of the EEC noted the importance of ensuring security and confidentiality of all data. Discussions on the automation of the hail system were limited to adherence with current Conservation and Enforcement Measures as the continued evolution of the hail system is, at this point, difficult to predict.

The working group recommends that STACTIC and the Fisheries Commission approve W.G. Working Paper 92/2 and the following course of action:

- Phase 1. Implement a pilot project to test data exchange capability between Contracting Parties and the NAFO Secretariat. The pilot project would include participation by at least two (2) Contracting Parties (for example, the EEC and Canada) and the NAFO Secretariat and involve the transmission of data from, for example, the EEC to the NAFO Secretariat for storage and onward transmission to Canada and vice versa. As well, the pilot project would outline file structures/message formats, define data elements and test communication links. During the pilot project, current data exchange processes (telex/facsimile) would continue to ensure redundancy and provide verifiable data for evaluation of the pilot project. The pilot project would also include the development of fall-back or back-up procedures to ensure that data is not lost or duplicated.
- Phase 2. Upon successful conclusion of the pilot project, develop request for proposals from potential contractors to design a generic system to receive, store and forward hail data from Contracting Parties to the NAFO Secretariat for onward transmission to Contracting Parties with an inspection presence in the NAFO Regulatory Area. The design of this generic system should ensure that costs incurred by shipowners are minimized, whenever possible. It is recognized that some Contracting Parties with limited fishing activity in the NAFO Regulatory Area (NRA) may wish to continue using the current data exchange process (telex/facsimile).

To minimize costs associated with the pilot project, the EEC and Canada agreed to utilize existing personnel/resources (including consulting services from Canada) to assist the NAFO Secretariat in purchasing a computer modem and developing software. The costs associated with Phase II should not exceed \$40,000 Cdn assuming that Contracting Parties have available hardware to accept the generic software.

5. Deadline for Presentation of Requests to/from Potential Contractors

Subject to the Fisheries Commission approval and a successful completion of the pilot project, proposals from interested contractors to automate the NAFO Hail System should be presented to the NAFO Secretariat by 15 August 1992.

6. Adoption of Final Report

The report of the Working Group was unanimously adopted by the participants. The Executive Secretary was asked to furnish as soon as possible the report to the Fisheries Commission and STACTIC for the comments of the Contracting Parties and adoption by the Fisheries Commission.

7. Other Matters

There were no questions raised under item "Other Matters".

8. Adjournment

The meeting was adjourned at 1100 hours, 29 April 1992.

Annex 1. List of Participants

NAFO SECRETARIAT

L. I. Chepel, NAFO Executive Secretary (Chairman)
T. Amaratunga, Assistant Executive Secretary

CANADA

R. Cosh, Dept. of Fisheries and Oceans, Information Systems Development, Stn 1382, 200 Kent Street, Ottawa, Ontario
K1A 0E6
L. Strowbridge, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1

EUROPEAN ECONOMIC COMMUNITY (EEC)

J. P. L. Verborgh, Commission of the European Communities, J-99 Office 6/78, Wetstraat 200, B-1049 Brussels, Belgium

JAPAN

T. Hasegawa, Japan Fisheries Association, Suite 1101, Duke Tower, 5251 Duke Street, Halifax, Nova Scotia, Canada

RUSSIAN FEDERATION

A. Mikhailov, Representative of Russia in Canada on Fisheries, Welsford Place, 2074 Robie Street, Suite 2202-3, Halifax,
Nova Scotia, Canada B3K 5L3

Annex 2. Agenda

1. Opening by the Executive Secretary
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Elaboration of terms of reference for a Communication Study to recommend a compatible system for the NAFO Secretariat and Contracting Parties:
 - 4.1 Presentation and discussion of Contracting Parties' papers/proposals
 - 4.2 Recommendation of a compatible system architecture with its cost approximation
5. Recommendation of deadlines for presentation of requests to/from potential contractors
6. Adoption of a final report to STACTIC and Fisheries Commission
7. Other matters
8. Adjournment

Annex 3. Current Hail Reporting Procedures Used by the EEC

Introduction

This document gives a short description of the way in which the hail reports are currently processed by the European Community. Distinction is made between hail reports from EEC vessels and hail reports from vessels from other Contracting Parties.

1. Hail Reports from EEC Vessels

1.1 Principle

Vessels flying the flag of a Member State (MS) of the European Economic Community (EEC) shall transmit their hail reports

- 1) to the Commission of the European Communities (CEC) and simultaneously,
- 2) to their competent national authorities.

Within 24 hours of receipt of the hail reports, whenever possible, the CEC shall, on behalf of the EEC, transmit the information contained therein to the Executive Secretary of NAFO.

Attachment 1 refers.

1.2 Procedures for transmission to NAFO

Vessels send the hail reports by telex to the Directorate General for Fisheries (DG XIV) (telex no. 24.189 FISEU-B) of the CEC (see example in Attachment 2).

The incoming hail reports are entered in a database by the telex operators. A dedicated online application was developed for that purpose under the ORACLE database system on a UNIX computer (see example of completed screen in Attachment 3).

Originals of the telexes are filed.

Once or twice a day, depending on the workload, the newly arrived hail reports are extracted from the database and put in telex format. This telex is then sent to the Executive Secretary of NAFO (telex no. 019-31475) (see example in Attachment 4).

1.3 Enforcement

DG XIV's Inspection and Control Unit uses both desktop and portable PC's. The PC's run an integrated database and spreadsheet package, named OPEN ACCES, under MS-DOS. The desktop PC's are connected with the UNIX computer through a local network.

Hail reports from EEC vessels are downloaded from the UNIX machine to the PC's. Inspectors on mission in the NAFO Regulatory Area (NRA) use portable PC's.

A number of predefined reports can be made:

- 1) list of hail reports from a particular vessel
- 2) list of hail reports of all vessels present in the NRA
- 3) list of all hail reports

These lists can be used by the inspectors to verify whether vessels comply with NAFO conservation and enforcement measures.

2. Hail Reports from Vessels from Other Contracting Parties

2.1 Principle

The Contracting Parties transmit the hail reports to the NAFO Executive Secretary.

The NAFO Executive Secretary transmits to the EEC the information contained in the *hail reports received from the other Contracting Parties*, when the EEC has an inspection presence in the NRA.

2.2 Procedure for Reception from NAFO

The NAFO Executive Secretary transmits the hail reports to the EEC chartered Inspection vessel "Ernst Haeckel", either by fax through Standard-A satellite communications or by telex via *Halifax radio*.

The hail reports are entered on the portable PC's on board of the inspection vessel. A screen mask has been developed for this purpose (see Attachment 5)

2.3 Enforcement

On the PC's, the data from EEC vessels and *from other Contracting Parties* vessels are merged.

Enforcement tools are as described under 1.3.

Attachment 1

No L 21/4

Official Journal of the European Communities

30.1.92

COUNCIL REGULATION (EEC) No 189/92
of 27 January 1992

adopting provisions for the application of certain control measures adopted by
the Northwest Atlantic Fisheries Organization

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

NAFO regulatory area; whereas that
proposal is acceptable to the Community,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of
25 January 1983 establishing a Community system for
the conservation and management of fishery resources⁽¹⁾,
as amended by the 1985 Act of Accession and in parti-
cular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Convention on future multilateral coopera-
Northwest Atlantic fisheries, hereinafter referred to
as the NAFO Convention, was approved by the Council
by Regulation (EEC) No 3179/78⁽²⁾ and entered into force
on 1 January 1979;

Whereas the Northwest Atlantic Fisheries Organization
(NAFO) established by the NAFO Convention adopted
a Scheme of Joint International Inspection which was
adopted by the Council in Regulation (EEC) no. 1956/88⁽³⁾;

Whereas the NAFO Fisheries Commission, at its 13th
Annual Meeting held in Dartmouth on 13 September
1991, adopted a proposal for the establishment of a
control measure, requiring fishing vessels to communicate
certain information regarding their activities in the

HAS ADOPTED THIS REGULATION:

Article 1

Vessels flying the flag of a Member State of the Community to
which the NAFO scheme of joint international inspection applies
shall transmit to the Commission of the European Communities
and simultaneously to their competent national authorities, in
accordance with the rules laid down in the Annex, the
information set out therein.

Article 2

Within 24 hours of receipt of the reports, whenever possible, the
Commission shall transmit the information contained therein
to the Executive Secretary of NAFO.

Article 3

This Regulation shall enter into force on the third day following
that of its publication in the *Official Journal* of the European
Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 January 1992.

For the Council

The President
A. MARQUES DA CUNHA

⁽¹⁾ OJ No L 24, 27.1.1983, p. 1.

⁽²⁾ OJ No L 378, 30.12.1978, p. 1.

⁽³⁾ OJ No L 175, 6.7.1988, p. 1.

ANNEX

1. The communications described below shall be entitled 'NAFO report'. The information to be transmitted, which shall be presented in the form specified, is as follows:
 - 1.1 each entry of the vessel into the Regulatory Area. This report shall be made at least six hours in advance of the vessel's entry and shall contain the following particulars in the following order:
 - name of vessel,
 - call sign,
 - external identification letters and numbers,
 - the date, the time and geographical position,
 - indication of the message code: "ENTRY",
 - the NAFO division into which the vessel is about to enter,
 - the name of the master;
 - 1.2 each movement from one NAFO division to another NAFO division except when moving between divisions 3L and 3N, and 3N and 3O under the conditions provided for in 1.3, each movement from the delimited zone of 10 miles either side of the lines separating divisions 3L and 3N and 3O when the conditions set out in 1.3 no longer apply. These reports shall be made prior to the vessel's entry into a NAFO division and shall contain the following particulars in the following order:
 - name of vessel
 - call sign,
 - external identification letters and numbers,
 - the date, the time and geographical position,
 - indication of the message code: "MOVE",
 - the NAFO division into which the vessel is about to enter,
 - the name of the master;
 - 1.3 vessels conducting trans-zonal fishery between NAFO Divisions 3L and 3N or between divisions 3N and 3O which cross the line separating these divisions more than once during a period of 24 consecutive hours, and provided that they remain within the delimited zone (of 10 miles either side of the line between the divisions) shall report when first crossing the line between the divisions and at intervals not exceeding 24 hours thereafter (while remaining in the delimited zone), the following particulars in the following order:
 - name of vessel,
 - call sign,
 - external identification letters and numbers,
 - the date, the time and geographical position,
 - indication of the message code: "ZONE",
 - the name of the master;
 - 1.4 each exit from the Regulatory Area. These reports shall be made prior to the vessel's exit from the Regulatory Area and shall contain the following particulars in the following order:
 - name of vessel,
 - call sign,
 - external identification letters and numbers,
 - the date, the time of geographical position,

- indication of the message code: "EXIT",
 - the NAFO division from which the vessel is about to leave,
 - the name of the master.
2. Without prejudice to the provisions set down in Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish⁽¹⁾, after each radio transmission of the information described in point 1 the following details are to be immediately entered in the logbook:
- date and time of the transmission,
 - in the case of radio transmissions, the name of the radio station through which the transmission was made.
- 3.1 The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex 24189 FISEU-B) and to the competent national authorities of the Member State whose flag the vessel is flying.
- 3.2 If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

⁽¹⁾ OJ No L 276, 10. 10. 1983, p. 1

Attachment 2

CONFIDENTIAL

24189a fiseu b
29221 tc bru b
zczc es41107a23699 cot571
bebr co esra 035
mariavictoriag/efjs madridradio/ehy 32 21 2023

tlx24189
comision cc.ee. direccion general xiv licencias pesca
fiseu bruselas

- a) nafo report
- b) maria victoria g.
- c) efjs
- d) vi-2-02336
- e) 20.04.92. 0900 gmt.
- f) 4808n 04730w
- g) zone
- h) 31
- i) jose gonzalez

Attachment 4

CONFIDENTIAL

X X

User: Relay administrator

Request id: fiseu-5719 Printer: fiseu

Tue Apr 21 14:13:03 BRU 1992

X X

SUBJECT :- N.4871.34.SPR/NAFOHAILREPORT/ PEDERSEN

BRUSSELS 21/04/92 N. 4871.34.SPR

FM:CEC DIR.GEN.FISHERIES XIV/C/3
 TO:-NAFO-DTR-NOVA SCOTIA; 01931475
 ATTN. DR. L. CHEPEL, EXECUTIVE SECRETARY
 BT
 SUBJ/PLEASE FIND H/A HAIL REPORTS MSG.

A. NAFO REPORT 463 / 1207
 B. PLAYA DE MENDUINA
 C. EEKN
 D. VI-5 9446
 E. 16/04/92 22:35
 F. 4812N - 4630W
 G. MOVE
 H. 3L
 I. F VALLADARES

A. NAFO REPORT 465 / 1209
 B. NARVAL
 C. EACV
 D. VI-5 8752
 E. 16/04/92 00:45
 F. 4725N - 4710W
 G. MOVE
 H. 3M
 I. R GARCIA

A. NAFO REPORT 467 / 1211
 B. ANA MARIA GANDON
 C. EFYK
 D. VI-5 9334
 E. 16/04/92 01:30
 F. 4820N - 4630W
 G. MOVE
 H. 3M
 I. J MARTINEZ

A. NAFO REPORT 464 / 1208
 B. BIGARO
 C. EFSM
 D. VI-5 8748
 E. 16/04/92 00:45
 F. 4725N - 4710W
 G. MOVE
 H. 3M
 I. R GARCIA

A. NAFO REPORT 466 / 1210
 B. VIEIRASA VI
 C. EAHY
 D. VI-5 9845
 E. 16/04/92 01:15
 F. 4805N - 4632W
 G. MOVE
 H. 3M
 I. J B FRADUA

A. NAFO REPORT 468 / 1212
 B. RAMP
 C. EHTR
 D. GI-4 2179
 E. 16/04/92 04:30
 F. 4817N - 4625W
 G. MOVE
 H. 3L
 I. S F FARNINA

Attachment 5

hail_rep

--- HAIL REPORT ---

A. Report number ..	.....	REP_No
B. Vessel Name .....	.....	NAME
C. Call Sign .....	.....	CALLSIGN
D. Vessel Number ..	.....	VSSL
Nationality .....	.....	FLAG
E. Date	Time.....	DTE TME
F. Latitude	Longitude.....	LAT LONG
G. Message .....	.....	MSG
H. NAFO division ..	.....	AREA
I. Name of Master ...	.....	MASTER

Date and time of receipt on board FPV

Date .....	.....	DTE2
Time .....	.....	TME2

<edit_keys> <change> <select> <menu> <search>

Annex 4. Proposed Definition of Requirements and Implementation Strategy for an Automated Hail System (prepared by the STACTIC Working Group)

Executive Summary

NAFO has amended its Conservation and Enforcement Measures such that fishing vessels of member nations are now required to hail, i.e. provide advance notice of intended movement into and out of the NAFO Regulatory Area (Divisions 3L, 3M, 3N, 3O, etc.), and between Subdivisions within the Regulatory Area. The amount of advance notice required in different cases is specified in the amendments to the NAFO Conservation and Enforcement Measures.

A fishing vessel currently hails to its owner via radio. The owner sends the hailed data to, in most cases, a government department of the country of registry, or competent authority (if the owner is not the competent authority). The competent authority relays the hail to the Contracting Party (if the competent authority is not itself the Contracting Party). The Contracting Party then relays the hail to the NAFO Secretariat in Dartmouth, Nova Scotia. The NAFO Secretariat then relays the hail to Contracting Parties with an inspection presence in the area. Most steps in the forwarding of hails are performed using facsimile or telex, and involve duplication of work at different sites.

The objective of this project is to alleviate an increase in workload brought about by NAFO's new hail requirements, and to enhance the accuracy and timeliness of reporting by automating the storing and forwarding of hails from fishing vessels, and the production of statistical reports. Development of database and communications software is seen as an effective solution to an immediate requirement which could otherwise be satisfied only at an unacceptable labour cost.

This paper contains proposals for design standards (message format, database and communications), and an implementation strategy.

This report follows and is based on the STACTIC recommendations made in Copenhagen on 18-20 February 1992 and STACTIC Working Group Working Paper 92/1.

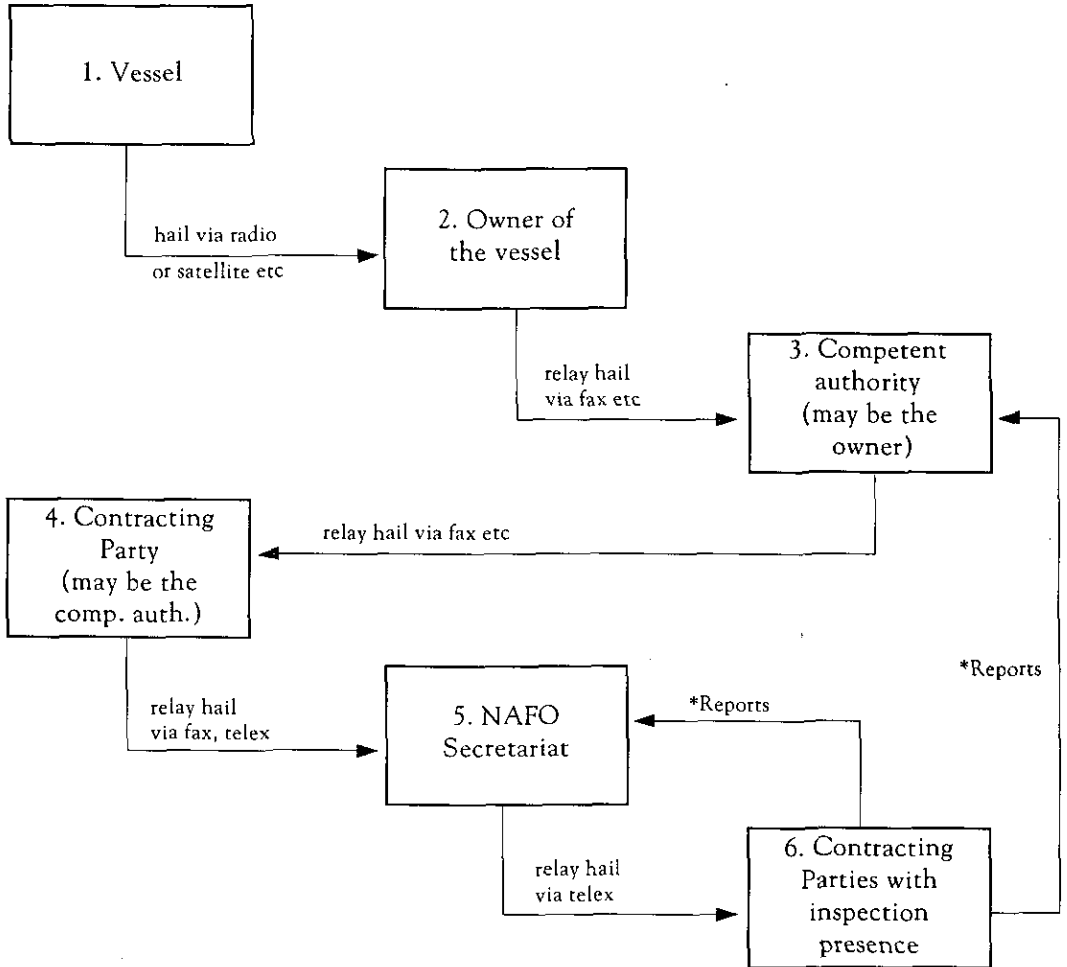
1.0 Current System Model

The Current System Model consists of a diagram of the current implementation of the automated or manual systems to be studied. The sole purpose of this model is to gain an understanding of the current environment and to become aware of the potential impact of the new system on the current environment; its level of detail therefore is only sufficient to achieve that understanding.

The current NAFO-Hail system is manual. A fishing vessel currently hails to its owner via radio. The owner sends the hailed data to, in most cases, a government department of the country of registry, or competent authority (if the owner is not the competent authority). The competent authority relays the hail to the Contracting Party (if the competent authority is not itself the Contracting Party). The Contracting Party then relays the hail to the NAFO Secretariat in Dartmouth, Nova Scotia. The NAFO Secretariat then relays the hail to Contracting Parties with an inspection presence in the area. Most steps in the forwarding of hails are performed using facsimile or telex, and involve duplication of work at different sites.

Following is a Data Flow Diagram showing the current system of recording hails and reporting on compliance with the requirements of the NAFO Conservation and Enforcement Measures. The data elements are the same as listed in the Current System Data Model section.

Current System Model Flow Diagram



*Reports means surveillance reports from aircraft, or apparent infringements from inspection vessels.

2.0 Current System Data Model

The current non-computerized NAFO Hail System is concerned with the following entities: Country, Vessel, NAFO Division, Message Code, and Hail. The definitions of these entities and the relationships among them are the same as in the Conceptual Data Model.

3.0 Current Resource Model

The Current Resource Model is a table of people, equipment and locations associated with the functions of the current system. The purpose of this model is to help to understand the potential resource requirements of the new system.

A fishing vessel currently hails to its owner via radio. The owner relays the hailed data to the competent authority (if the owner is not the competent authority). The competent authority relays the hail to the Contracting Party (if the competent authority is not itself the Contracting Party). The Contracting Party then relays the hail to the NAFO Secretariat in Dartmouth, Nova Scotia. The NAFO Secretariat then relays the hail to the Contracting Parties who have an inspection presence in the area. Most steps in the forwarding of hails are performed using facsimile or telex, and involve duplication of work at different sites.

Agency	Uses Radio	Uses Telex	Uses Fax	Uses Stand Alone Computer Applications
Vessel	✓	✓	✓	X
Vessel Owner	✓	?	✓	X
Competent Authority	?	✓	✓	✓
Contracting Party	?	✓	✓	✓
NAFO Secretariat	X	X	✓	✓
Contracting Party with an Inspection Presence in the Area	✓	✓	✓	✓

4.0 Business Model

A Business Model is the first level of conceptual analysis. It is the result of stripping technology and implementation considerations away from the Current System Model and integrating any new functional requirements identified in the analysis process.

The Business Model normally consists of a Data Flow Diagram, a supporting Data Flow Data Dictionary and process descriptions for the lowest level processes in the data flow diagram. A separate Business Model has not been included, as it would be essentially identical to the Conceptual System Model, since it is intended by NAFO to automate the entire process.

5.0 Conceptual System Model

The Conceptual System Model is an essential process model that establishes the automation boundary on the Business Model, and provides sufficient detail to permit assessment of the resource requirements for the new system. This model provides the basis for alternatives analysis on the next phase.

The guide to interpretation of data flow diagrams in section 5.1 provides definitions and explanations of the symbols used in the conceptual system model data flow diagram in section 5.2.

5.1 Data Flow Diagram - Guide to Interpretation

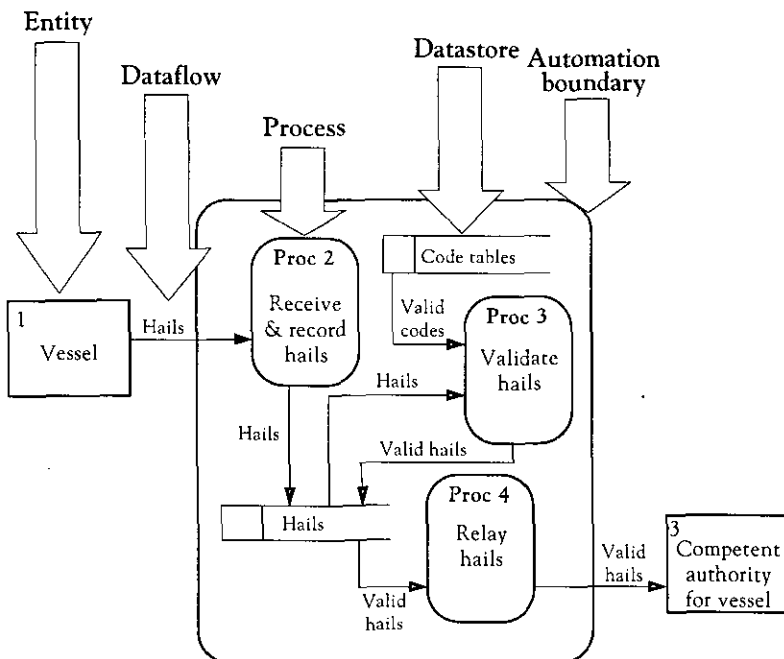
PROCESS - A process is a logical collection of procedures which act together to accomplish one or more business requirements.

DATA STORE - A data store is a source or sink of data within the boundaries of the business being modelled.

DATA FLOW - A data flow provides data to processes from data stores, external entities, or other processes, and allows a process to send data to data stores, external entities, or other processes. A data flow consists of data elements.

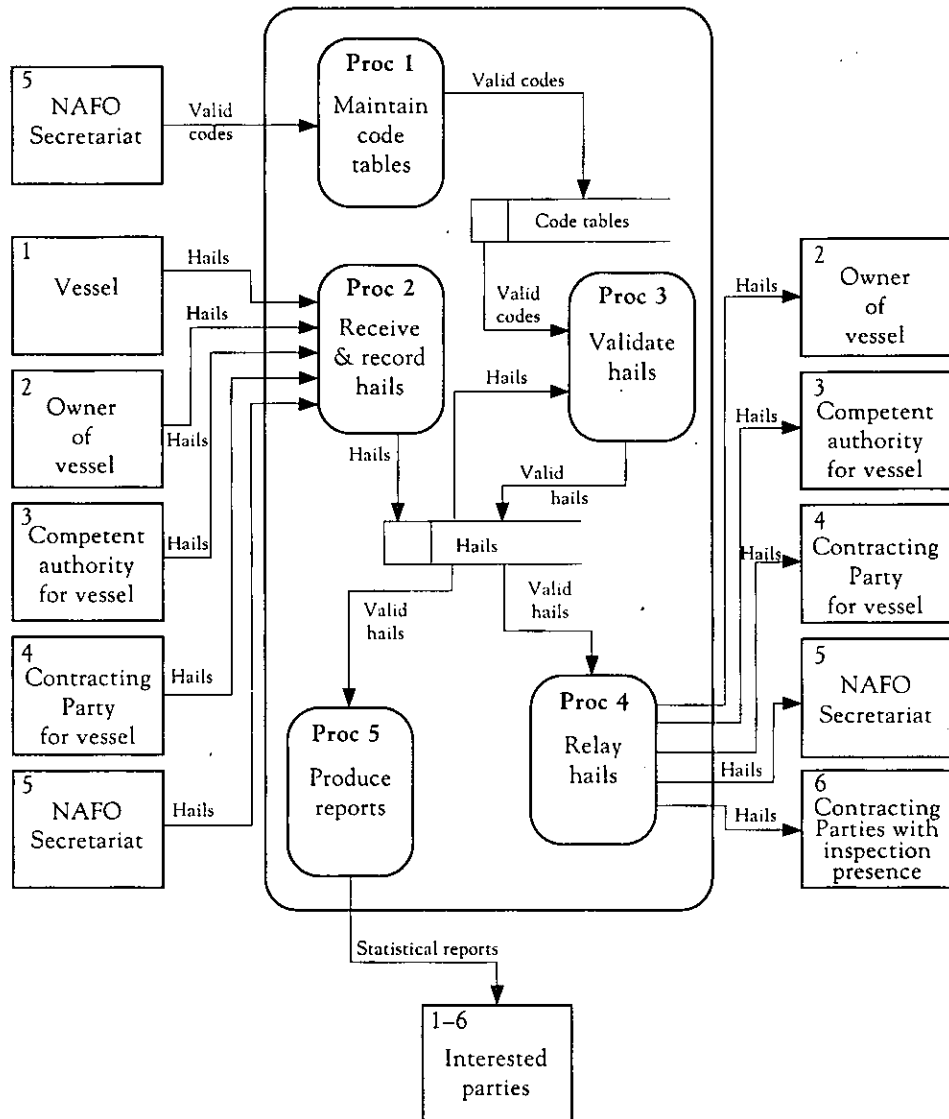
AUTOMATION BOUNDARY - The automation boundary encloses the processes which are being modelled. It also includes all data stores and data flows which are internal to the overall process being modelled.

ENTITY - An external entity is a source or sink of data which is outside the scope of the business area being modelled. As a source or sink of data, the external entity may impose processing and interface requirements.



Guide to reading dataflow diagrams

5.2 Conceptual System Model - Data Flow Diagram



5.3 Conceptual System Model - Process Descriptions

Process 1 - Maintain Code Tables

Code tables are required in an automated system in order to ensure the uniformity of data required for the automated selection and sorting of records. This uniformity is achieved by using code tables to validate all data input.

Process 2 - Receive and Record Hails

Following the initial transmission from the vessel, hails are received in turn by the vessel owner, the competent authority for the vessel, the Contracting Party for the vessel, the NAFO Secretariat, and Contracting Parties with an inspection presence in the NAFO Regulatory Area. Each of these parties in the hail relay must be able to re-send hails in the event of data loss by any of the other parties. Each party may also wish to produce reports.

Process 3 - Validate Hails

Hails are validated to ensure the validity of Message Codes, NAFO Division Codes, etc. The geographical position from which the vessel hails may be compared with the last hailed position and the elapsed time to determine whether the distance travelled is reasonable, and whether the vessel has been correctly identified. The geographical position of the hail may be compared with the intended movement indicated in the last hail.

Process 4 - Relay Hails

A hail originates from a vessel, is transmitted to the vessel owner, and is relayed in turn to the competent authority for the vessel, the Contracting Party for the vessel, the NAFO Secretariat, and Contracting Parties with an inspection presence in the NAFO Regulatory Area.

Process 5 - Produce Reports

The NAFO Secretariat wishes to produce statistical reports. Contracting Parties with an inspection presence in the area, in particular the coastal state (Canada), wish to compare hails with sightings by patrol vessels and aircraft to assess compliance of vessels with the NAFO requirement to hail in advance of movement into or out of the Regulatory Area, or between Divisions within the Area.

6.0 Conceptual Data Model

The conceptual data model is an entity-relationship model of the data to be contained in the new system, with a supporting table of data element definitions. The model is developed to 3rd normal form.

6.1 Conceptual Data Model - Entities

The NAFO Hail System is concerned with the following entities: Country, Vessel, NAFO Division, Message Code, and Hail. The definitions of these entities and the relationships which exist among them are described below and in the entity relationship diagram, section 6.3.

6.1.1 Country

Each vessel has a single owner, and is registered to a single country, or competent authority. Either directly or through Contracting Parties, countries may be associated with NAFO. The Country Table must include the UN code for each country, the country name, and indicators of its affiliation with NAFO and the European Community (EC).

6.1.2 Vessel

A vessel is any vessel of a NAFO Contracting Party fishing in the Northwest Atlantic. Each vessel is registered to a single country, and is represented at NAFO by a Contracting Party. A vessel is the source and subject of one or more hails. Each vessel should hail its intended movements into and out of the NAFO Regulatory Area, and between subdivisions within the Area, in compliance with the NAFO Conservation and Enforcement Measures.

6.1.3 NAFO Division

NAFO Divisions for scientific and statistical purposes are portions of the NAFO Convention Area whose dimensions and locations are defined in the NAFO Convention. Each hail indicates movement into or out of NAFO Division, except where the message code indicates "ZONE". The valid NAFO Division codes are 3L, 3M, 3N, 3O, etc.

6.1.4 Message Code

The message code indicates the type of movement planned by the vessel. Each hail must contain a valid message code. Definitions of these codes are in the "Proposed Modification to the Hail System Message Format" attached to the letter dated 25 February from Dr. Chepel, Executive Secretary of NAFO, to members of the Fisheries Commission. The Message Codes are;

1. "ENTRY" for entry into the NAFO Regulatory Area;
2. "MOVE" for movement between one NAFO Division and another (with some exceptions);
3. "ZONE" for vessels conducting transzonal fishery between Divisions 3L and 3N or between Divisions 3N and 3O;
4. "EXIT" for each exit from the Regulatory Area.

6.1.5 Hail

A hail is a radio signal from a vessel to its owner, or competent authority, giving notice of intended movement of a fishing vessel into or out of the NAFO Regulatory Area, or between Subdivisions within the Regulatory Area. The content of the hail was agreed to by NAFO Members in Copenhagen in February 1992, and must include: the vessel name; call sign; external identification letters and numbers; date, time and geographical position; indication of the message code "ENTRY", "MOVE", "ZONE", or "EXIT"; the NAFO Division which the vessel is about to enter or leave; and the name of the Master.

6.2 Conceptual Data Model - Data Elements

In the Conceptual Data Model, each "Entity" has "attributes", or data elements. Following are definitions for the attributes for the entities Country, Vessel, NAFO Division, Message Code, and Hail.

6.2.1 Attributes of the Entity "Country":

COUNTRY CODE (COUNTRY_CODE)

The UN code for each country

or

The ISO Alpha-3 Country code*

COUNTRY DESCRIPTION (COUNTRY_DESC)

The name of the country.

NAFO MEMBER INDICATOR (NAFO_MEMBER-IND)

Indicates (Y/N) whether the country is a member of NAFO.

EEC MEMBER INDICATOR (EEC_MEMBER-IND)

Indicates (Y/N) whether the country is a member of the European Economic Community (EEC).

*Proposed by the EEC

ISO - International Standards Organization

6.2.2 Attributes of the Entity "Vessel"

COUNTRY (COUNTRY)

The nationality of the vessel.

CALL SIGN (CALLSIGN)

The radio call sign of the vessel, used to uniquely identify the vessel.

OFFICIAL NUMBER (OFFICIALNO)

The Official Number of the vessel, i.e. the external identification numbers or letters on the vessel.

VESSEL NAME (VESSELNAME)

The name by which the vessel is known, and under which it is registered.

HOME PORT (HOMEPORT)

The home port of the vessel.

OWNER (OWNER)

The owner or charterer of the vessel.

6.2.3 Attributes of the Entity "NAFO Division"

DIVISION (DIVISION)

NAFO Divisions for scientific and statistical purposes are portions of the NAFO Convention Area whose dimensions and locations are defined in the NAFO Convention. A Division is a further breakdown of a NAFO Subarea. The two character NAFO Division code is made up of a single numeric character to indicate the Subarea, with a single alpha character added to it so that together they indicate the Division.

6.2.4 Attributes of the Entity "Message Code"

MESSAGE CODE (MESSAGECODE)

A code which indicates whether a vessel is announcing its intention to enter or leave the Regulatory Area, or to move to another Division.

MESSAGE DESCRIPTION (MESSAGEDESC)

The description corresponding to the single character Message Code.

6.2.5 Attributes of the Entity "Hail":

MESSAGE TYPE (MESSAGETYPE)

The words "NAFO Report" identify the record to the receiving system as a NAFO Hail Report.

VESSEL NAME (VESSELNAME)

The name of the vessel; used to cross check with the record on the VESSELS table which has the same CALL SIGN.

CALL SIGN (CALLSIGN)

The radio call sign of the vessel, used to uniquely identify the vessel.

OFFICIAL NUMBER (OFFICIALNO)

The external identification numbers or letters on the vessel; used to cross check with the record on the VESSELS table which has the same CALL SIGN.

HAIL DATE AND TIME (HAILDATETIME)

The date and time at which the vessel hailed its intended move.

LATITUDE AND LONGITUDE (LATLONG)

The geographical position of the vessel at the time it hailed.

MESSAGE CODE (MESSAGECODE)

The code which indicates whether the vessel is announcing its intention to enter or leave the Regulatory Area, or to move to another Division.

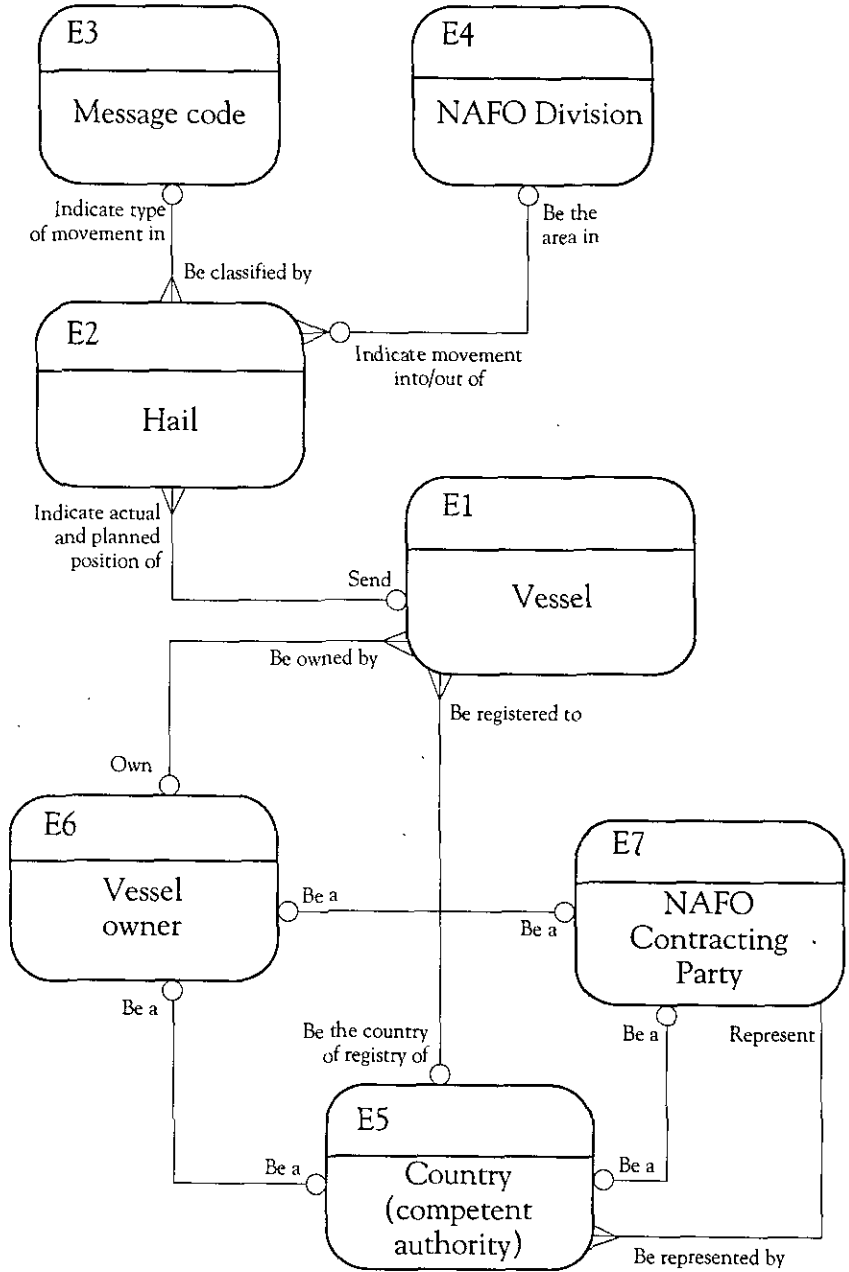
DIVISION (DIVISION)

The NAFO Division which the vessel intends to enter or leave.

MASTER (MASTER)

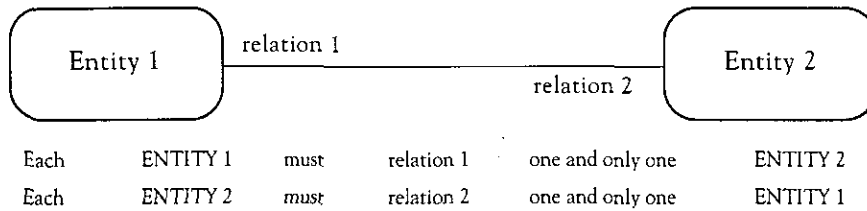
The name of the master of the vessel.

6.3 Conceptual Data Model - Entity Diagram

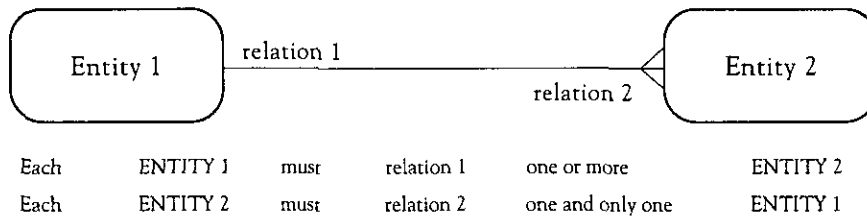


6.4 Entity Diagram - Guide to Interpretation

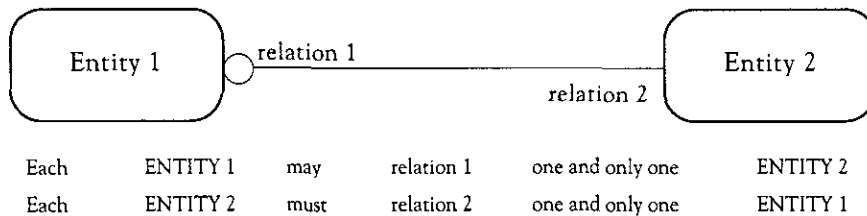
Example 1



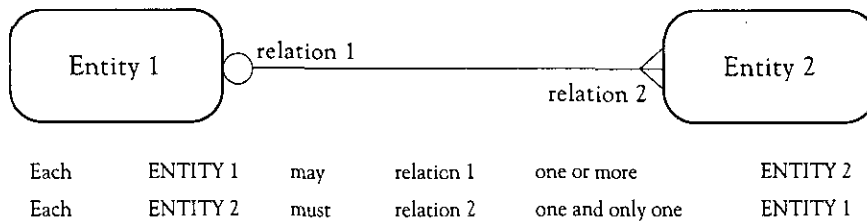
Example 2



Example 3



Example 4



6.5 Conceptual Data Model - Database Schema

The Oracle relational database conventions have been used for illustration purposes. The "name" column is the name of the data element, or column in the database table. If the "Null?" column indicates "NOT NULL", the field is mandatory. The "Type" column indicates what type of characters the field may contain, e.g. numbers, dates, or any combination of characters, followed by the field length. For example:

OFFICIALNO **NOT NULL CHAR(10)**

means the field called OFFICIALNO is mandatory (i.e. cannot be blank); may contain letters, digits or other characters (A-Z, 0-9, *,-,#etc.), and may be up to ten spaces long).

COUNTRIES

Name	Null?	Type
COUNTRY_CODE	NOT NULL	CHAR(3)
COUNTRY_DESC	NOT NULL	CHAR(20)
NAFO_MEMBER_IND		CHAR(1)
EEC_MEMBER_IND		CHAR(1)

VESSELS

Name	Null?	Type
COUNTRY	NOT NULL	CHAR(3)
CALLSIGN	NOT NULL	CHAR(12)
OFFICIALNO	NOT NULL	CHAR(12)
VESSELNAME	NOT NULL	CHAR(35)
HOMEPORT	NOT NULL	CHAR(30)
OWNER	NOT NULL	CHAR(50)

NAFO DIVISIONS

Name	Null?	Type
SUBAREA	NOT NULL	NUMBER(1)
SUBAREADIV	NOT NULL	CHAR(1)

MESSAGE CODES

Name	Null?	Type
MESSAGECODE	NOT NULL	CHAR(1)
MESSAGEDESC	NOT NULL	CHAR(5)

HAILS

Name	Null?	Type
MESSAGETYPE	NOT NULL	CHAR(11)
VESSELNAME	NOT NULL	CHAR(35)
CALLSIGN	NOT NULL	CHAR(12)
OFFICIALNO	NOT NULL	CHAR(12)
HAILDATETIME	NOT NULL	DATE
LATLONG	NOT NULL	CHAR(10)
MESSAGECODE	NOT NULL	CHAR(1)
DIVISION	NOT NULL	CHAR(2)
MASTER	NOT NULL	CHAR(32)

7.0 System/People Interfaces

The system must provide a powerful, user-friendly query capability. Data must be available to many sites, using appropriate protocols.

The following inputs and outputs are required:

1. A machine-readable hail message.
2. An automated form for recording and editing hails and executing queries.
3. A form for reviewing all hails: Sorted by country, vessel, date, and time. Indicate inconsistencies, based on last hailed position and intention. The form is to display at least the following data, with the user able to query on any field:
 - A. Name of vessel,
 - B. Call sign,
 - C. External identification letters and numbers,
 - D. The date, the time and geographical position,
 - E. Indication of the message code "ENTRY", "MOVE", "ZONE", or "EXIT".
 - F. The NAFO Division which the vessel is about to enter (for message codes "ENTER" or "MOVE") or leave (for message code "EXIT"). Not required if the message code is "ZONE".
 - G. The name of the master.
 - H. The date and time on which the hail was received.
 - I. A unique sequence number.
4. A daily report of each vessel's last hailed position, by Division.
5. A variety of reports (anticipate about six) to list or summarize hails. At least one of these is to match the layout of the form referred to in item 1 above, sorted by country, vessel, date, and time.

Reports are to be available on screen or hard copy. The user is to be able to spool report output to a director for incorporation in documents being prepared using word processing software.

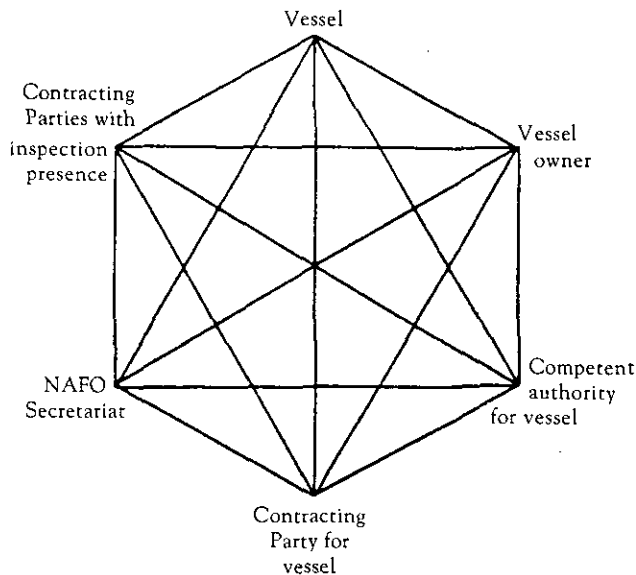
8.0 Inter-Site Communications Requirements

Hails are sent from fishing vessels in or near the NAFO Regulatory Area to vessel owners/competent authorities/Contracting Parties of NAFO located in many countries around the world. Hails are communicated by the Contracting Parties to the NAFO Secretariat in Dartmouth, Nova Scotia. The NAFO Secretariat copies the hails to Contracting Parties with an inspection presence in the area. The volume of hails between different sites, and message file sizes may be estimated later in the 1992 fishing season. Database synchronization among all parties must be ensured. The security and confidentiality of databases and message files must be ensured.

The Executive Secretary, in WGWP 92/1, suggests examining Inmarsat-C; Global Positioning System (GPS); MSAT (Mobile Satellite) - Telesat Mobile Inc.; "Argos", etc.

The use of a particular technology may be at the discretion of individual vessel owners, competent authorities, or Contracting Parties. It is important, however, to agree at the outset on standards which will allow the easy receipt and forwarding of data. Contracting Parties and the NAFO Secretariat should consider sending hails via data networks such as X-25 or Email, and not only by FAX or telex.

The diagram below illustrates how, with flexible addressing, hails could be forwarded from any party to any other party or parties, as policy dictates.



Automated hails system
Message forwarding network with flexible addressing

9.0 Traceability Matrix

The chart on the following page cross references the functional requirements which have been identified, and the process(es) in the new system intended to satisfy each. The processes referred to may be seen in context in the Conceptual System Model in section 5.0. The source of each requirement has also been indicated.

Sources:

1. STACTIC recommendations at the 18-20 February meeting in Copenhagen.
2. *Communication Study to Handle the Hail System*, Executive Secretary. STACTIC Working Group Paper 92/1.
3. NAFO/FC Doc. 91/9, Serial No. N2025, 13th Annual Meeting, September 1991.

TRACEABILITY MATRIX

No.	Requirements	Sources	Proc 1 Maintain Code Tables	Proc 2 Receive & Record Hails	Proc 3 Validate Hails	Proc 4 Relay Hails	Proc 5 Produce Reports
1	Vessels must hail to their Competent Authorities.	1,2,3	✓	✓	✓	✓	
2	Facility must be available 24 hrs/day, 7 days/week.	2		✓		✓	
3	Contemporary technical means.	2	✓	✓	✓	✓	✓
4	Communications between fishing vessels in the Regulatory Area - Contracting Parties - NAFO HQ.	1,2	✓	✓	✓	✓	
5	Communications between NAFO HQ-Inspection vessels-aircraft-Contracting Parties.	1,2	✓	✓	✓	✓	
6	To provide independent information on the positions and dates for vessels in the Regulatory Area at the Request of Contracting Parties with inspection presence.	1,2	✓	✓	✓	✓	✓
7	To provide independent and secure information on the fishing activities of the vessels of each Contracting Party to the appropriate authorities of that Contracting Party at their request.	1,2	✓	✓	✓	✓	✓
8	To provide independent relevant information between inspection vessels and aircraft for coordination of their activities.	1,2	✓	✓	✓	✓	✓
9	To provide privacy and security of data processed, stored and transmitted through technical means.	1,2	✓	✓	✓	✓	
10	To provide full compatibility of the technical means for all Contracting Parties fishing in the Regulatory Area.	2	✓	✓	✓	✓	
11	An integrated satellite-based monitoring system. e.g. Inmarsat-C; Global Positioning System (GPS); MSAT (Mobile Satellite)-Telesat Mobile Inc.; "Argos", etc.	2		✓		✓	

10.0 Implementation Strategy

This proposal suggests a three stage approach, with advantages accruing from each stage, even if subsequent stages are not embarked upon.

1. Agree on standards for the storing and forwarding of hails received by radio:
 - Message Format: The file structure for Electronic Data Interchange (EDI) e.g. ANSI X-12 or EDIFACT.
 - Database: Relational database management system (RDBMS) e.g. Oracle; and table structure.
 - Communications: e.g. Inmarsat-A; Inmarsat-C; MSAT (Mobile Satellite)-Telesat Mobile Inc., etc. for ship to shore; shore to ship; shore to plane; vessel to plane.

Adoption of message format, database and communications standards are a necessary first step if a single integrated system is to result. If Contracting Parties opt to develop their own systems, such standards will be critical if there is to be effective and efficient communications between all parties.

2. Prepare a request for proposals (RFP) to develop a system for the NAFO Secretariat for the automated collection, storage and forwarding of hails. An RFP for a generic system for Contracting Parties to use at their discretion will also be developed. Contracting Parties may develop their own systems for the collection, storing and forwarding of hails, provided such systems conform to the agreed message format, database and communications standards.
3. Prepare a request for proposals (RFP) to provide a ship-board system which would automatically assign the correct call sign, date and time, and geographical position, e.g. obtained through an interface with Global Positioning System (GPS), to radio hails from vessels. Such a ship-board system would require the operator to enter only the Message Code, NAFO Division, and Vessel Master. Other data such as Vessel Name and Official Number would be obtained from look-up tables on the corresponding shore-based system. Systems such as "ARGOS" could be evaluated.



SECTION IV

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Report of the Special Meeting of the Fisheries Commission

Dartmouth, Nova Scotia, Canada, 11-14 May 1992

1. Opening of the Meeting (Agenda items 1 to 5)

- 1.1 The Chairman of the Fisheries Commission, Mr. E. Wiseman (Canada) welcomed the delegates to the Special Meeting of the Fisheries Commission. Representatives of the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway, Poland, and the Russian Federation (Russia) (Annex 1).
- 1.2 E. Mundell (Canada) was appointed rapporteur.
- 1.3 The Chairman noted that the USA's application for observer status at the Special Meeting had been agreed by a mail vote and welcomed the USA observers to the table.
- 1.4 The applications of Estonia, Latvia and Lithuania for observer status were approved unanimously and their representatives were also welcomed to the table. The representative of Lithuania made an opening statement (Annex 2), and the representative of Estonia and Latvia also spoke, indicating the intention of the Estonian and Latvian Governments to join NAFO and to comply fully with NAFO decisions.
- 1.5 It was agreed that NAFO's normal practice would be followed in relation to publicity and that no statements would be made to the media until after the conclusion of the meeting.
- 1.6 The Chairman noted that the EEC had requested two additional Agenda items (**minimum cod size and minimum mesh size in the Regulatory Area**), to which no objections were made. The representative of the EEC responded that a **minimum size for flatfish** should also be added. Russia proposed a new item under Agenda Item 15, namely, **Financing scientific research in the Regulatory Area**. The Agenda, as amended, was adopted. (Annex 3)
- 1.7 The representative of Canada made an opening statement (Annex 4).
- 1.8 The representative of Russia indicated that Russia, as the successor in NAFO to the USSR, continues to adhere to the principles of the NAFO Convention and to the provisions of the U.N. Law of the Sea Convention. He noted, however, that the rights and duties of coastal states had to be balanced with the rights and duties of other coastal states. Russia was prepared to take steps to improve surveillance and control in the Regulatory Area to facilitate conservation of stocks but had concerns about funding for some of the proposals. He noted that some of the proposals go beyond established legal principles in the NAFO Convention.

- 1.9 The representative of Denmark reminded delegates that the impetus for surveillance and control improvements in the Regulatory Area originated in NAFO's sorry experience with the 3M cod moratorium. Despite the moratorium, vessels had continued to fish 3M cod and it was now fished out. The aim of surveillance and control measures is to prevent repeating that experience when new recruitment comes again to the 3M cod stock. He also indicated that some of the proposals to be tabled were acceptable while others were more difficult. He hoped that the meeting would be able to reach consensus on a system which would prevent depletion of stocks.
- 1.10 It was agreed that the representative of Canada would introduce briefly all of Canada's proposals under Agenda Items 6 through 11 and that substantive discussion of the proposals would be delayed until Tuesday morning 12 May after other delegates had been able to review them. The representative of Canada spoke briefly to each agenda item and the relevant Canadian proposal. The representative of Russia asked if the Canadian proposals pertained to areas or to stocks. The representative of Canada responded that they pertained to the Regulatory Area but that Canada's regulations applicable to fisheries inside the Canadian zone for NAFO-managed stocks were more stringent than the proposals for the Regulatory Area. The Representative of the EEC indicated that the EEC proposals for a minimum cod size, a minimum flatfish size and a standardized mesh size for groundfish fisheries had been tabled at the Annual Meeting in September 1991 as part of the Fisheries Commission request to the Scientific Council.
- 1.11 The meeting was disrupted by intrusion of demonstrating individuals into the meeting room and adjourned abruptly at 1145 hours.
- The meeting resumed at 1515 hours.
- 1.12 The representative of Canada regretted that a demonstration not in keeping with the objectives of the Special Meeting of the Fisheries Commission had abruptly ended the morning session. He informed the meeting that steps would be taken to prevent such disruptions of NAFO meetings in future. The Executive Secretary confirmed that he too would take steps to prevent disruption of future meetings.
- 1.13 The representative of Russia noted that the demonstration that morning had nothing to do with Russia, whose fleet fishes in accordance with the NAFO Convention and regulations. The representative of the EEC regretted that certain representatives of the fishing industry were able to interrupt the Special Meeting of the Fisheries Commission by a demonstration in the meeting area. He noted with satisfaction that the necessary measures would be taken to ensure that future meetings of the Fisheries Commission and other NAFO bodies would not be interrupted in that way.
- 1.14 Returning to the morning's discussions, the representative of Russia explained that he had requested a discussion of financing of inspection activities in the Regulatory Area to focus on the increasing costs of such activities and the need to determine inspection requirements to ensure adequate coverage and sufficient funds. Russia intended to table a proposal for sharing of inspection costs.

- 1.15 The representative of Poland thanked Canada for its proposals which were very important for NAFO and deserved careful consideration. There had been insufficient time, however, for Poland to study the proposals and to submit them to the Polish coordination process. Poland would therefore be unable to take a final position on any of the proposals at this meeting and reserved the right to review and comment later.
- 1.16 The representative of Denmark noted that the revised agenda was acceptable but that connections between some agenda items should be noted. He added that although some delegations had announced that they would be unable to take final positions at this meeting every effort should be made to get as close as possible to agreed texts for final decisions later.
- 1.17 The representative of the EEC agreed but noted that Agenda Item 11 is no longer correctly named, as Canada had submitted a revised proposal, and that no proposal had yet been tabled under Agenda Item 16. Canada had called for the Special Meeting of the Fisheries Commission and had tabled a number of proposals. Other delegations needed time to study the proposals and to consider carefully the political, legal and economic implications. Decisions should be left for the Annual Meeting in September, along with other important decisions on TACs and quotas and consideration of the advice from the Scientific Council. It might be possible to take decisions on the more technical items, eg Agenda Item 11, but review is still required. The delegate of the EEC proposed that STACTIC be instructed to meet to prepare for final decisions on the major agenda items at the Annual Meeting in September. The terms of reference for such a STACTIC meeting could be prepared at this meeting. He proposed developing new texts for evaluation and decision at the Annual Meeting in September. He noted that other delegations are in a similar position and are not authorized to take final positions this week.
- 1.18 The representative of Canada responded that Canada was ready to decide and to negotiate texts. The Canadian proposals were modest in nature and could be proceeded with. The representative of Denmark observed that the meeting should decide texts and policy questions. STACTIC is competent to consider technical matters, not policy issues. STACTIC has already discussed these matters. We should not go in circles. Policy decisions are needed this week.
- 1.19 The representative of Cuba agreed with Denmark, noting that STACTIC had been unable to decide proposals on the agenda items in February and that Canada had requested this meeting to get decisions. The proposals can be analyzed and policies decided. Endless discussions in NAFO on this topic are not useful. He noted that he had authority from the Government of Cuba to take final decisions.
- 1.20 The representative of Norway agreed with Denmark and Cuba. He thought it should be possible to iron out principal matters here. He agreed with the EEC that some texts need further work and that a STACTIC meeting between now and September would be useful. STACTIC should be given a concrete mandate to overcome its recent immobilization.
- 1.21 The representative of the EEC noted that the proposals had been shown to delegates just before the meeting and their implications had to be carefully considered. He thought that STACTIC could be given a clear mandate.

2. International Observer Program (Agenda item 6)

- 2.1 The representative of Canada introduced the Canadian proposal, noting that the idea of an observer program was not new. Observer programs had been used in both national and international waters. An extensive observer program is in effect in the Canadian fishing zone. The Canadian proposal provided that observers would send reports to Contracting Party authorities and to the NAFO Secretariat and they could perform technical sampling and recording of measurements to support scientific research. Canada proposed that the pilot project be assessed after 12 months.
- 2.2 The representative of Denmark agreed in principle with the Canadian proposal. It seemed illogical, however, to provide for continuation of an observer program before assessment of the pilot project. The delegate of Canada responded that the latest version of the Canadian proposal took Denmark's comment into account, providing for 10% coverage followed by a review.
- 2.3 The representative of the EEC indicated that he could accept the principle of a 12-month pilot project starting 1 January 1993. A final decision at the Annual Meeting in September would permit such timing. The question of principle, that is, whether there should be an observer program in the Regulatory Area, had to remain open and criteria for assessment of the pilot project had to be developed. It might be possible to combine the Canadian proposal and the STACTIC recommendations. For instance, reciprocal placing of observers on vessels of other Contracting Parties could be limited to 1-3% to reduce practical problems. Criteria for management of observer exchanges would have to be developed. More than one observer on board at a time would not be necessary. It would be necessary to define the role of observers compared to that of inspectors. Finally, the observer program should be a NAFO system, financed out of the NAFO budget in accordance with the established formula for setting Contracting Party contributions.
- 2.4 The representative of Japan wished to correct some of the estimated costs of the program outlined in the attachment to the Canadian proposal. Japanese vessels fishing in the Regulatory Area would number four rather than ten and the cost estimates failed to take account of significant transportation costs, including the costs of transporting observers between the fishing grounds and the nearest port. The probable cost to Japan was closer to \$150,000, which raised the question of cost/effectiveness. Japan was not opposed to the scheme in principle but it might be too expensive given Japan's minimal presence in the Northwest Atlantic fisheries and there should be an exemption for Contracting Parties with small fisheries, at least from participation in the proposed pilot project. The scheme should not be financed out of the NAFO budget.
- 2.5 The representative of Russia indicated that he was still studying the Canadian proposal and would comment later. In response to the EEC comments, the delegate of Canada agreed that the cost and effectiveness of the pilot scheme should be assessed. He also proposed that Contracting Parties could agree bilaterally on exchanges of observers. Training of observers should be paid by Contracting Parties although Canada could prepare a training manual and draft operational guidelines and bilateral cooperation on training might be possible.

2.6 The representative of the EEC observed that two proposals were on the table: Canada's proposal (Working Paper 92/6) and the STACTIC recommendation (Working Paper 92/4). He noted that the Canadian provision for scientific work by the observers was neither feasible nor desirable. The representative of Canada inquired whether Working Paper 92/4 was a Danish proposal or a report by the STACTIC Chairman on the discussions of this subject at the STACTIC meeting in February. The STACTIC Chairman, E. Lemche (Denmark), replied that Working Paper 92/4 summarized discussion and was not a Danish proposal. He noted that the report of the STACTIC meeting (FC Doc. 92/1) recommended asking the Scientific Council for advice on sampling work by observers. The representative of Cuba asked about funding of the observer program, expressing a preference for option (a) in the Canadian proposal. It was agreed to come back to the question of funding and to proceed with examination of the text of the Canadian proposal.

2.7 Detailed discussion of the text of the Canadian proposal raised the following points:

- the proposal should not prejudice the decision of the Fisheries Commission on an observer program in the Regulatory Area after conclusion of the pilot project;
- defining the role and responsibilities of the observers and disposition of the observer reports was of key importance and required further consideration;
- the observer program should cover the whole range of the stocks and fisheries, not merely the portion in the Regulatory Area;
- observers should not perform technical/scientific functions unless approved by the Contracting Party authorities of the vessel concerned or agreed bilaterally;
- proposed technical/scientific functions are secondary to that of monitoring compliance with Conservation and Enforcement Measures;
- fishing effort could be measured as: days on ground; number of fishing vessels; fishing power;
- Contracting Parties sending observers should pay all costs unless other arrangements are agreed bilaterally (similar to funding of inspection activities);
- costs of observers should be funded from the NAFO budget;
- reciprocal or bilateral exchanges of observers should be undertaken in accordance with bilateral agreements;
- observers should report at bi-monthly intervals rather than weekly which would be too frequent; and
- deadlines for conclusion of the pilot project and its evaluation need further consideration.

- 2.8 The representative of Canada undertook to revise the Canadian proposal to reflect the comments of other Contracting Parties and to provide direction to STACTIC for its consideration of technical aspects of the proposal.
- 2.9 The representative of the EEC noted that the proposal (Working Paper 92/6) had undergone major changes and more time was needed to study it. He also objected to the change in its status, from a Canadian proposal to a Fisheries Commission Working Paper. He thought it should remain a Canadian proposal, in accordance with NAFO custom. The representative of Denmark disagreed, stating that the proposal was now a common product resulting from discussion by all delegates for presentation and final decision in September. The representative of Canada indicated that he would rather not have made many of the changes. The current working paper was not a consensus necessarily but was definitely the result of Fisheries Commission discussions. The representative of the EEC continued to disagree, arguing that more time was needed for discussion and that Contracting Party positions in September should not be prejudiced. He asked if this approach was being taken with other Canadian proposals. The representative of Canada replied "yes", which he did not believe would prejudice any final position. The resulting proposals would be ad referendum and there might still be changes to the text in September, although hopefully not many. In the view of Canada, the Special Meeting was engaged in a process, producing a composite common product for final determination at the Annual Meeting in September.
- 2.10 The representative of Japan observed that the working paper was simply an anonymous proposal, to which not even Canada would be bound in September. An alternative approach would be to title the document a joint proposal, naming all Contracting Parties which support. He noted that some changes had been made that had not been discussed, e.g., an 18 month pilot project rather than 12 months. The representative of Russia added that another such change was the attached annex, which had not been discussed at all and which should be an entirely separate document. The representative of Denmark argued forcefully in favour of a composite text to narrow down discussion and to focus further discussion in September. The representative of Norway agreed that the proposal was no longer a purely Canadian proposal and noted that precise instructions would have to be given to STACTIC. After further discussion, it was agreed that the texts would be called working papers without identifying either those who support or those who disagree. It was also agreed that the annex would be detached from the working paper, which the delegate of Canada stated was meant for discussion by STACTIC.
- 2.11 The representative of Canada spoke on the working paper, highlighting changes made in response to comments by other delegations. He indicated that the 18 month period for the pilot project was meant to avoid a gap in coverage between 1 January 1994, when the 12 months would be up and assessment of the pilot project at the Annual Meeting in September 1994. To meet Japan's point, 300 fishing days had been set as the minimum for participation in the pilot project. Whether the observers should do scientific work had been made subject to Contracting Party approval. To reflect Russia's concern, the requirement for weekly radio reports had been dropped.

- 2.12 The representative of the EEC agreed with "Working Paper on a Pilot Project for a NAFO Observer Scheme" as the revised title of the document. He had some preliminary comments to make on the substance of the paper: (a) an 18 month period for the pilot project was sensible; (b) no Contracting Parties should be excluded from participation in the pilot project; (c) the phrase "NAFO management decisions" should be deleted since compliance was a Contracting Party competence; (d) funding should be from the NAFO budget; (e) assessment of the pilot project should be performed by STACTIC and the decision on establishing an observer program would fall to the Fisheries Commission; (f) options for expanding the scheme should follow a decision to continue it after conclusion of the pilot project; and (g) the attached annex should be removed, since implementation was a Contracting Party competence and design of the pilot project should be effected in accordance with the proposal by Denmark (Working Paper 92/4).
- 2.13 The representative of Canada responded that the 300 day minimum should remain but that all Contracting Parties, whatever the level of their fishing presence in the Regulatory Area, could participate voluntarily in the pilot project. Otherwise, he agreed with the comments of the EEC. The representative of Russia stated that it was necessary to define clearly the role of the observer, to distinguish between observers and inspectors. Russian law would require a clear distinction. He also disagreed with the reference to Canada's observer program, noting that various criteria would be used for assessment of the pilot project. In Russia's view, the pilot project should cover the whole range of the stocks, not merely the Regulatory Area and all Contracting Parties should participate equally or on a voluntary basis as there would be no benefits otherwise. Finally, costs should be paid by the Contracting Party sending the observer.
- 2.14 The representative of Canada indicated that STACTIC should be able to resolve differences on the role of observers compared to that of inspectors. The representative of Russia responded that the working paper should refer to the Convention Area rather than the Regulatory Area. The representative of Canada disagreed on grounds that Canada as a coastal state had certain rights and responsibilities, which the Russia proposal would begin to erode. He suggested that Russia might want to raise the point again in September. The representative of Russia agreed.
- 2.15 The representative of the EEC stated that the question of 300 days as the minimum level for participation in the pilot project was a point of principle. He argued that the principle of participation by all Contracting Parties should be established and then ways found to deal with practical problems such as those mentioned earlier by Japan. He also indicated that the role of observer had to be clearly distinguished from that of inspectors and wanted this aspect discussed in STACTIC. The representative of Canada agreed. The representative of Japan suggested that the text of the working paper should be left as it was as a basis for discussion in September. The representative of Russia countered that the working document should have an author. The representative of Canada noted that three fundamental issues remained to be discussed and resolved in September: (a) the role of observers; (b) funding; and (c) participation in the pilot project by Contracting Parties of minimal fishing presence. The representative of the EEC reserved his final position and agreed to accept the document as it was for the time being. The representative of Russia requested that **his disagreement be noted** in the record. The proposal on the "Pilot Project of NAFO Observer Scheme" as agreed by the meeting to refer to the Fisheries Commission for final determination in September, 1992 is attached in Annex 5 (Working Paper 92/6-3rd Revision).

3. Incorporation of a Catch Reporting Feature into the Hail System (Agenda item 7)

- 3.1 The representative of Canada introduced the Canadian proposal, indicating that the proposed addition to the hail system would be a cost/effective way for Contracting Parties to monitor catches by their vessels. Daily hail reports of catches were required of vessels fishing inside the Canadian zone and Canada was encouraged by the early results of the positional hail system. The representative of Denmark agreed with the proposal, which was similar to the program in place in Faroese waters, and had no changes to propose.
- 3.2 The representative of the EEC expressed the view that adding a catch reporting feature to the hail system was contrary to the quota monitoring responsibility of Contracting Parties. He questioned the value of the proposal as all vessels maintain catch logbooks which, together with the positional hail system, provided sufficient information to inspectors. He indicated that he would nevertheless participate in the exploratory discussions but would not make a final decision on the proposal at this meeting.
- 3.3 The representative of Russia reported no change in the Russian objection to the hail system. He nevertheless noted that: catch monitoring was a Contracting Party responsibility; catch information was confidential; hailing of catches would distract fishermen from their primary business; and the costs would be significant especially for a large fleet.
- 3.4 The representative of Denmark responded that the Canadian proposal did not violate the Contracting Party responsibility to monitor catches. The question rather was effective and efficient inspections in the Regulatory Area. The representative of Norway agreed with Denmark. The Norwegian experience indicated a need for logbooks and a catch hail system. He raised wondered however in what unit of measurement catches should be reported and whether weekly reports should be cumulative. The representative of Russia raised further questions regarding nomenclature, costs and units of measurements for reporting catches in relation to catch reporting practices elsewhere. The representative of Canada suggested that these technicalities be discussed by STACTIC. The representative of Norway agreed, noting that vessels should be given the option of sending their hail report messages directly to the NAFO Secretariat. The representative of Canada suggested that STACTIC be asked to consider ways to shorten communication routes and to reduce costs.
- 3.5 Commenting on the proposal, the representative of Norway repeated his earlier comments on the proposed amendment (units of measurement for catch reports and cumulative versus weekly reports) and pointed again to the time-lag problems associated with long lines of communication, which could be reduced if vessels were authorized to send their hail messages directly to the NAFO Secretariat. The representative of Canada proposed that the working paper be amended to allow direct reports to the NAFO Secretariat if so desired by a Contracting Party. The representative of the EEC thought such an amendment might prejudice STACTIC discussions on routing of messages. This was why catch reporting and hail reports should be kept separate. The representative of Denmark observed that if Contracting Parties wanted their vessels to report directly to the NAFO Secretariat they should be able to do that. The principle of Contracting Party competence would not be violated. The Executive Secretary noted that at the

request of the EEC the Secretariat was sending hail messages from other Contracting Party vessels directly to the EEC patrol vessel. After further discussion on this point, it was agreed to focus on the other points raised by Norway. The representative of Russia suggested weekly catch reports in units of tons. The representative of Canada suggested a minimum of 1 ton for catch reports. The representative of Russia noted that it was possible to report partial tons, and the representative of the EEC reserved his position until September. It was eventually agreed to refer the working paper to the Fisheries Commission for final determination in September. (Annex 6, Working Paper 92/7, 3rd Revision)

4. Production Logbooks (Agenda item 8)

- 4.1 The representative of Canada introduced the Canadian proposal. The representative of Russia indicated that Russian captains were responsible for deciding how to stow their product and for safety of the vessel. The representative of Canada responded that there would be no derogation of the master's responsibilities. The representative of Denmark observed that the proposal was designed to improve the efficiency of inspections and appreciated the element of choice. The representative of Japan agreed with the proposal but suggested changing the text to make clear that vessel masters could select either one option or the other. In response to a question by the representative of Russia, it was confirmed that inspectors now have the right to inspect vessel holds. The representative of the EEC expressed concern about disclosing confidential commercial information on vessel production. He thought it would be useful to refer the proposal to STACTIC. The representative of Canada agreed that STACTIC might usefully discuss experience and design questions.
- 4.2 The representative of Canada introduced their amended proposal (Working Paper 92/8, 2nd Revision), indicating the comments of other Contracting Parties were reflected in the text, in particular making clear the option to choose between production logbooks and stowage plans. The representative of Russia reserved his position for September. The representative of the EEC suggested that the working paper be referred to STACTIC. The representative of Denmark argued that STACTIC should be asked to discuss technical matters only after the Fisheries Commission had decided policy issues. The Chairman noted that questions to STACTIC would be dealt with later.
- 4.3 The representative of Russia noted that Russian authorities wanted to ensure that a vessel master was not put under an obligation to re-shuffle his hold during an inspection. **Agreement was reached** on amendments to the proposal (Annex 7, Working Paper 92/8-4th Revision). The proposal was referred for final determination in September 1992.

5. Action by Contracting Parties to Prevent Infringements of the Measures by Their Vessels (Agenda item 9)

- 5.1 The representative of Canada introduced the Canadian proposal, describing it as modest in nature and designed to prevent delays in action to prevent further infringements of the NAFO rules. The representative of the EEC expressed appreciation that the previous Canadian proposal under this agenda item had been dropped. He considered, however, that the present proposal needed careful consideration especially in relation to existing provisions of the NAFO Conservation and Enforcement Measures. The representative

of Denmark agreed but thought the new Canadian proposal had merit. He noted, however, that in the Danish system prevention of infringement was a judicial function. The representative of Japan agreed. The representative of Canada requested drafting suggestions to reflect the Danish point and undertook to table a revised proposal.

- 5.2 Considering the revised proposal, the representative of Denmark noted that the text should distinguish between judicial process and administrative actions. The representative of Canada agreed to revise the text accordingly. It was agreed to refer the amended working paper to the Fisheries Commission for final determination in September, 1992. (Annex 8, Working Paper 92/21, Revised)

6. Development of Fishing Plans for Vessels Operating in the Regulatory Area (Agenda item 10)

- 6.1 The representative of Canada introduced the Canadian proposal indicating that the previous proposal had been changed in response to comments from other Contracting Parties. The current proposal was modest and requested merely a forecast of fishing activity possibly at the beginning of the year and again 6 months later to reflect inevitable changes. In response to a question from the representative of Russia, the representative of Canada noted that no sanctions were contemplated if a Contracting Party failed to forward its fishing plans. It was anticipated that Contracting Parties would want to cooperate.
- 6.2 The representative of Denmark stressed the importance of this proposal as a step toward calibrating fishing effort to available quotas. He asked if the fishing plans would be for regulated stocks only or to all fisheries. The representative of Canada responded that plans should be submitted for all significant fisheries, whether regulated or not. The representative of Russia noted that Russian fishing patterns would make it difficult to prepare fishing plans. The representative of Canada replied that a fishing plan indicating by-catches and in-transit catches would be acceptable. The point of the proposal was to initiate the habit of fishing plans without curtailing flexibility.
- 6.3 The Chairman of STACTIC (E. Lemche, Denmark) referred to the report of the STACTIC meeting in February which had noted the need to limit fishing effort in line with available quotas and requesting papers on how to accomplish this objective from Contracting Parties by 15 July 1992. The Canadian proposal outlined one way to achieve this but excluded others.
- 6.4 The representative of the EEC agreed and suggested adhering to the recommendation in the STACTIC report for papers by 15 July. The representative of Canada asked if STACTIC would design a way to relate fishing capacity to resource availability in time for submission to the Fisheries Commission at the Annual Meeting in September. The representative of the EEC noted the responsibility of Contracting Parties for managing its fishing effort. The representative of Denmark proposed that the language of the Canadian proposal should be modified for consistency with the STACTIC recommendation. The representative of Canada agreed to present a revised proposal.

- 6.5 The representative of Canada noted that Working Paper 92/19 reflecting comments of other Contracting Parties had replaced Working Paper 92/10 which Canada had withdrawn. Canada would also submit a paper by 15 July as recommended by STACTIC. The representative of Denmark objected to reverting to a general resolution which would be weaker than other working papers being referred to the Fisheries Commission. In Denmark's view, a precise proposal on effort management should be developed for the Fisheries Commission to decide in September. The representative of the EEC disagreed, arguing that the principle of Contracting Party competence for management of fishing effort had to be respected. The representative of Russia agreed with the EEC. The representative of Denmark stated that a proposal to match effort to quotas was a fundamental element of the package of proposals being developed for reference to the Fisheries Commission in September. If the 15 July papers were awaited, there would be no decision in September. He requested a delay in discussion in order to present a new proposal. The representative of Canada agreed with Denmark that this issue was of fundamental importance. The representative of the EEC observed that the STACTIC recommendation had not mentioned discussion of the papers at the Annual Meeting in September. He advised that the EEC would table a paper by 15 July as recommended by STACTIC.
- 6.6 No conclusion was reached on whether the 15 July papers should be sent to STACTIC or to the Fisheries Commission. It was agreed that further discussion would await a new proposal from Denmark.
- 6.7 The representative of Denmark introduced Working Paper 92/23, which proposed an amendment on managing effort in relation to quotas to the Conservation and Enforcement Measures. The representative of the EEC claimed that the Danish proposal was not necessary as Contracting Parties would distribute papers by 15 July as recommended by STACTIC. Moreover, the proposal infringed the principle of Contracting Party competence and was not practical. He proposed adding the phrase: "...and other legitimate fishing opportunities" to paragraph b. The representative of Russia argued that it would be impossible to enforce, given the many inevitable changes during the year. The representative of Canada expressed strong support for the proposal which complemented the Canadian proposal. The EEC amendment was accepted. The representative of Japan observed that Japanese fleet operations changed depending on the outcome of earlier fisheries and suggested that effort management plans could be provided by Contracting Parties semi-annually, on 1 January and by 1 July, because it would be too onerous to report all changes. He indicated he would raise this point in September. The representative of Denmark requested that Japan's comment be recorded in the report and undertook to table a revised proposal to reflect agreed amendments. (Annex 9, Working Paper 92/23, Revised)

7. Incidental Catch Limits (Agenda item 11(a))

- 7.1 The representative of Canada noted that the Scientific Council had been asked for advice on a minimum mesh size in groundfish fisheries and minimum sizes for cod and flatfish. He suggested that if affected proposals were close to agreement in principle they could be left for final decision by the Fisheries Commission at the Annual Meeting in September. The representative of Denmark stressed the need to agree on a single mesh size, without any variation for nets of different materials. The representative of Russia

- expressed concern about the mesh size for redfish. The representative of the EEC noted that fishermen continued to use nets of different materials and there was no reason to change the present system. The representative of Canada considered that such questions would have to await the advice of the Scientific Council in September.
- 7.2 Regarding the second draft amendment in the Canadian proposal, discussion ensued on which provision of the Conservation and Enforcement Measures should be amended, Part I. A. 4 (Recording of Catches) or Part I. B. (Mesh Size). The representative of the EEC noted that one net haul would not necessarily violate the incidental by-catch limits and suggested further reflection before a final decision in September. The representative of Canada responded that the comments would be considered.
- 7.3 The representative of Canada noted that Working Paper 92/11 (2nd Revision) reflected input from other Contracting Parties and proposed an amendment to the mesh size provisions of the Conservation and Enforcement Measures rather than the catch recording section; following a review of the Measures and the inspection forms, Canada felt that it would be useful for the inspector to highlight instances of high by-catches of regulated species in small mesh fisheries for unregulated species. It would be easier for Contracting Parties if such observations were not buried in the body of the inspection reports.
- 7.4 The representative of the EEC disagreed. It was not possible for an inspector to infer anything about high by-catches on the basis of one net haul. The matter should perhaps be considered by STACTIC. The representative of Canada responded that inspectors, limited in their time on board a vessel, would never be able to observe more than one net haul. The proposal was minimal and would not violate the principle of Contracting Party competence. Following the 3rd revision the paper was referred for further deliberations at STACTIC and the Fisheries Commission (Annex 10).
- 7.5 The representative of Denmark tabled its proposal and noted that the request to the Scientific Council for advice on minimum mesh size should stipulate no differential in mesh size for nets of different materials. The representative of Russia pointed out that a different mesh size for redfish would be necessary. The representative of Canada agreed with Denmark but observed that this working paper did not depend on advice from the Scientific Council regarding minimum mesh size. The representative of the EEC agreed that the question of different net materials could not be decided here and directed to the Fisheries Commission meeting in September. The representative of Canada suggested that a request on net materials could be formulated immediately for discussion by the Scientific Council at its June meeting, subject to waiving of agenda notification rules. It was agreed that a request would be drafted to send to the Scientific Council and that the issue would also be left in the draft request to STACTIC. (Annex 11, Working Paper 92/22)

8. Recording of Catches (Agenda item 11(b))

- 8.1 The representative of the EEC suggested that the Scientific Council be requested to advise on whether Contracting Parties should report all catches, noting that the EEC was already reporting all its catches to NAFO. The representative of Canada replied that the proposal had nothing to do with the Scientific Council. Discussion ensued on the technical feasibility of reporting catches by division and by all species.

- 8.2 The Chairman of STACTIC (E. Lemche, Denmark) questioned whether the Canadian proposal was necessary, since the Conservation and Enforcement Measures already required Contracting Parties to report all catches. The representative of Canada noted that not all Contracting Parties agreed. It was then agreed that Contracting Parties should report all catches and that the Executive Secretary should revise the present cumulative monthly catch reports to provide the catch information to all Contracting Parties.

9. Modification to Forms (Agenda item 11(c))

- 9.1 The representative of Canada indicated that the proposal was designed to bring the inspection forms into line with the provisions of Part IV of the Conservation and Enforcement Measures. The representative of Denmark welcomed the Canadian proposal enthusiastically, having never understood the existing inspection forms. At the request of the EEC, it was agreed to return to the proposal later.
- 9.2 The representative of the EEC indicated agreement with Working Paper 92/13 (Revised). It was noted the Contracting Parties unanimously agreed that the working paper would be formally adopted in September. (Annex 12, Working Paper 92/13, Revised)

10. Inspection Party and Identification of Inspectors (Agenda item 11(c))

- 10.1 The representative of Canada introduced the proposal, indicating that it was merely a small clarification of existing procedures and stressing that trainees would be allowed only to observe the inspection. The representative of Russia questioned the introduction of a new concept - trainee - which had nothing to do with inspection. The representative of the EEC suggested an amendment to indicate that trainees would be acceptable if they were identified to the master immediately on boarding the vessel. The representative of Russia indicated that he could agree to an inspection party of three inspectors but not a party of two inspectors and one trainee. It was agreed to return to this item.
- 10.2 The representative of Canada presented Working Paper 92/14 (Revised). The representative of Russia indicated continuing difficulties: (a) the trainees should be called "NAFO inspection trainee"; (b) a NAFO identification card would be necessary; (c) trainees would be allowed on board a vessel only with the consent of the master; and (d) trainees would have no right to interfere with the inspection nor with the vessel activities. Further discussion was postponed pending consultations between the Russian and Canadian delegations.
- 10.3 Commenting on Working Paper 92/14 (Revised), the representative of Russia thanked Canada for its efforts on the document, which was now nearly acceptable. The representative of Canada accepted the editorial amendments proposed by Russia and it was agreed that the Working Paper be submitted to the Fisheries Commission in September. (Annex 13, Working Paper 92/14, 2nd Revision)

11. Operation of the Hail System (Agenda item 12)

- 11.1 The representative of Denmark suggested it might be desirable to ask a smaller body to assess the operation of the hail system and to report to the Fisheries Commission. The Danish experience to date was that the system was difficult to operate with such long communications links. Messages were often not received or received too late. The representative of Norway suggested that ways should be found to reduce the length of the present communications lines. As an option at least, consideration should be given to vessels of sending hail messages directly to the NAFO Secretariat. The representative of Cuba noted that Cuban vessels were sending their messages to the NAFO Secretariat through the Cuban Fishing Fleet Representative in Halifax.
- 11.2 The representative of Norway reiterated his earlier comments on routing of hail messages directly to the Secretariat and also what the Secretariat should do with the messages. He requested deferral of the item. **This was agreed.**
- 11.3 The representative of Russia reserved his position on references to Russian fleet operations in tables included in proposals presented by Canada.
- 11.4 The representative of Norway indicated that his earlier point on routing of hail messages from the Secretariat to inspection vessels would be covered in the request to STACTIC. His other point regarding direct hailing from vessels to the Secretariat was included in Working Paper 92/7 (2nd Revision). Some editorial changes put forward by Denmark were agreed. The representative of the EEC, without prejudice to his final position, pointed out that it had been agreed previously to make no changes to the hail system until after it had operated for a time and been evaluated. STACTIC had agreed to keep the hail system and catch reporting separate. The representative of Canada responded that the matter under discussion was an integrated hail/catch system. The virtues of such integration had been clearly stated by Norway. The proposal was important and deserved careful consideration. It was agreed to refer the working paper for final determination in September. (Annex 14, Working Paper 92/7, 3rd Revision)

12. Implementation of the Hail System by the NAFO Secretariat (Agenda item 13)

- 12.1 The representative of the EEC asked if a report was available on the recent meeting of the technical working group. The Executive Secretary reported that the technical working group had recommended a two-phase approach, comprising a pilot project to test a computer communications system involving at least two Contracting Parties, for instance the EEC and Canada, followed by a Request for Proposals for the design of a generic computer system for all hail messages. Existing message systems would be maintained meanwhile. Canada and the EEC had expressed willingness to contribute resources to help implement the system. The current lack of an automated system was causing some practical problems, e.g., transmission of messages over long weekends. The report of the technical working group would be submitted to the Fisheries Commission for approval. The Executive Secretary reported that a new Secretariat position, Resource Management Coordinator, was now established and staffed.

- 12.2 The representative of the EEC indicated that the EEC and Canada would participate in the pilot project as major users of the hail system. Other Contracting Parties would not be excluded if they wished to participate. The representative of Norway supported the pilot project. **It was agreed that more time was needed to consider the working group report and that it would be reviewed and voted on at the Annual Meeting in September.** The representative of Canada reported that work was underway to computerize the Canadian system for coordinating hail messages from the Executive Secretary with Canadian aerial surveillance information.

13. Use of Electronic Tracking (Monitoring System) (Agenda item 14)

- 13.1 The representative of the EEC noted that a report on an electronic tracking pilot project underway in the EEC had been tabled at the STACTIC meeting in February. Work was continuing to assess the merits of electronic tracking, in particular its cost/effectiveness. He asked if other Contracting Parties were experimenting in this area.
- 13.2 The representative of Norway replied that three Norwegian research vessels had been equipped with "black boxes". The equipment was working technically but the overall value needed evaluation. It is not just a toy. One question was whether the vessel position would be computed by satellite or calculated and reported by the vessel. Fishermen still had to be convinced that electronic tracking systems would be of value to them and would improve their safety at sea. The representative of Canada agreed that electronic tracking had to be looked at carefully. There would be no safety value if the signal of vessel position were wrong. Canada was continuing to study various systems. There were no further reports.
- 13.3 It was agreed that discussion on agenda items 13 and 14 had been concluded.

14. Financing Inspection Vessel Activities in the Regulatory Area (Agenda item 15)

- 14.1 The representative of Russia introduced its proposal pointing to reduced number of inspection vessels operating in the Regulatory Area recently due to increased costs. The Russian proposal was aimed at a yearly plan being prepared for inspection in the Regulatory Area to be funded from the NAFO budget and the costs to be shared equally by all Contracting Parties. The representative of Canada advised that equal sharing would create a heavy burden on other Contracting Parties if Canadian inspection costs were added. These amounted to almost \$26 million annually, including aircraft and about \$11 million annually, excluding aircraft. The representative of Japan noted that Article XVI of the NAFO Convention provided a formula for contributions to the NAFO budget by Contracting Parties and suggested that the Russian proposal would require an amendment to the Convention. In Japan's view, costs should be shared in proportion to the benefits. The representative of Denmark, supported by Canada, observed that STACTIC could gather information on financial aspects but the sharing of costs among Contracting Parties would be for another body to discuss.
- 14.2 The representative of Russia indicated that his proposal was aimed at having a patrol vessel in the Regulatory Area all year, which he thought would reduce costs and increase efficiency. Regarding cost sharing, he indicated that he had envisaged a special arrange-

ment by Contracting Parties that would not be contrary to Article XVI of the Convention. The representative of Denmark suggested the specific questions be prepared for discussion by STACTIC, leaving cost sharing aspects for later. The representative of the EEC agreed that arrangements for some joint funding might be appropriate but he disagreed with Russia that inspection activities had been reduced in recent years. EEC contributions had in fact increased during the past 2 years and expenditures by the EEC on inspection in the Regulatory Area amounted to about \$2.5 million (Cdn.). The representative of Canada clarified that the figures he had given earlier pertained to inspection activities in fisheries for NAFO stocks rather than the Regulatory Area. Canada's estimated inspection expenditures in the Regulatory Area would be about \$15 million on surface patrols and \$11 million on air surveillance. The representative of Russia advised that Russian expenditures in 1989 and 1990 had been \$3.0-\$3.5 (USA) million but had been reduced in 1991 because of the domestic situation in Russia. He undertook to draft some specific questions on this subject for STACTIC.

- 14.3 The representative of Russia presented its revised proposal (Working Paper 92/17, Revised). The representative of the EEC objected to the reference in the covering document to lower control and inspection effort. It was agreed to record the EEC's position in the report and to concluded discussion on this point. **Agreement was reached** on editorial amendments proposed by Canada, Denmark and Cuba. **It was also agreed** after some discussion that STACTIC would be requested to assess the costs, following which STACFAD could be asked to determine Contracting Party contributions. It was agreed that this proposal would be included in the request being prepared for STACTIC. The title of the proposal was changed to: "Coordination and Financing of Inspection Activities in the Regulatory Area". **The proposal was then agreed.** (Annex 15)

15. Other Measures to Improve the Effectiveness of NAFO (Agenda item 16)

- 15.1 The representative of Canada advised that he would not be tabling a proposal under this agenda item. He advised, however, that Canada intended to prepare a proposal for discussion in September dealing with dispute settlement procedures and NAFO's ability to enact comprehensive measures. Canada would circulate a discussion paper shortly prior to submission of a formal proposal. The matter is very important to Canada and he requested all delegates to consider the proposal attentively. The representative of Russia asked if Canada's proposal would involve an amendment to the Convention. The representative of Canada replied that the forthcoming proposal would involve either an amendment or an addition to the Convention.
- 15.2 The representative of Russia noted that the effectiveness of NAFO depends on timely receipt of documents before meetings. Lately, documents had been received at the last minute or even during the meeting. Procedural rules required agendas to be distributed 60 days in advance and it would be useful if major proposals, that is, those dealing with matters of principle or policy or those which are complex, also be submitted in advance, at least 30 days if not 60 days. **He proposed that the Executive Secretary be asked to prepare a draft rule of procedure for discussion at the next meeting.** The representative of Poland agreed. The representative of Canada observed that major proposals often require bilateral and multilateral consultations and a fixed procedural rule would hinder the consultation process. He preferred to retain flexibility. Since last September, for

instance, Canada had met at least once with each other Contracting Party and their comments had resulted in stronger and more acceptable proposals being tabled at this meeting. He suggested discussing the matter at the next meeting.

- 15.3 The representative of Denmark noted the need for finalized proposals early enough for delegations to get instructions and to get a final decision at the meeting. A balance was required, however. He agreed that the topic should be discussed at the next meeting. The representative of Russia agreed. The representative of Cuba also agreed, adding that Cuba had asked the Executive Secretary to analyze the procedures for NAFO meetings and that this work was underway. The representative of Canada requested time to consider the issue between now and the Annual Meeting in September. The Chairman noted that rules of procedure were already on the agenda for September. The representative of Canada agreed with Cuba that analysis by the Executive Secretary would be useful. The representative of the EEC observed that proposals were needed well in advance of meetings to ensure internal discussion. **It was agreed that the matter would be placed on the agenda for the Annual Meeting in September, with appropriate documentation from the Executive Secretary.**

16. Competence to Call Intersessional STACTIC Meetings (Agenda item 17(a))

- 16.1 The Chairman of STACTIC (E. Lemche, Denmark) explained that he wanted to avoid the situation that left in doubt whether a STACTIC meeting would be called this week or not. Delegates discussed briefly whether STACTIC meetings could be called by the Chairman of the Fisheries Commission alone or by a decision of the Fisheries Commission.
- 16.2 **It was agreed** that the Chairmen of NAFO and the Fisheries Commission and the Executive Secretary would discuss the question and report further. (Annex 16, FC Working Paper 92/18)

17. Agenda Items 17 (b) - Minimum Cod Size, (c) - Minimum Mesh Size in the Regulatory Area, and (e) - Minimum Flatfish Size

- 17.1 Delegates agreed to await the advice of the Scientific Council on these items. There was no further discussion.
- 17.2 The meeting noted its agreement on the Danish proposal for a Fisheries Commission request to the Scientific Council on a uniform mesh size irrespective of the material (Annex 11).

18. Financing of the NAFO Scientific Work in the Regulatory Area (Agenda item 17(d))

- 18.1 The representative of Russia, introducing Working Paper 92/16, reminded delegates that it was difficult to determine the optimum level of scientific research in the Regulatory Area and research projects are often short of funds. The Russian proposal therefore requested the Scientific Council to advise on the volume of scientific work necessary to set the TAC and STACFAD to establish a special scientific research fund. The repre-

representative of Denmark noted that the Scientific Council already recommends future and continuing research. The real problem was not scientific research but the lack of accurate information on catches and fishing effort etc. The representative of Canada expressed support for the Russian proposal. The costs of scientific research in the Regulatory Area should be known and it would be appropriate to ask the General Council to approve a plan to determine costs and how to optimize research work. He offered to prepare a proposal for September, drawing on the Russian proposal, to seek advice on the optimum level of scientific work by division and the costs of current research. The representative of Russia agreed, indicating that the elements for consideration would be: (a) the optimum level of scientific research; (b) the costs of getting the data; and (c) establishment of a research fund.

- 18.2 The representative of the EEC agreed with the proposal, as the EEC always favoured increasing scientific work and had expressed dissatisfaction at the last Annual Meeting on the scientific advice and gaps in the knowledge base. Like Canada, however, he thought it would be useful to know current costs and the level of the special research fund. The representative of Canada undertook to take account of the interventions in preparing its proposal for the Annual Meeting in September.

19. Special Meeting of STACTIC and the Terms of Reference

- 19.1 The floor was opened for preliminary comment on Working Paper 92/20, the representative of Japan suggested that STACTIC should meet just before the Annual Meeting in September. The representative of Denmark advised that the format of the Working Paper did not conform to his view that the terms of reference for STACTIC should comprise very precise questions and should thus be drafted in a way similar to the Fisheries Commission requests to the Scientific Council.
- 19.2 Discussion resumed on the Danish proposal under agenda item 10 but was interrupted because of a demonstration outside the meeting area. Discussion ensued on security arrangements and whether the Executive Secretary and/or the Chairman of the Fisheries Commission should meet with the demonstrators. It was eventually decided to ignore the demonstration and to proceed with discussion.
- 19.3 It was agreed that the meeting of STACTIC would take place in Copenhagen 21-24 July inclusive. The Chairman of STACTIC, E. Lemche (Denmark), noted the suggestion by Japan that the meeting occur just before the Annual Meeting but advised that timing would prevent delegates from assessing adequately the STACTIC report and recommendations and from obtaining the necessary instructions for the Annual Meeting. The dates proposed by the Chairman of STACTIC were accepted unanimously.
- 19.4 Regarding the Terms of Reference for the STACTIC Special Meeting, delegates discussed Working Papers 92/20 and 92/24. The representative of Denmark reiterated that neither paper comprised the specific technical questions characteristic of the Fisheries Commission request to the Scientific Council. It was agreed that a series of questions combining the content of both working papers and other items for STACTIC consideration would be prepared.

- 19.5 The representative of the EEC introduced the unreferenced EEC draft Request to STACTIC, commenting on the various questions and pointing to changes from Working Papers 92/24 and 92/25. He pointed in particular to "a sufficient period" in Question 1 which was meant to allow an evaluation period of 2-6 months after operation of the pilot project. He also pointed to questions on "the practical problems and the cost effectiveness" as a key element. The representative of Denmark stated that the EEC draft was seriously problematic because it contained policy questions that were beyond the competence of STACTIC. The EEC draft essentially asked STACTIC to repeat the discussions of this week. As for the final sub-section of Question 1, it would be possible for STACTIC to consider a working paper or an alternative proposal of the same detail as the present proposals. Otherwise, the question was out of order. He noted that the agreed question on effort management control had not been included.
- 19.6 The representative of Canada agreed entirely with the points made by Denmark, noting that "cost/effectiveness" for instance was a policy question, as was the question on an alternative pilot scheme. Debate ensued on the differences between assessing cost/effectiveness and calculating costs. The delegate of Canada observed that STACTIC could estimate costs but benefits and effects are policy issues beyond the competence of STACTIC. STACTIC's responsibility was to carry out the instructions of the Fisheries Commission. Some of the questions in the EEC draft simply asked STACTIC to repeat the debates of this week. The representative of Norway agreed with Canada on the political nature of effectiveness but thought it would be useful for STACTIC to estimate costs for consideration at the Annual Meeting in September. The representative of the EEC noted that STACTIC could anticipate problems that might come up in September. **Agreement was reached** on "What would be other technical problems and solutions and the estimated costs?" to replace the "practical problems and cost effectiveness" language.
- 19.7 Regarding the reference in Question 1 in the EEC draft to an "alternative pilot scheme", the representative of Canada asked whether STACTIC should be asked to review proposals not discussed first by the Fisheries Commission. He invited the EEC to table an alternative proposal at the Annual Meeting in September, following which STACTIC could be asked for technical information as necessary. The representative of the EEC indicated that he reserved the possibility to present a proposal in writing to the Executive Secretary for evaluation by STACTIC. The representative of Canada observed that it was clear that the EEC had a proposal that it wanted considered at STACTIC along with other proposals discussed this week. An important principle would be waived in this case. He thought that in future it should be a rule that serious proposals come through "the front door", that is, the Fisheries Commission, before being referred as necessary to STACTIC or the Scientific Council or any other subsidiary body. Following further discussion, **agreement was reached** on language to allow consideration by STACTIC of the EEC proposal, including a deadline of 1 July 1992 so that other delegations would have sufficient time to study it before going to STACTIC.
- 19.8 Delegates continued debate on sub-section 2 of Question 2 in the EEC draft on incorporating catch reporting into the hail system. The representatives of Canada, Denmark, and Norway argued that the question was neither valid nor intelligible. **Agreement was eventually reached** on language to amend the question.

- 19.9 As the result of the discussions, the meeting adopted Terms of Reference for the upcoming Special Meeting of STACTIC (21-24 July, Copenhagen). The Terms of Reference are presented in Annex 17 as Request to STACTIC.
- 19.10 For the next Meeting of the Fisheries Commission, it was agreed that because of the additional workload at the 14th Annual Meeting, the Fisheries Commission would begin its next meeting a day earlier than usual, that is, on **Monday, 14 September 1992** and that that day would be dedicated to determination of the proposals from this meeting. It was agreed that the provisional agendas for the Annual Meeting, including the agendas for the Standing Committees, would be prepared accordingly.

20. Concluding Remarks

- 20.1 The representative of Denmark, in concluding remarks, noted that he had come to the Special Meeting ready to make decisions. NAFO needs an adequate control system in place as soon as possible to avoid repeating the tragic overfishing of 3M cod and other flatfish and cod stocks. Although no decisions had been made, he was personally not pessimistic, as the tone of the Special Meeting had been constructive and cooperative. Several sensible proposals had been made for improving surveillance and control in the Regulatory Area and that would facilitate consultations at home and final decisions in September. If the proposals were accepted, NAFO would set a standard for management of resources on the high seas comparable to systems in place in national waters and for international cooperation. He believed that all delegates ultimately had the same objective: rational exploitation of resources on a sustainable basis.
- 20.2 The representative of Canada thanked the Chairman, the Rapporteur, the Executive Secretary and the staff in the Secretariat and also his colleagues for their efforts and their wisdom and looked forward to seeing all again at the Annual Meeting in September.
- 20.3 The representatives agreed on the text of a Press Release (Annex 17).

21. Adjournment

The Special Meeting was adjourned at 1830 hours on 14 May 1992.

Annex 1. List of Participants

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Annex 2. Letter from the Lithuanian Prime Minister

LIETUVOS RESPUBLIKOS VYRIAUSYBE THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA

Dear Sirs:

Since 1959 the fishing fleet of Lithuania has been successfully fishing in the Canadian zone. Since 1977, we have been fishing in the NAFO controlled zone under the agreement on fishing quotas between Canada, NAFO and the former USSR.

As you are aware, Lithuania restored its independence on March 11th, 1990. Following the assumption of responsibility for the Lithuanian Fishing Fleet by the Republic of Lithuania, its vessels were re-registered. As a result of the declaration of Lithuania's independence Lithuania was no longer party to arrangements made under treaties with the former Soviet Union. Hence, Lithuania has been deprived of the right to fish in the economic zones of other countries. The situation in the Lithuanian fishing industry has reached a critical stage. The loss of great amounts of fish products and fodder is a severe blow to economic reform in Lithuania. Hence, our country is pursuing the opportunity to fish in the North West Atlantic zone.

We wish to reconfirm Lithuania's intention to join NAFO and to comply with all NAFO conservation regulations.

I also wish to express our desire to receive permission from NAFO authorities for fishing quotas in NAFO controlled areas for an average 15-20 thousand tons a year of a variety of fish.

Your consideration of our request will be highly appreciated.

Sincerely,

(original signed)

Gediminas Vagnorius
Prime Minister

1992.05.09
Vilnius, Lithuania

Northwest Atlantic Fisheries Organization
P. O. Box 638
Dartmouth, Nova Scotia
Canada

Annex 3. Agenda

1. Opening by Chairman, E. Wiseman (Canada)
2. Appointment of Rapporteur
3. Admission of Observers
4. Publicity
5. Adoption of Agenda
6. International Observer Program
7. Incorporation of a catch reporting feature into the hail system
8. Production logbooks
9. Action by Contracting Parties to prevent infringements of the Measures by their vessels
10. Development of Fishing Plans for vessels operating in the Regulatory Area
11. Amendments to the NAFO Conservation and Enforcement Measures
 - a) incidental catch limits
 - b) recording of catches
 - c) modifications to forms
 - d) Inspection Party and identification of inspectors
12. Operation of the hail system
13. Implementation of the hail system by the NAFO Secretariat - administration and costs
14. Use of electronic tracking (monitoring system)
15. Financing the inspection vessels activities in the Regulatory Area
16. Other measures to improve effectiveness of NAFO
17. Other matters
 - a) Competence to call intersessional STACTIC meetings
 - b) minimum cod size
 - c) minimum mesh size in the Regulatory Area
 - d) financing of NAFO scientific work in the Regulatory Area
 - e) minimum flatfish size
18. Adjournment

Annex 4. Opening Remarks of Representative of Canada

Thank you Mr Chairman. I would like to begin by welcoming all NAFO delegations to Canada, and to Dartmouth, for this very important special meeting of the NAFO Fisheries Commission. On behalf of my delegation, I would like to express my appreciation to you all for attending in such numbers.

My opening remarks will be brief, Mr Chairman, as there is important work to be done and a lengthy agenda before us.

It will come as no surprise to anyone in this room that Canada sees surveillance and control in the NAFO area, and this special meeting of the Fisheries Commission, as crucial to the future of effective conservation in the northwest Atlantic.

At the last annual meeting of NAFO, our delegation clearly stated that effective international control in the NAFO area was a priority for Canada, and we sought the support of other Contracting Parties for new measures like an international observer program. We also sought to focus the attention of the Fisheries Commission on the problems of control in the NAFO area.

We have continued to develop proposals on these issues since then. Canada put forward a number of proposals at the intersessional meeting of STACTIC in Copenhagen in February. There were useful suggestions made by some Contracting Parties at the STACTIC meeting which have been taken into account in preparation for this special session of the Fisheries Commission.

What was especially evident at the STACTIC meeting was that the establishment of substantive new elements for the control of fishing in the NAFO Regulatory Area requires leadership from the senior representatives of Contracting Parties. The proposals to be considered are not merely technical in nature. Hence, the need for this special meeting of the Fisheries Commission.

We are all here this week for a very simple reason: in 1986, total NAFO TACs were 168 000 tons and growing. Today, they are only 123 000 tons and declining, and the Scientific Council has told us that it cannot assess the stocks because the data are insufficiently available. National quotas have dropped in Canada's case by 50% from 100 000 tons in 1986 to 50 000 tons in 1992. And finally the quotas NAFO members do receive are more difficult to catch because the catch rates are low and the fish are small.

We are here because we agree that effective surveillance and control will help arrest the decline by ensuring that catches do not exceed quotas. Other efforts will also have to be made to end fishing by non-members and reflagging, for example and we will be addressing those in September and at other NAFO meetings. But this week our focus will be on improving our ability as fisheries managers to know what is happening on the fishing grounds, and to control our fleets so that we can meet the conservation objectives that NAFO sets for itself.

Canada's objective here this week is to strengthen NAFO's capacity to fulfil its mandate. We see this as a process of reform: to put in place modern, effective international controls so that NAFO can do what it was created to do, and so that it can benefit from what we have all learned since its creation in 1979.

The Canadian delegation has received many positive reactions in preliminary consultations with other Contracting Parties, and we have modified our proposals to take into account the concerns and suggestions of other NAFO members. I am therefore confident that we will be able to make progress this week and to make progress early. We are all busy people. With the work that has already been done, and constructive efforts on all sides over the next couple of days, I would hope that we would be able to come to a conclusion by about noon on Thursday. If we need more time, we'll take it, but I am hopeful we are close enough to real progress to be able to finish our work in less time than was originally planned.

I will not elaborate now on the initiatives Canada is putting forward this week the agenda will give us all ample opportunity to present our ideas, to discuss their merits and to consider alternatives. I would simply like to close by expressing, on behalf of the Canadian delegation, the sincere hope that we will be able to work together to make substantive progress on reforms. Success here is crucial both to our fisheries in the Northwest Atlantic and to the very future of this Organization.

Annex 5. Working Paper on a Pilot Project for a NAFO Observer Scheme

The Fisheries Commission

Noting that Canada has a program under which there is extensive observer coverage on board vessels fishing in its waters;

Considering that the placement of fisheries observers on board Contracting Party vessels fishing in the Regulatory Area may be a useful and cost effective method of monitoring compliance with the provisions of the NAFO Conservation and Enforcement Measures and that the observers might also provide sampling information for use by the Scientific Council;

Therefore:

1. Endorses implementation of an 18-month pilot project to test operation of a NAFO Observer Scheme in the NAFO Regulatory Area by 1 January 1993.
2. Requests that the Scientific Council recommend a work plan for fisheries observers that are authorized to obtain biological sampling data from Contracting Party vessels fishing in the Regulatory Area.
3. Calls on all Contracting Parties that anticipate their fishing operations to exceed 300 fishing days on ground in 1993 to:
 - a) Deploy on their vessels fishing in the Regulatory Area trained individuals from their own countries, or from other NAFO Contracting Parties where agreed bilaterally, to monitor compliance with the provisions of the NAFO Conservation and Enforcement Measures in accordance with criteria agreed by STACTIC and approved by the Fisheries Commission;
 - b) Deploy those observers appropriately to ensure that a minimum of 10% of the Contracting Party's total estimated fishing days on ground for 1993 are subject to observation across as many fisheries in the NAFO Regulatory Area as possible;
 - c) Pay all costs associated with their observers;
 - d) Advise the Executive Secretary of the vessels on which observers are deployed for subsequent transmission to Contracting Parties with an inspection presence in the Regulatory Area;
 - e) Table at a special Fisheries Commission meeting to be held in 1994 at the conclusion of 12 months of the pilot program a report assessing the effectiveness and costs of the program and outlining administrative and operational problems while also considering the continuation and possible future expansion of the program.

5. Requests all Contracting Parties to authorize observers on board their vessels fishing in the Regulatory Area:
 - a) To monitor their assigned vessel's compliance with the provisions of the NAFO Conservation and Enforcement Measures and, if approved by the Contracting Party which receives the observer, to conduct sampling in accordance with technical guidelines and a work plan developed in accordance with paragraph 2.
 - b) To provide to the vessel's authorities and to the NAFO Executive Secretary, at the termination of the observer's assignment to a vessel, a written report for onward transmission by the Executive Secretary to Contracting Parties with an inspection presence in the Regulatory Area.

Annex 6. Working Paper on Amendments to the NAFO Conservation and Enforcement Measures to Incorporate a Catch Reporting Feature into the Hail System

Part III. E.

1. A Contracting Party shall ensure that vessels of that Party to which the Scheme of Joint International Inspection applies shall report to their competent authorities or to the NAFO Secretariat:
 - a) each entry into the Regulatory Area. This report shall be made at least six (6) hours in advance of the vessel's entry and shall include the date, the time, the geographical position of the vessel and the total round weight of catch by species on board in metric tonnes.
 - b) following entry into the Regulatory Area, within forty-eight hours (48) following the week (Sunday to Saturday) in which the catches were made, and weekly thereafter until its departure from the Regulatory Area, the total round weight of catch taken by the vessel during that week (Sunday to Saturday) or since the last report by species and by division in metric tonnes.
 - c) each exit from the Regulatory Area and except as provided in (c), each movement from one NAFO division to another NAFO division. This report shall be made prior to the vessel's exit from the Regulatory Area or entry into a NAFO division and shall include the date, time and geographical position of the vessel. The report made on exit from the Regulatory Area shall also include the total round weight of catch since the last catch report by species and by division in metric tonnes.
 - d) present text

Without prejudice to Schedule II of Part V of the NAFO Conservation and Enforcement Measures, after each radio or fax transmission of information the following details are to be immediately entered in the logbook:

- Date and time of transmission
 - In cases of radio transmission, name of radio station through which the transmission is made
2. present text
 3. present text

Annex 7. Working Paper on Amendments to the NAFO Conservation and Enforcement Measures Referring to Production Logbooks and Stowage Plans

Part I. C. Recording of Catch

Add new paragraph:

2. (c) For all fish taken under paragraph 2 (a), Contracting Parties shall ensure that all vessels of that Party fishing in the Regulatory Area shall either:
- i) record their cumulative production by species and product form in a production logbook

or

 - ii) stow in the hold all processed catch in such a way that each species is stowed separately. A stowage plan shall be maintained showing the location of the products in the hold. Products of the same species may be stowed in several places in the hold but only when visibly separated from products of other species. Product of species that constitute less than 5 per cent by weight of catch on board may be stowed together in the same location in the hold.

Part IV Scheme of Joint International Inspection and Surveillance

Add new paragraph:

6. (ii) (d) Inspectors shall be given access to production logbooks or stowage plans in accordance with the NAFO Conservation and Enforcement Measures, Part I.C.2 (a) and (c) and in the latter case shall be given such assistance as is possible and reasonable and necessary to ascertain that the stowage conforms to the stowage plan, no interference being allowed in the stowage of product or in the technological process on the vessel.

Annex 8. Working Paper Regarding Action by Contracting Parties to Prevent Infringements of the Measures by Their Vessels

Part IV. 7 (new text in bold)

An appropriate authority of a Contracting Party notified of an apparent infringement committed by a vessel of that Party shall take prompt action to **conduct the investigations necessary to obtain the evidence required and**, whenever possible, board the vessel involved. **The authority shall take immediate judicial or administrative action as would be the case when dealing with apparent infringements of fisheries regulations in national waters. Administrative actions may also be taken such as placing an enforcement official or an observer on board the vessel, restricting the area in which the vessel is permitted to operate or excluding the vessel from the NAFO Regulatory Area.** An appropriate authority of the Contracting Party for the vessel concerned shall cooperate fully with the appropriate authority of the Contracting Party that designated the inspector to ensure that the evidence of the apparent infringement is prepared and preserved in a form which facilitates judicial action. **The appropriate authorities in the flag state of the vessels concerned shall take prompt action as necessary to receive and consider the evidence and shall conduct any further investigation necessary for disposition of the apparent infringement.**

Text of second paragraph in Part IV. 7 remains as is.

Annex 9. Working Paper to Amend the NAFO Conservation and Enforcement Measures to Require Contracting Parties to Develop Effort Plans for their Vessels Operating in the Regulatory Area

Part I. A

Paragraph 1:

- (a) as present paragraph 1
- (b) Each Contracting Party shall notify the Executive Secretary of the way it will manage its fishing effort in establishing a balance between on the one hand its quotas and other legitimate fishing possibilities, and on the other hand its fishing effort in the Regulatory Area (effort plans):
 - (i) prior to 1 January of each year, if possible, or before its vessels begin any fishery in the Regulatory Area; and
 - (ii) in a timely manner thereafter should there be any changes in the effort plans.

The Executive Secretary shall provide all Contracting Parties with a listing of all effort plans.

Annex 10. Working Paper on Amendments to the NAFO Conservation and Enforcement Measures Regarding Observations by Inspectors of Incidental By-catches in Excess of Prescribed Limits

Part II.B.3. Mesh Size

New sub-paragraph 3 (c)

- (c) If, in fisheries conducted with nets having mesh sizes less than those specified in paragraph 2, an inspector observes in nets hauled in his/her presence incidental catches in excess of 10 per cent for each species listed in Schedule I, he/she shall record this fact in the Inspection Report and shall remind the Master of the vessel not to continue fishing in the area after the fish on board exceeds the incidental catch limits specified in Part II.B.3 (a) the inspector may also recommend in the Inspection Report an investigation by the vessel's Contracting Party authorities.

Annex 11. Request for Scientific Advice from the Scientific Council

In addition to the request in paragraph 9 of NAFO/FC Doc. 91/10 on a standard 130 mm mesh size, the Scientific Council is asked to evaluate the effect of introducing one uniform mesh size, irrespective of material, thus deleting note 2 in Part V - Schedule IV of the NAFO Conservation and Enforcement Measures.

**Annex 12. Working Paper on Amendments to STACTIC Form 1 (09/83),
STACTIC Form 2A (09/83), and STACTIC Form 2B (09/83), used for
Annual Reports by Contracting Parties of Inspections,
Apparent Infringements and Their Disposition**

STACTIC Form 1 - Annual Return of Inspections, Apparent Infringements and their Disposition (National); STACTIC Form 2A - Annual Return of Inspections and Apparent Infringements (International); and STACTIC Form 2B - Annual Return of Disposition of Infringements (International) should be replaced by **STACTIC Form A - Annual Return of Inspections, Catch Record Discrepancies and/or apparent infringements** and **STACTIC Form B - Annual Return of Disposition of Catch Record Discrepancies and/or apparent infringements**

Annex 13. Working Paper for Amendments to the NAFO Conservation and Enforcement Measures Regarding Definition of an Inspection Party

1. Amend Part IV.1.(ii)

The appropriate authorities of Contracting Parties shall notify the Executive Secretary by November 1 each year of the name of Inspectors, **NAFO Inspection trainees** and special inspection vessels.

2. Amend Part IV.1.(iv)

On receipt of the notification of assignment to the Scheme from the Contracting Party, the Executive Secretary shall issue a document of identity, as shown in Annex 1, to the respective authority for each inspector or **NAFO Inspection trainee** of that Party.

3. Amend Part IV.5.(iv)

An inspection party shall consist of, at maximum, two inspectors assigned to the Scheme. **Occasionally, vessel conditions permitting, a NAFO Inspection trainee may accompany the inspection party for training purposes only. In such circumstances the inspection party shall, upon arrival on board, identify the trainee to the Master of the vessel being inspected. This trainee shall simply observe the inspection and shall in no way interfere with the activities of the fishing vessel and with the inspection.**

4. Amend Annex I, Document of Identity, as appropriate.

**Annex 14. Working Paper on Amendments to the NAFO Conservation
and Enforcement Measures to Incorporate a Catch Reporting Feature
into the Hail System**

Part III. E.

1. A Contracting Party shall ensure that vessels of that Party to which the Scheme of Joint International Inspection applies shall report to their competent authorities or to the NAFO Secretariat if the Contracting Party so desires:
 - a) each entry into the Regulatory Area. This report shall be made at least six (6) hours in advance of the vessel's entry and shall include the date, the time, the geographical position of the vessel and the total round weight of catch by species on board in metric tonnes.
 - b) following entry into the Regulatory Area, within forty-eight hours (48) following the week (Sunday to Saturday) in which the catches were made, and weekly thereafter until its departure from the Regulatory Area, the total round weight of catch taken by the vessel during that week (Sunday to Saturday) or since the last report by species and by division in metric tonnes.
 - c) each exit from the Regulatory Area and except as provided in (c), each movement from one NAFO division to another NAFO division. This report shall be made prior to the vessel's exit from the Regulatory Area or entry into a NAFO division and shall include the date, time and geographical position of the vessel. The report made on exit from the Regulatory Area shall also include the total round weight of catch since the last catch report by species and by division in metric tonnes.
 - d) present text

Without prejudice to Schedule II of Part V of the NAFO Conservation and Enforcement Measures, after each radio or fax transmission of information the following details are to be immediately entered in the logbook:

- Date and time of transmission
 - In cases of radio transmission, name of radio station through which the transmission is made
2. present text
 3. present text

Annex 15. Coordination and Financing of Inspection Activities in the Regulatory Area

The Fisheries Commission,

Noting the importance of ensuring appropriate control and inspection of implementation of conservation measures in the NAFO Regulatory Area,

Taking into account that control and inspection in the NAFO Regulatory Area are international, and are exercised in the interest of all Contracting Parties,

Recognizing the need to coordinate effort of all Contracting Parties,

Directs STACTIC to consider at its next meeting the following issues:

- Data analysis on the volume and expenses that the Contracting Parties exercise control and inspection in the NAFO Regulatory Area;
- Determination of the optimum number of inspectors, vessels, helicopters, other aircraft and other means of control needed for permanent control in the Regulatory Area during a year and, to the extent possible, the cost involved;
- Prepare proposals for coordination of effort of the Contracting Parties to ensure control and inspection in the Regulatory Area on an adequate level, in view of the provisions of Part IV, para. 13 of the NAFO Conservation and Enforcement Measures, and for assessing cost for that purpose.

Annex 16. Competence to Call Intersessional STACTIC Meetings (request by Denmark)

by the Executive Secretary

Legislative Note

In accordance with provisions of Article XIII.6 of the NAFO Convention:

"The Commission may establish such Committees and Subcommittees as it considers desirable for the exercise of its duties and functions."

and in respect of this -

The Standing Committee on International Control (STACTIC) was established by provisions of terms of reference in Rule 5 of the Rules of Procedure for the Fisheries Commission which provide:

5.1 There shall be a **Standing Committee on International Control** which shall:

- a) review of the results of national and international measures of control;
- b) develop inspection methodologies;
- c) consider the practical problems of international measures of control;
- d) review reports of inspections and violations;
- e) promote exchanges and cooperative efforts of inspectors in international inspection; and
- f) make appropriate recommendations to the Fisheries Commission.

5.2 The Committee shall consist of representatives, one from each Commission member, who may be assisted by experts and advisers and shall elect, from among those representatives, to serve for 2 years, its own Chairman; who shall be allowed a vote. The Executive Secretary shall be an *ex officio* member, without vote.

Conclusion

According to the provisions of the NAFO Convention and Rules of Procedure for the Fisheries Commission, STACTIC is a subsidiary body of the constituent body - Fisheries Commission - and in such status STACTIC does not have an independent existence and is directly responsible to the Fisheries Commission; and,

This responsibility is discharged by the following actions and activities:

- Any meeting of STACTIC is subject to a decision and competence of the Fisheries Commission which includes: Terms of reference (tasks), dates, and place;
- Reports of STACTIC are presented to the parent body for its approval (adoption, acceptance, rejection, or returning)

Note:

Bearing in mind the following provisions of Rule 9 of the Rules of Procedure for the Fisheries Commission that:

"The Fisheries Commission shall not incur any expenditure except in accordance with a budget approved by the General Council",

any decision of the Fisheries Commission for a STACTIC meeting (except the meeting at the NAFO Annual Meeting in September) should be taken in consultation with the General Council.

Annex 17. Request to STACTIC from the Fisheries Commission

The Fisheries Commission requests STACTIC to address the following questions at a special meeting to be called in advance of the 14th Annual Meeting of NAFO and to report the results to the Fisheries Commission:

1. If the Fisheries Commission were to adopt a pilot project for a NAFO observer scheme for a sufficient period starting on 1 January 1993,

What would be the role and duties of observers within the scheme?

What would be the operational procedures for deploying and removing observers from the fishing vessels?

What training and equipment would be required for the observers?

What would be the rights and obligations of the master of the fishing vessel?

What would be the format, contents and frequency of reports and to whom should such reports be addressed?

What would be the technical problems and solutions associated with implementation of such a scheme?

What would be the estimated costs of such a scheme?

The questions above should be answered with respect to a pilot observer scheme. If any other proposal addressing the same concerns is forwarded to the Executive Secretary by 1 July 1992, the relevant questions should be answered in respect of such a proposal.

2. If the Fisheries Commission were to decide to incorporate a catch reporting feature into the hail system,

Would the technical effectiveness of the hail system be improved by the incorporation of catch reports?

Taking into account the particular communication problems of long-distance fleets and with a view to minimize costs and time, what would be the form and content of messages to be sent?

What would be the appropriate timing and frequency of catch reports?

What is the least costly and expedient way for the NAFO Secretariat to make the hail information available to inspection vessels present in the Regulatory Area?

What would be the technical problems and solutions associated with implementation of such a decision?

What would be the estimated costs of such a decision?

3. If the Fisheries Commission were to approve the introduction and inspection of production logbooks or stowage plans,

In particular, what guidelines would be needed to maintain safety on production decks and in the hold of the fishing vessel?

What would be the technical problems and solutions associated with implementation of such a decision?

What would be the estimated costs of such a decision?

4. If the Fisheries Commission were to introduce one uniform mesh size, irrespective of material,

What practical and economic effect would this have for the fishing fleets in the Regulatory Area?

How would this affect the work of the inspectors?

5. If the Fisheries Commission were to permit inspection trainees to accompany inspection parties,

What guidelines should be established for the conduct of the trainee while he or she is on board the vessel?

6. If the Fisheries Commission were to approve a program to coordinate and fund inspection activities in the NAFO Regulatory Area,

What is the extent and what are the costs currently incurred by the Contracting Parties for control and inspection in the Regulatory Area?

What would be the appropriate number of inspectors, vessels, helicopters, other aircraft and other means needed for rational and effective control and inspection in the Regulatory Area in a given year, and what would be the estimated cost of these activities?

What would be the design of a coordinated plan for control and inspection by Contracting Parties in the Regulatory Area, taking into account the provisions of Part IV, para 13 of the NAFO Conservation and Enforcement Measures?

What would be the costs of this program?

The Fisheries Commission also requests STACTIC to summarize and comment on papers to be provided by Contracting Parties by 15 July 1992 setting out the methodology, benefits and other implications of effort management systems in order to match fishing effort with available fishing opportunities.

STACTIC will submit its findings and recommendations to the Fisheries Commission no less than thirty days prior to the 14th Annual Meeting of NAFO.

Annex 18. Press Release

1. The Special Meeting of the Fisheries Commission (the Commission) of the Northwest Atlantic Fisheries Organization (NAFO) was held at Holiday Inn, in Dartmouth, Nova Scotia, Canada under the chairmanship of Mr. E. Wiseman (Canada). The Meeting was called by the Chairman at the request of Canada in accordance with provisions of Article XIII.5 of the NAFO Convention.
2. The following members of the Commission took part in the meeting: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway, Poland, and Russia. Observers from the United States of America, Estonia, Latvia, and Lithuania were admitted to the meeting.
3. The meeting was called to consider a number of proposals initiated by Canada. During the last 2 years there have been considerable activities within NAFO focusing on improvements to inspection and control in the Regulatory Area. Amendments have been adopted and incorporated in the NAFO Conservation and Enforcement Measures with respect to rules for marking vessels, implementation of the hail system, air surveillance, and the adoption of guidelines for the Coordination and Optimization of Inspection and Control in the Regulatory Area. While the adopted measures are of great value and importance to inspection and control in the Regulatory Area, additional measures should be considered in order to achieve the objectives of NAFO.
4. The deliberations of the Special Meeting of the Fisheries Commission (Agenda attached) concentrated on certain measures to reinforce control and enforcement in the Regulatory Area to refer specific questions to STACTIC for a Special Meeting in July 1992 and to resume its deliberations in September 1992 on these measures on the basis of working papers prepared at the meeting. The most important draft proposals are: to initiate a NAFO pilot observer project; to incorporate a catch reporting feature into the hail system; to introduce production logbooks or stowage plans for fishing vessels; to develop systems for better balance fishing effort to legitimate fishing possibilities in the Regulatory Area; to amend the NAFO Conservation and Enforcement Measures with respect to incidental catch limits, recording of catches, modifications to forms, composition of inspection party.
5. The Fisheries Commission agreed in principle to consider further possibilities with respect to financing the inspection vessels' activities in the Regulatory Area, and financing of NAFO scientific work in the Regulatory Area. While the objectives of those proposals will be pursued no firm commitments were drawn at this time as such measures require further reflection by Contracting Parties.
6. On other measures to improve effectiveness of NAFO management of fish stocks in the Regulatory Area, the Commission decided to further study effective mesh size and minimum commercial cod and flatfish size in the Regulatory Area, subject to future advice of the Scientific Council of NAFO.

NAFO Secretariat
Dartmouth, N.S., Canada

SECTION V

(pages 207-234)

Report of the Special Meeting of the Standing Committee on International Control (STACTIC)

21-24 July 1992

Copenhagen, Denmark

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Report of the Special Meeting of the Standing Committee on International Control (STACTIC)

21-24 July 1992, Copenhagen, Denmark

1. Opening of the Meeting

The Chairman (E. Lemche, Denmark in respect of the Faroe Islands and Greenland) opened the meeting with a welcome to all delegates to the Special Meeting of STACTIC. Representatives of the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway and the Russian Federation (Russia). (Annex 1)

2. Appointment of Rapporteur

R. J. Prier (Canada) was appointed rapporteur.

3. Adoption of Agenda

The Agenda was adopted as amended. (Annex 2)

The Chairman referred to FC Doc. 92/3 which set out the goals of this special meeting and to Annex 17 of the same document which outlined the questions that the Fisheries Commission wished STACTIC to address. In this regard the Chairman proposed to put a report together which answers the questions presented in Annex 17. The Committee agreed with this proposal.

4. Pilot Project of NAFO Observer Scheme

Proposals were presented from Canada (Working Paper 92/19) and the European Community (Working Paper 92/25). As a result of deliberations and consultations among delegations agreement was reached on the basic responses for the Fisheries Commission (Annex 3).

In addition the following positions were expressed by Contracting Parties at the meeting.

The EEC took the view that the observers' main task in the context of a pilot project is to record the level of compliance of the vessels observed with current conservation rules in the NAFO Regulatory Area. They are not required to collect evidence of any apparent non-compliance with the said rules which they might observe while on board vessels.

Similarly, observers are not required to request the intervention or presence of inspection vessels in the event that any apparent non-compliance is observed.

Considering this matter, Russia understands that in the case of approval of the pilot NAFO Observer Scheme by the Fisheries Commission, the role, rights and duties of such observers would not in any way duplicate those of NAFO inspectors.

With regard to the reporting duties of the observers, the EEC expressed the view that the observers be requested to prepare a final report on their findings at the termination of the observation period. Consequently, they are not expected to provide periodic or interim reports. These final reports shall be forwarded to the competent authorities of the Contracting Party (providing) sponsoring the observer. The said competent authorities shall examine these reports with a view to preparing an overall evaluation of the findings presented during the entire period of the pilot project. These findings shall be presented to the Fisheries Commission at its special session in 1994.

Canada stated that for the pilot project to provide the basis for an effective and useful assessment of the merits of a long term scheme, it must enable Contracting Parties to take action to reduce infringements of the NAFO Conservation and Enforcement Measures.

Canada is therefore of the view that the observer should be authorized to observe the full range of activities on board the fishing vessel to enable him/her to monitor compliance with the Conservation and Enforcement Measures.

Japan stated that the range of observations should be restricted to regulations in force.

Canada also supports a requirement for observers to make interim reports, which would be transmitted via the Contracting Party to any Contracting Party with an inspection presence in the area, in the case of possibility of fishing contrary to the NAFO Conservation and Enforcement Measures.

Denmark indicated that they agreed with the Canadian proposal.

5. Incorporation of a Catch Reporting Feature into the Hail System

Proposals were presented from Canada (Working Paper 92/19) and the EEC (Working Paper 92/26). As a result of deliberations and consultations among delegations **agreement was reached** on the basic responses for the Fisheries Commission (Annex 4).

In addition the following positions were expressed by Contracting Parties at the meeting.

Russia expressed its opinion that determination of improving the hail system effectiveness by the incorporation of catch reports might be done only upon assessment of the effectiveness of the hail system itself.

The EEC is of the opinion that the quota management and the monitoring of the quota uptake is the exclusive competence of the Contracting Parties. Consequently catch reports should be communicated to the competent authorities of the Contracting Parties.

6. Introduction of Production Logbooks or Stowage Plans

Proposals were presented from Canada (Working Paper 92/19) and the EEC (Working Paper 92/27). As a result of deliberations and consultations among delegations **agreement was reached** on the basic responses for the Fisheries Commission (Annex 5).

7. Introduction of One Uniform Mesh Size, Irrespective of Material

Proposals were presented from Canada (Working Paper 92/19), Denmark (Working Paper 92/30), and the EEC (Working Paper 92/28). As a result of deliberations and consultations among delegations **agreement was reached** on the basic responses for the Fisheries Commission (Annex 6).

8. Permit for Inspection Trainees to Accompany Inspection Parties: Guidelines for the Conduct of Trainees While They Are On Board of Vessels

Proposals were presented from Canada (Working Paper 92/19) and the EEC (Working Paper 92/29). As a result of deliberations and consultations among delegations **agreement was reached** on the basic responses for the Fisheries Commission (Annex 7).

9. Program to Coordinate and Fund Inspection Activities in the Regulatory Area

Proposals were presented from Canada (Working Paper 92/19), Denmark (Working Paper 92/32), the EEC (Working Paper 92/31) and Russia (Working Paper 92/34). As a result of deliberations and consultations among delegations **agreement was reached** on the basic responses for the Fisheries Commission (Annex 8).

In addition the following positions were expressed by Contracting Parties at the meeting.

Denmark is considering providing air surveillance in the Regulatory Area.

Russia made a statement that they had previously objected to the use of air surveillance. However they have no objection to a Contracting Party utilizing air surveillance but the cost of air surveillance should not be considered as a cost to be shared by all Contracting Parties under a coordinated NAFO control inspection plan.

10. Adoption of Report

The Report of the Special Meeting of STACTIC, 21-24 July, Copenhagen, Denmark **was adopted**.

11. Decision on Reports Submitted by Contracting Parties Setting Out the Methodology, Benefits and Other Implications of Effort Management Systems in Order to Match Fishing Effort With Available Fishing Opportunities

General agreement was reached by all delegations that the reports submitted by Contracting Parties setting out the methodology, benefits and other implications of effort management systems in order to match fishing effort with available fishing opportunities need not be summarized or commented on by STACTIC at this time. Reports as requested were received from Canada (Working Paper 92/23), Cuba (Working Paper 92/21), Denmark (Working Paper 92/33), EEC (Working Paper 92/24), Japan (Working Paper 92/22), Norway (Working Paper 92/20) and Russia (Working Paper 92/35).

12. Other Matters

The Chairman tabled the provisional agenda for the STACTIC Meeting in September 1992 for information.

13. Adjournment

The meeting adjourned at 1520 hours on Friday, 24 July 1992.

Annex 1. List of Participants

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B. Cruikshank, Senior Secretary

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Annex 2. Agenda

1. Opening by Chairman, E. Lemche (Denmark in respect of the Faroe Islands and Greenland)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Pilot project of NAFO Observer Scheme
 - 4.1 role and duties of observers within the scheme
 - 4.2 operational procedures for deploying and removing observers from the fishing vessels
 - 4.3 training and equipment for the observers
 - 4.4 rights and obligations of the master of the fishing vessel
 - 4.5 concepts of the observer reports
 - 4.6 technical problems and solutions associated with implementation of the observer scheme
 - 4.7 estimated costs of implementation of the scheme
5. Incorporation of a catch reporting feature into the hail system
 - 5.1 concepts of improvement of the technical effectiveness of the hail system by the incorporation of catch reports
 - 5.2 form and context of messages to be sent taking into account the particular communication problems of long-distance fleets and with a view to minimize costs and time
 - 5.3 timing and frequency of catch reports
 - 5.4 consideration of the least costly and expedient way for the NAFO Secretariat to make the hail information available to inspection vessels present in the Regulatory Area
 - 5.5 technical problems and solutions and estimated costs associated with implementation of the decision to provide information to inspection vessels by the NAFO Secretariat

6. Introduction of production logbooks or stowage plans
 - 6.1 required guidelines to maintain safety on production decks and in the hold of the fishing vessel
 - 6.2 technical problems and solutions associated with implementation of such decision
 - 6.3 estimated costs of such a decision
7. Introduction of one uniform mesh size, irrespective of material
 - 7.1 practical and economical effect for the fishing fleets in the Regulatory Area
 - 7.2 affect on the work of the inspectors
8. Permit for inspection trainees to accompany inspection parties:
guidelines for the conduct of trainees while they are on board of vessels
9. Program to coordinate and fund inspection activities in the Regulatory Area
 - 9.1 extent and costs currently incurred by the Contracting Parties for control and inspection in the Regulatory Area
 - 9.2 estimates of the appropriate number of inspections, vessels, helicopters, other aircraft and other means needed for rational and effective control and inspection in the Regulatory Area in a given year; estimated cost of these activities
 - 9.3 design of a coordinated plan for control and inspection by Contracting Parties in the Regulatory Area, taking into account the provisions of Part IV, paragraph 13 of the NAFO Conservation and Enforcement Measures
 - 9.4 Costs of the program
10. Adoption of the report of the Special Meeting by STACTIC
11. Summarization of the reports to be provided by Contracting Parties by 15 July 1992 setting out the methodology, benefits and other implications of efforts management systems in order to match fishing effort with available fishing opportunities
12. Other matters
13. Adjournment

Annex 3. Response to the Fisheries Commission Request to STACTIC re Pilot Project of NAFO Observer Scheme

1. If the Fisheries Commission were to adopt a pilot project for a NAFO observer scheme for a sufficient period starting on 1 January 1993,

1.1 What would be the role and duties of the observers within the scheme?

Observers would monitor a vessel's compliance with the NAFO Conservation and Enforcement Measures. Observers will record and report upon the fishing activities of the vessel observed and will verify the position of the vessel when engaged in fishing, observe and estimate catches taken with a view to identifying catch composition, monitor discarding, by-catches and the taking of undersized species, record the gear, mesh sizes and attachments employed by the skipper and verify entries made to the logbook (catch quantities and hail reports). In order to fulfil this role, they will:

- estimate total catch weight and species composition (including discards) of individual fishing sets;
- record set times and positions;
- document gear characteristics, such as mesh size, chafer types, trawl size, etc;
- monitor logbook reporting of catches, discards, by-catches and hail reports and, if implemented by the Fisheries Commission, entries in production logbooks or stowage plans, as appropriate; and
- fulfil other duties as decided by the Fisheries Commission.

The role envisaged is strictly an observer one and shall be confined to the Regulatory Area, but could include for example the collection of samples. Any "quasi" scientific role would have to be defined on the advice of the Scientific Council.

The observer shall respect the property and equipment on board, including the confidentiality of all observations made on board and the confidentiality of all documents on board.

1.2 What would be the operational procedures for deploying and removing observers from the fishing vessels?

Deployment of observers, operational procedures and removing of observers will be the responsibility of each Contracting Party.

A coordination capability should be available within each Contracting Party to monitor coverage levels and ensure that assigned levels are maintained.

Observers would be assigned to vessels and receive briefings, forms and equipment from competent authorities of the Contracting Party. Contracting Parties could also use observers from existing private sector companies in the Coastal State. In that case, briefings, deployments and debriefings would be completed by contract staff under specific guidelines approved by the Fisheries Commission.

In order to reach the vessel to which they are assigned, observers could: depart on the vessels as they sail from their home ports; be stationed for a period in the Coastal State for deployment to vessels that make port calls; travel by commercial carrier to the coastal state for deployment via port call; or be deployed via NAFO inspection vessel.

The duration of the deployment period shall be fixed by each Contracting Party. The period of deployment shall take account of the coverage of the pilot scheme determined by the Fisheries Commission. After the termination of the deployment period, the observer could then return home, or to a Coastal State port, or transfer to another vessel of the Contracting Party. This last approach would require the development of safe transfer procedures that include the use of NAFO inspection vessels and their boarding craft.

Observers could return home on board fishing vessels concluding fishing trips or by commercial carrier upon conclusion of a deployment. The observer would then be debriefed by competent authorities of the Contracting Party.

NAFO inspection vessels and inspectors in the Regulatory Area could provide organizational support by transporting observers to and from ports or between fishing vessels.

Alternatively, a Contracting Party could charter a vessel (with sea rider) in order to embark and disembark observers and to facilitate the level of rotation required.

1.3 What training and equipment would be required?

The training and equipment to be provided to the observer is the responsibility of each Contracting Party.

In general, the selected personnel should have the following skills and qualifications:

- ability to read navigational equipment
- linguistic skills
- sufficient experience to identify species and gear
- a good knowledge of the NAFO Conservation and Enforcement Measures
- ability to observe and record accurately

In some cases, observer training could be required to ensure observers are familiar with the operations they will be observing. A list of possible elements for such training is attached as Attachment 1.

The observer should be issued any necessary equipment, taking into account national and international standards of safety at sea. A list of items that could be useful to observers is contained in Attachment 1.

1.4 What would be the rights and obligations of the master of the fishing vessel?

Rights

The master at all times shall be responsible for the safe operation and security of the vessel and crew, including the observer.

Observers shall carry out their duties so as to minimize interference with and inconvenience to the vessel's activities, and will respect the customs and rules of the host vessel.

The master shall be informed in good time of the date and location for receiving observers and the duration of the observation period. The master of the vessel *may decide, for reasons of force majeure or hazardous weather conditions, not to accept the presence of an observer on board.* The master may also decide to amend his planned fishing activities in order to leave the Regulatory Area and if necessary discharge the observer before the conclusion of the observation period.

Obligations

Masters would be required to provide all reasonable assistance to observers including, but not restricted to, the following:

- Safe embarkation and disembarkation conditions at sea
- Appropriate food and accommodations
- Suitable work area with table and adequate lighting
- Access to vessel records and log books
- Access to positional information of the vessel
- Access to the vessel's communications equipment
- Access to all fishing, processing and storage areas
- Access to all fishing gear
- Permission to take photographs of fishing operations provided copies of photographs are given to the master

1.5 What would be the format, contents, and frequency of reports and to whom should such reports be addressed?

Final trip reports would be transmitted by the observer to competent authorities of the Contracting Party.

STACTIC discussed but did not agree on whether the final reports or summaries thereof should be sent to the Executive Secretary for onward transmission to Contracting Parties with an inspection presence in the area.

STACTIC also discussed, but did not reach agreement on the need for periodic reports to signal any fishing activity inconsistent with the NAFO Conservation and Enforcement Measures.

The final report shall record the full range of activities engaged in by the fishing vessel, the overall level of compliance with conservation measures including practices which are at variance with these measures. It shall be presented in a predefined format and include detailed information on the following subjects:

Vessel Information.

A record of vessel information such as side number, vessel name, Contracting Party, vessel type, home port, owner, length, horse power, hold capacity, gross tonnage/class.

Trip Activities.

A record of each change in activity, directed species, gear type, or location.

Catch and Effort.

A comparison of master's logbook and observer estimates, subdivided by directed species, division, and fishing effort, including by-catches and discards.

Non-Contracting Party Vessel Sightings.

A record of non-Contracting Party vessels sighted subdivided by date, time, division, latitude, longitude, and side number, vessel name, nationality, activity, if possible.

Fishing Gear.

A record of fishing gear used including such information as mesh size, specifications, attachments, buoy markings, number lines or gillnets, bait type, and size of hooks.

Processing and Production.

Observations on entries in production logbooks or stowage plans, if implemented by the Fisheries Commission.

Activities Inconsistent with NAFO Conservation and Enforcement Measures.

A record of any fishing activities inconsistent with the NAFO Conservation and Enforcement Measures.

Cooperation from the Master.

Comments, if necessary, on cooperation obtained while on board.

It is the prerogative of each Contracting Party to request additional information from its observers.

Contracting Parties shall evaluate the contents of the reports and conclusions to establish the level of compliance with the NAFO Conservation and Enforcement Measures.

1.6 What would be the technical problems and solutions associated with implementation of such a scheme?

STACTIC discussed possible problems associated with implementation of the scheme, including training, accommodations, recruitment and deployment, working conditions, security and confidentiality and the need to minimize interference with fishing activity of vessels under observation.

STACTIC felt that it was up to the Contracting Parties to address any such difficulties in a manner most appropriate to their operations.

1.7 What would be the estimated cost of such a scheme?

Canada provided a summary of possible costs by Contracting Parties for a 12-month period which is attached as Attachment 2. These costs are based on Canadian contract salary and expenses of approximately \$400.00 (Cdn.) per observer sea day. The amounts do not include travel from the Contracting Party to the NAFO Regulatory Area. Costs could be lower for some Contracting Parties because of employment of their own nationals and payment in their own currencies.

The EEC provided an estimate of costs for the EEC fleet based on the degree of coverage mentioned in FC Working Paper 92/6. The cost of chartering a support vessel, travel costs, salary levels, insurance and training for the duration of the pilot scheme (18 months), is attached as Attachment 3.

Japan had provided an estimate in FC Doc. 92/3, item 2.4 which was approximately \$150,000.

Attachment 1. A List of Possible Training Elements and Possible Equipment Required for Observers

Possible Training Elements

- General introduction and background on NAFO
- Conservation and Enforcement Measures
- Administration and deployment procedures
- Vessel familiarization
- Safety at sea
- Authorities and responsibilities of observers and masters
- Fishing gear identification
- Species identification
- Navigation
- Communications and security (situation reports)
- Procedure for the estimation of catch in live weight
- Conversion and density factors
- Data collection and forms
- Reporting requirements

Possible Equipment

- Weigh scales
- Large briefcase
- Clipboard
- Calculator
- Measuring board
- Mesh measurement gauge
- Measuring tape
- Hard hat or helmet
- Training or operation manual
- Polaroid camera
- Data forms

Attachment 2. Cost Estimate of a NAFO Observer Scheme

Contracting Party	Anticipated number of vessels	Estimated total ¹ days on ground	10%	15%	20%
			DOG (\$000 Cdn.)	DOG (\$000 Cdn.)	DOG (\$000 (Cdn.))
Cuba	10	450	45 (18)	68 (27)	90 (36)
Faroe Islands	5	800	80 (32)	120 (48)	160 (64)
Japan	5	250	25 (10)	38 (15)	50 (20)
Norway	10	350	35 (14)	53 (21)	70 (28)
Russia	30	1 400	140 (56)	210 (84)	280 (112)
EEC	140	20 700	2 070 (828)	3 105 (1 242)	4 140 (1 656)
TOTAL	200	23 950	2 395 (958)	3 594 (1 437)	4 790 (1 916)

¹ Approximate 1990/91 levels.

Attachment 3. Estimate of Costs for the EEC Fleet

Cost of Pilot Project for EEC

Estimates of the overall costs of the pilot project can be made on the basis of the degree of coverage planned (present level is 10% of fleet capacity) the cost of chartering a support vessel to facilitate rotation/deployment of observers, travel costs, salary levels, insurance and training and the duration of the scheme (18 months).

Charter of Vessel

1.5 million ECU p.a = 2.250.000 ECU.

Salaries of 6 Observers

Travel costs

Insurance

Equipment

Training =

979.000
3.229.000 ECU.

Ecu p.a. = 1.6 Canadian dollars

Annex 4. Response to the Fisheries Commission Request to STACTIC re Incorporation of a Catch Reporting Feature Into the Hail System

1. *If the Fisheries Commission were to decide to incorporate a catch reporting feature into the hail system,*

- 1.1 **Would the technical effectiveness of the hail system be improved by the incorporation of catch reports?**

The technical effectiveness of the Hail System and the incorporation of catch reports are two separate matters.

The technical effectiveness of the Hail System, which is simply a position reporting requirement, could be improved by shortening the communication routes e.g. by requiring that the vessels report directly to NAFO Executive Secretary. A further improvement could be obtained through the automation of the communication procedures, as discussed in the STACTIC Working Group on that subject (see NAFO FC Doc. 92/2).

The introduction of catch reports into the present hail system would increase the volume of data which would require processing (see 1.2). There was disagreement on whether this increase, under the present communication procedures, was likely to detract from the technical effectiveness of the hail system *per se*, i.e. the timely processing of the hail data. EEC expressed the view, based upon its experience as a major user of the hail system, that the incorporation of catch reports would unavoidably imply decreased effectiveness of the hail system in its current state and after any eventual automation, as the extra task of transmitting catch data would very substantially increase the volume and type of data. Canada was confident that automation of the communications procedures would overcome any problems resulting from increased volume of messages.

- 1.2 **Taking into account the particular communication problems of long-distance fleets and with a view to minimize costs and time, what would be the form and content of messages to be sent?**

It should be pointed out that communication problems do not only exist for the fleet but all along the communication route via the competent authorities of Contracting Party to the inspection team in the NAFO Regulatory Area. All elements in this communication chain should be considered. Therefore, the cheapest solution for the fleet will not necessarily yield the best overall result.

The form and the content of the messages should be standardized, in particular to distinguish between vessel position reports, catch reports or other communications. Insignificant catches of non-regulated species (e.g. less than 10 tons per week) could be grouped as "other species" in the messages in order to reduce the overhead.

The form and content of a catch reporting feature could be similar to the current hail message, containing the species name, division, and total round weight of catch by species by division onboard. A possible message format could be as follows:

- name of vessel
- call sign
- external identification and numbers
- the date, the time, and geographical position
- indication of the message code
"entry, exit, move, zone, catch"
- catch on board by species, division, and total round weight
- the name of the master

An example of a catch report:

- Any Fishing Vessel
- WXYZ
- FV1234
- 30/06/92/1200
- 4700/4625
- catch
- Red/3M/500/3L/100/3N/50
- Cod/3M/400/3L/50/3N/50
- GHJ/3M/400/3L/100
- Oth/3M/150/3L/25
- Joe Fisherman

1.3 What would be the appropriate timing and frequency of catch reports?

Reports of catches on board would be made on entry into the Regulatory Area, on exit from the Regulatory Area and, weekly or fortnightly on a fixed day, e.g. Wednesday, as long as the vessel remains in the Regulatory Area. Fortnightly reporting would require 50% fewer reports than weekly reporting. This would reduce the data entry workload and costs for Contracting Parties.

1.4 What is the least costly and most expedient way for the NAFO Secretariat to make the catch information available to inspection vessels present in the Regulatory Area?

At present, the NAFO Secretariat transmits positional hail messages by facsimile to competent authorities (which could include inspection vessels) of Contracting Parties. The addition of catch reports to messages sent under the existing system would increase the cost of transmission to an extent. Separate messages for catch reports might increase costs depending on fishing patterns.

The experience of the EEC however is that the facsimile messages received from the Executive Secretary by its inspection vessel via satellite are frequently of poor quality and illegible. Alternative communications systems should therefore be evaluated with a view to determining a more efficient method.

1.5 What would be the technical problems and solution associated with the implementation of such a decision?

The proposed extension of the Hail System would have to be supported by an efficient data processing and telecommunication system. The nature of this system may be complex for some Contracting Parties because it involves both maritime and international terrestrial communication links between different Parties within narrow time constraints. The EEC's experience with the catch reports from certain fishing vessels operating in EEC waters demonstrates the importance of this issue.

The implementation of the decision could therefore be preceded by a study identifying the problems of evaluating different possible solutions. Implementation of the Fisheries Commission decision need not however be delayed by such a study if the Fisheries Commission agrees to implement a catch reporting requirement on an ad hoc basis pending the completion of the study.

1.6 What would be the estimated costs of such a decision?

The study suggested in the reply to the previous question would provide a cost estimation for each retained solution. It was noted that STACTIC at present was unable to provide a cost estimate. Some delegations felt that the reasons for this were lack of information from some Contracting Parties which could be obtained in the near future. Other delegations indicated that costs could not be estimated until the available options were evaluated and final choice of systems agreed.

Canada provided the following example of what could constitute the format of a NAFO catch hail message sent from the vessel to the Contracting Party or the Executive Secretary.

Currently, a typical NAFO hail message (without catch reporting) can contain the following details:

		<u>Words</u>
A/Any Vessel	2	
B/WXYZ		1
C/FV1234		1
D/30/06/92/1200	2	
E/4700/4625		2
F/Move	1	
G/Joe Fisherman		<u>2</u>

The number of hail messages that each Contracting Party might receive in a given year depends on the number of vessels deployed to the Regulatory Area.

The introduction of a catch reporting feature to the hail system, could increase the message cost depending on final format. Assuming that insignificant catches (< 10t/week) of non-regulated species can be grouped, the following sets out the potential word contents for the catch reporting feature:

A/Any Vessel
B/WXYZ
C/FV1234
D/30/06/92/1200
E/4700/4625
F/Catch
 /Red/3M/500/3L/100/3N/50
 Cod/3M/400/3L/50/3N/50
 GHL/3M/400/3L/100
 Oth/3M/150/3L/25
G/Joe Fisherman

Item F includes an additional 8 words.

Annex 5. Response to the Fisheries Commission Request to STACTIC re Production Logs/Stowage Plans

1. If the Fisheries Commission were to approve the introduction and inspection of production logbooks or stowage plans, in particular, what guidelines would be needed to maintain safety on production decks and in the hold of the fishing vessel?

1.1 Safety on production decks

In the event that vessels fishing in the NAFO Regulatory Area are obliged to maintain production logbooks, observers and inspectors engaged in their duties may have occasion to visit production decks in order to view the last haul taken by the vessels. Such visits would be brief and occasional and consequently should not necessitate the introduction of specific safety measures in addition to those in place to protect the security of the workforce operating there.

1.2 Safety in the Hold

The introduction of stowage plans which indicate the precise location of the different species taken by fishing vessels will necessitate fairly lengthy visits by inspectors/observers to the hold for inspection/observation purposes. These duties will mainly consist of counting of cartons/boxes; examining and verifying contents and ensuring that the stowage plan corresponds to the stowage capacity, etc. Consequently, the inspectors/observers will spend considerable time in the hold.

With regard to safety aspects, it is imperative that all stored species are securely fixed to their designated position, that the inspectors/observers have access to different sections of each species area/zone without incurring risks to their personal safety and that they have adequate space within which cartons can be examined. In light of the foregoing it may be deemed necessary that individual species be partitioned in shelved areas thus facilitating random access without jeopardizing the equilibrium of stacked cartons.

2. What would be the technical problems/solutions associated with the implementation of such a decision?

2.1 Technical problems solutions associated with the introduction of production logbooks

In order to check entries in production logbooks inspectors/observers will have to convert production weight into live weight so that the latter can be verified against the logbook entries which are made in live weight. The inspectors/observers could be guided by conversion factors established by the master of the vessel.

2.2 **Technical problems/solutions associated with the introduction of a stowage plan**

Apart from the safety aspects of visiting stowage areas which are addressed at point 1.2 above it is anticipated that the introduction of a stowage plan could give rise to additional technical problems, the rational use of floor space, the installation of partitions and shelving and agreement on common stowage factors and safety aspects of fishing vessels.

3. What would be the estimated costs of such a decision?

3.1 **Production logbooks**

Printing and distribution of production logbooks. The format of such logbooks will have to be agreed in the framework of STACTIC/NAFO.

3.2 **Stowage plan**

In order to facilitate inspection of the contents of vessels holds all frozen or salted catches will have to be stored separately that is, in specified partitions and shelving installed. The cost of this exercise will depend upon the size of the hold, the number of species fished by the vessel and how catches are conserved-salted or frozen. Loss of storage space arising from alterations to the hold will also have to be added to the total costs.

Annex 6. Response to the Fisheries Commission Request to STACTIC re Uniform Mesh Size

1. If the Fisheries Commission were to introduce one uniform mesh size, irrespective of material, what practical and economic effect would this have for the fishing fleets in the Regulatory Area?

- 1.1 **Introduction of one uniform mesh size**

The introduction of a uniform mesh size irrespective of material will necessitate some skippers discarding existing nets and purchasing new nets which conform to the designated mesh size. Bearing in mind the costs, skippers should be granted a reasonable period so that the modification can be properly planned.

Moreover the introduction of a uniform mesh size (130 mm) irrespective of material will result in an increased mesh size in currently used polyamide nets (120 mm) and accordingly will lead to a reduction in fish catches and economic efficiency.

- 1.2 **How could this affect the work of the inspectors?**

The introduction of the uniform mesh size when fishing for regulated species should assist control activity generally. In particular it would remove the need for inspectors to identify the material from which nets are made.

**Annex 7. Response to the Fisheries Commission Request to STACTIC
re Inspection Trainees**

1. If the Fisheries Commission were to permit inspection trainees to accompany inspection parties,

What guidelines should be established for the conduct of the trainee while he or she is on board the vessel?

- 1.1 **Guidelines**

Given that the trainee inspector is simply accompanying inspection parties on board fishing vessels he/she should not operate independently of the said parties nor act on his/her own initiative while on board fishing vessels under inspection. The role of the trainee inspector should be limited to observing inspection procedures.

The trainee inspectors shall be subject to those procedures and rules governing the conduct of inspections generally prescribed in Part IV, (Points 5-6), of the NAFO Conservation and Enforcement Scheme.

**Annex 8. Response to the Fisheries Commission Request to STACTIC
re Program to Coordinate and Fund Inspection Activities
in the Regulatory Area**

1. If the Fisheries Commission were to approve a program to coordinate and fund inspection activities in the NAFO Regulatory Area,

1.1 **Extent and costs currently incurred by the Contracting Parties for control and inspection in the Regulatory Area**

The Contracting Parties present related the following current costs they incur for control and inspection in the Regulatory Area as it relates to surface surveillance:

Canada	Total cost \$4.2 million (Cdn.) Total days in Regulatory Area - 340 Cost per day \$12,350
Cuba	none
Denmark	Total cost \$290,000 (Cdn.) Total days in Regulatory Area - 30 Cost per day \$9,666
EEC	Total cost \$2.8 million (Cdn.) Total days in Regulatory Area - 250 Cost per day \$11,200
Japan	none
Norway	none
Russia (based on 1990)	Total cost \$2.9 million (USA) Total days in Regulatory Area - 270 Cost per day \$10,900 (USA)

Russia referred to FC Doc. 92/3, Annex 15 which was a Russian proposal to coordinate the cost of inspections in the Regulatory Area and develop a method to share the cost of control and inspection in the Regulatory Area.

- 1.2 **Estimates of the appropriate number of inspections, vessels, helicopters, other aircraft and other means needed for rational and effective control and inspection in the Regulatory Area in a given year; estimated cost of these activities**

The following recommendations for sea surveillance are based on 200 fishing vessels from Contracting Parties operating in the Regulatory Area in the course of a year.

Number of inspections - 900

Number of inspection vessels - 3 on a continuous basis

Number of inspectors per inspection - 2

Additional boardings would be required for non-Contracting Parties, special interest areas and fisheries of concern.

Average boarding of a fishing vessel operating in the Regulatory Area would be once per month.

The cost of keeping three inspection vessels all year round and conducting an inspection on a fishing vessel once per month will cost approximately \$10-12 (Cdn.) million annually.

Helicopter. Canada is the only Contracting Party that has a helicopter at its disposal in the Regulatory Area. However, it is seldom used. Canada would like to retain the option to use the helicopter but cost is not relevant in this case.

Other aircraft. Canada is the only Contracting Party providing aerial surveillance. Canada utilizes 2 000 air hours in Regulatory Area annually.

1.3 **Design of a coordinated plan for control and inspection by Contracting Parties in the Regulatory Area, taking into account the provisions of Part IV, para 13 of the NAFO Conservation and Enforcement Measures**

It was agreed that Contracting Parties continue to follow the "Guidelines for the Coordination and Optimization of Inspection and Control in the Regulatory Area" and the provisions of Conservation and Enforcement Measures Part IV, paragraph 13. It should be noted that when the level of inspections increase then the level of coordination will increase. This would be done with a specific view to obtain an equilibrium between vessels in the Regulatory Area and inspections. This approach is preferred over the development of a coordination plan at this stage.

It was agreed that each Contracting Party supply the necessary information to the NAFO Executive Secretary about each inspection vessel including such information as:

VHF or MF communication

Facsimile or telex possibilities or other communications possible to be used between inspection vessels.

1.4 **Costs of the program**

No cost could be assigned to a coordination program but is included in previous discussions on cost.

SECTION VI

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PART I

Report of the Meeting of the General Council

14th Annual Meeting, 14-18 September 1992

Dartmouth, Nova Scotia, Canada

Tuesday, 15 September 1992

Wednesday, 16 September 1992

Friday, 18 September 1992

1. Opening of the Meeting (items 1-5 of the Agenda)

- 1.1 The meeting was opened by the Chairman of the General Council, K. Yonezawa (Japan) at 1020 hours on 15 September 1992.
- 1.2 The representatives of the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Japan, Latvia, Lithuania, Norway, Poland, and the Russian Federation (Russia) (Annex 1). The Contracting Parties absent were Bulgaria, Iceland, and Romania.
- 1.3 In the opening address (Annex 2) the Chairman welcomed the delegates of Estonia, Latvia, and Lithuania as new Contracting Parties to the NAFO Convention and expressed his hopes for the success of the Meeting along the path of cooperation. He noted that we now have one change of name of a Contracting Party - Russia replaces the former USSR. The quorum of nine (9) Contracting Parties required for decision making was available as eleven (11) Contracting Parties were present.
- 1.4 The representatives of Estonia, Latvia, and Lithuania addressed the Meeting in their opening statements (Annexes 3 to 5).

The representatives of the EEC and Canada welcomed accession of the new Contracting Parties to NAFO.
- 1.5 The Executive Secretary was appointed Rapporteur.
- 1.6 The Provisional Agenda was **adopted** with incorporation of a new item 9 "Provision of fisheries data" proposed by Denmark (Annex 6).
- 1.7 Under item 4 of the Agenda "Admission of Observers" the Chairman welcomed observers from the Republic of Korea and United States of America. The observer of Korea addressed the Meeting with an opening statement (Annex 7).
- 1.8 The General Council considered an application for observer status from Greenpeace International and **decided not to grant** such requested status. The Executive Secretary was instructed to convey this decision of the General Council to Greenpeace International.

- 1.9 On the question of Publicity (item 5 of the Agenda), it was decided to handle this in the traditional manner, i.e. at the conclusion of the Meeting (Friday, 18 September) a Press Release would be developed and then presented to the Heads of Delegations for approval.

At the end of the closing session on 18 September, the Press Release was reviewed by the Meeting and **approved** (Annex 8).

2. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs (items 6-12 of Agenda)

- 2.1 The report of the 13th Annual Meeting, September 1991 (GC Doc. 91/7) was **adopted** as **circulated**.

- 2.2 Agenda item 7, "Proposal for Amendment to the NAFO Convention (proposed by Canada)" after brief deliberation at the Meeting was deferred for consideration at a later stage.

- i) At the second session of the General Council on 16 September, the representative of Canada reviewed and explained in detail the Canadian Proposal for amendment to Article XII of the NAFO Convention underlining the following points:

First, under the proposal Contracting Parties still have the right to file an objection, and Canada fully recognizes these rights and agrees with well established principles of international Conventions with respect to this; Second point, is that the proposed mechanism is rational and not arbitrary; Third point is that an objection could be challenged by Contracting Parties and a fast mechanism of settlement could be pursued and a fast realistic settlement within an appropriate time frame could be established. The representative of Canada further explained the rationale of all new paragraphs of the amendment.

- ii) The representative of Denmark stated that this is a far reaching proposal for NAFO, and it should be considered in context of sovereignty. With respect to this issue, the Delegation of Denmark has no such authority. At the same time, NAFO should consider if this proposal would be appropriate with respect to new membership; if this would encourage or discourage them as this was not the traditional scheme constituted by the NAFO Convention. However, the dispute settlement mechanism could be a useful tool. One important question we should consider is if we create a situation to complicate the decision making process at the Fisheries Commission which could cause Contracting Parties to come to Meetings with very strong instructions.

- iii) The representative of Japan commented that while we see good intentions of such a proposal, it is difficult to subscribe for the proposal for different reasons. The objection is an internationally recognized practice to give protection for the *rights of minorities*; if the proposal is adopted, it will run the risk of infringing such rights and could have an adverse effect on other Conventions.

- iv) The representative of Cuba commented that modification of objection procedure is a substantial matter which could be difficult for Contracting Parties to decide at this meeting. More time should be given for such a consideration and Canada could discuss this issue with Contracting Parties on a bilateral level. Then further consideration would be appropriate at NAFO.
 - v) The representative of EEC commented that he associated himself with previous speakers. This proposal has deep consequences but not only for international organizations as well, in other cases. The negative effect could be on other members of NAFO with respect of rights of minorities. For other specific elements, a very important rationale is in a delay of decision-making mechanism to give time for acceptance and internal procedure. Then there will be a lot of extra burden for the NAFO Secretariat in such very delicate matter. He underlined that EEC is not hostile to this proposal but EEC is not that far yet. It should not be a step back but a later system which should be more flexible and not mandatory binding at its beginning, when decisions are evident in advance.
 - vi) The representative of Poland commented that he joined the voices of other representatives. This proposal is deep and profound for NAFO. However, the Polish delegation has no authority at this time for a decision on the proposal.
 - vii) The representative of Canada thanked representatives for their comments and noted that Canada does not seek a decision today. The Canadian delegation will continue discussions with delegations bilaterally and then come back for discussion at NAFO Meetings. He noted that seemingly there is a way, as the EEC delegate indicated above, to consider a more flexible system, and this could be a step forward to develop a more mature system.
 - viii) The Chairman concluded the discussions and stated that this is as far as the Meeting can go at this time. However, if Canada would like to open discussions some other time, the floor would be open for the discussions.
 - ix) The representative of Canada took the floor at the closing session on 18 September and reported to the Meeting that the Canadian delegation had a number of bilateral discussions with delegations and listened carefully to what had been suggested by the Contracting Parties. In the discussions, there was an indication of support of the basic elements of the proposal, and what is behind the motive of achieving a settlement, if possible to find such a method, which would help conservation overall in the Regulatory Area. Canada will be following up after the Meeting to discuss the matter with NAFO Contracting Parties who are interested with Canada in developing these ideas. The Honourable Minister J. Crosbie will be writing to the Ministers of delegations present at this Meeting.
- 2.3 Agenda item 8, "Rules of Procedure for the General Council (seconding of motions)", was referred to STACFAD. The Chairman questioned whether there would be enough time at this Meeting to discuss this issue.

- i) The Chairperson of STACFAD, D. Gill (Canada), reported that STACFAD is not the appropriate body to advise the General Council on the Rules of Procedure considering the terms of reference of STACFAD. However, STACFAD recommends a working group could be set up to deliberate Rules of Procedure, and at this time any further deliberation of the Rules should be deferred.
- ii) The Chairman of the General Council ruled that the terms of reference for STACFAD in the Rules of Procedure (Rule 5 of the Rules of Procedure for the General Council) do not authorize STACFAD to review the Rules of a constituent body. However, the terms of reference could be changed accordingly if Contracting Parties wish so, as well as a setting up of a working group.

There were no comments or further proposals to this item and the Chairman concluded to follow the recommendation of STACFAD and to defer this matter without definite commitment.

2.4 Under item 9 of Agenda, "Provision of fisheries data", the Chairman explained that it was the request from the Scientific Council. This item should be directed to STACFAD.

- i) The Chairperson of STACFAD in her report to the Meeting again emphasized similar to the previous items STACFAD is not the body to review the Scientific Council Rules of Procedure. The Scientific Council has its own jurisdiction for this business.
- ii) The representative of Denmark commented that the problem is with deadlines of receiving STATLANT 21A, 21B catch statistics by the Scientific Council which does not receive the statistics in due time. The Scientific Council needs some kind of endorsement from the General Council and the Fisheries Commission to provide such statistics. There should be commitment from all Contracting Parties to transmit the statistics in due time to the Scientific Council.
- iii) The Chairman ruled that the Meeting might take a decision and stress the importance that **all Contracting Parties should do their best to abide with proposed amendment to Rules of Procedure for the Scientific Council (Annex 9)**.

This was accepted by the General Council.

2.5 Under Agenda item 10, "Review of Membership", the Chairman welcomed again the three new Contracting Parties of NAFO which should be members of the Fisheries Commission as those countries (Estonia, Latvia, Lithuania) have already notified their intention to fish in the NAFO Regulatory Area. He recommended the Contracting Parties - Russia, Estonia, Latvia, Lithuania - consider, on a bilateral level, the question of distribution of quotas. The Canadian representative informed on behalf of the Depository that the new member states have deposited their instruments of accession

with the Government of Canada. He recommended the four Contracting Parties should come together to decide on catches and quotas and then should advise the Fisheries Commission accordingly including financial contributions.

- i) The representative of Russia commented that there is an impression everything was decided without Russia and noted that Russia is ready to discuss the distribution of quotas with any Contracting Party including Estonia, Latvia, Lithuania. He stated that Russia wishes to discuss this issue regarding an entire matter which NAFO deals with.

2.6 Agenda items 11-12, "NAFO Headquarters Accommodations" and "Administrative Report" were referred to STACFAD.

- i) The Chairperson of STACFAD reported on the various options to accommodate the request by the Scientific Council to accommodate the meeting room space for the meetings. Some possible options will be pursued further. However, at this time, STACFAD recommended that the meeting of the June 1993 Scientific Council will remain at NAFO Headquarters.

2.7 The Administrative Report (item 12) was approved in principle by the meeting pending further deliberations at STACFAD.

- i) Upon the presentation by the Chairperson of STACFAD, the Report was adopted by the General Council with a note that:

the new Contracting Parties (Estonia, Latvia, Lithuania) would be assessed for their contributions for the period September through December, 1992 and the other Contracting Parties would receive a credit on their assessments for 1993 accordingly. Annex 3 of the STACFAD report would be amended accordingly.

3. Coordination of the External Relations

3.1 The Chairman noted that re UN Resolution 46/215 of 20 December 1991 which was circulated to all Contracting Parties, a letter was dispatched on behalf of NAFO (GF/92-234 of 20 May 1992) stating that the Contracting Parties of NAFO are not presently practising large scale pelagic driftnet fishing in the NAFO Regulatory Area.

A request has been sent to the UN on behalf of NAFO asking for additional information on the definition of "large-scale pelagic driftnet fishing", and to-date no reply has been received from the UN.

4. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention (Items 14-15 of Agenda)

4.1 The meeting adopted the Report of the 4th Meeting of STACFAC (GC Doc. 92/1).

4.2 The Report of STACFAC (of this Annual Meeting) was presented by the Chairman of STACFAC (C. C. Southgate, EEC) at the closing session on 18 September. (Part III of the General Council Report)

The following major points were outlined:

- STACFAC's major task at this stage was to obtain reliable statistical information of non-Contracting Parties activity in the Regulatory Area. Information was provided by Canada and some other Contracting Parties. However STACFAC requires more definite statistical information.
- The catches by non-Contracting Parties remained very high in 1991; for Cod up to 11 600-12 000 tons (approximately 44% of NAFO TAC); for Redfish, 17 000 tons (approximately 30% of NAFO TAC), and for flatfishes, 12 000 (approximately 30% of NAFO TAC); this fishery is not regulated by the NAFO Conservation and Enforcement Measures.
- The major catches of non-Contracting Parties were destined for markets of Contracting Parties. As an example, Korean flagged vessels fish for the Japanese market and Panamanian flagged vessels fish for the EEC market.
- The recommendations of STACFAC for the following year are to continue joint diplomatic demarches, as well as contacts on a bilateral level, to introduce an alternative for a landing declaration mechanism, and to discourage reflagging of vessels, as well as export of fish caught in the Regulatory Area by non-Contracting Parties in conformity with GATT regulations.

- 4.3 The representative of Canada informed that catch levels by non-Contracting Parties continue to be very high and is at the level of 47 300 tons of fish caught by 34 non-Contracting Party vessels in 1991. As of today Canada has sighted 32 non-Contracting Party vessels. He emphasized that urgent measures must be found for a speedy success to eliminate unregulated fishing by non-Contracting Parties.
- 4.4 The EEC representative aligned his position with the concern expressed by Canada and urged the continuation of STACFAC's effort to control fishing activities of non-Contracting Parties.
- 4.5 The Chairman noted that the General Council agreed to continue active STACFAC work and pursue diplomatic demarches and other proposed measures.
- 4.6 The Report of STACFAC was adopted. (see Part III of the General Council Report)

5. Finance (items 16-19)

All items of this part of the Agenda were referred to STACFAD for presentation to the General Council at a later stage.

- 5.1 The Chairperson of STACFAD reported the major elements of the Organization's finance. The STACFAD Report was adopted by the General Council (see Part II) emphasizing the following points:
- the Auditor's Report was adopted as presented;

- the Pension Society report was adopted as presented;
- the meeting dates for 1993 and 1994 were recommended as presented in the Annual Report for 1991 (GC Doc. 91/7; 6-10 September 1993 and 19-23 September 1994 for General Council and Fisheries Commission) and a recommendation for 1995 was the period 6-15 September for the Scientific Council and 11-15 September for the General Council and the Fisheries Commission;
- the budget for 1993 of \$943,000 Cdn. was adopted as amended (+\$5,000.00 for external expertise); salary increases in 1993 should be 3% and in accordance with increases to Canadian public civil service (Rule 6.1 of the Financial Regulations);
- the Accumulated Surplus Account should be maintained at \$75,000 and the balance used to reduce contributions of Contracting Parties for 1993;
- to write off Romania's outstanding debt and send a letter by the Chairman to the Romanian authorities asking if Romania wishes to continue its participation in NAFO;
- the hiring of an additional staff member with respect of improvements to inspection and control in the Regulatory Area and the Hail System **should not be considered at this time** due to budgetary concerns raised by Contracting Parties;
- the General Council decided to consider the subject of upgraded termination benefits (to conform with Rule 10.4 of the Staff Rules) at the 15th Annual Meeting in September 1993.

- 5.2 The representative of the EEC questioned the rationale and appropriateness for NAFO meeting dates and proposed that there be a practice of holding NAFO meetings in the second week of September. This is very important for the EEC as the EEC has many commitments starting from the 3rd week of September. Therefore, the dates for 1993 are acceptable for the EEC but not for 1994. These dates should be adjusted at the 15th Annual Meeting in 1993.

The Meeting agreed that the dates should be reviewed at the 1993 meeting.

- 5.3 The representative of the EEC pointed out the inconsistency between the budget and the computer program for implementation of the hail system by the Secretariat which requires some allocation of funds. This should be responsibility of NAFO and included in the budget.

The representative of Canada responded that Canada is willing to allocate some resources and provide technical/human assistance which could be required at the request of the Executive Secretary for a transitional period. Then, if the General Council decides, a permanent staffing will be considered.

The General Council decided to amend the budget adding \$5,000.00 for a new line in the budget "external expertise".

- 5.4 The Chairman of the General Council questioned Russia about Russia's catches for 1990 for the purpose of budget calculation for 1993 and possible amendment of catches for 1993-94 re Baltic countries question. The Russian representative responded that Russia's catches for 1990 should be the catches of the former USSR.

The Chairman **concluded** that there will be no nominal catches for Estonia, Latvia, Lithuania in the budget calculations for 1993 and asked the above-mentioned countries their opinion. This was **agreed**.

The Chairman further stated that the Executive Secretary should calculate the budget for 1993 in accordance with the above explanation.

6. Closing Procedure (items 20-23 of Agenda)

- 6.1 Time and Place of next Meeting was decided upon following the presentation from STACFAD. The dates for the 15th Annual Meeting will be 1-10 September 1993 for the Scientific Council and 6-10 September 1993 for the General Council and the Fisheries Commission. The place of the Meeting will be in the Halifax-Dartmouth Area unless any invitation is extended by a Contracting Party and accepted by the Organization.
- 6.2 There was no other business under item 21 of the Agenda.
- 6.3 The Press Release was circulated to the Meeting and **approved** with a minor technical correction (Annex 8).
- 6.4 The Chairman closed the 14th Annual Meeting of the General Council at 1400 hours on 18 September 1992.

Annex 1. List of Participants

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**Annex 2. Opening Statement by K. Yonezawa (Japan),
Chairman of the General Council**

I declare open the 14th Session of the General Council.

Fellow commissioners, delegates, Ladies and Gentlemen, I wish to extend my cordial welcome to all of you. My special welcome goes to the delegates of Estonia, Latvia and Lithuania, the newest members of this Organization.

This meeting, as in every past one, is laden with heavy agenda. Obviously there is no need for me to stress the gravity and severity of the problems confronting this Organization. The statements by the heads of Canadian and EC delegations yesterday at the opening session of the Fisheries Commission are just indicative of abysmal depth of the problems both in terms of our efforts in resource conservation and sharing and our respective basic legal positions.

With your support, I should certainly do my best to achieve what we could possible achieve during this week further along the path of cooperation as my predecessor Mr. Hoydal noted in his opening speech last year.

Annex 3. Statement to the General Council by the Representative of Estonia

Thank you Mr Chairman.

On behalf of the Estonian Delegation I would like to express my greatest pleasure to participate in the 14th Annual Meeting of NAFO.

We are very happy over the possibility to represent Estonia fishing in this prestigious international forum.

It is important to emphasize that after a tremendously long period of time Estonia can freely negotiate with the Members of this Organization as an equal partner and directly claim for fishing rights in the Area of NAFO Convention.

Therefore we would from the bottom of our hearts like to thank all those Member States of NAFO which have offered and so generously given their moral and practical support during our difficult transition to the restoration of independence within the context of our autonomous membership in NAFO.

Estonia wishes to express its intention of continuing its long standing fishing presence in the NAFO Regulatory Zone. Estonia will continue to fish there right now, next year and in future years.

And so we hope that our desire to continue our historic fishing in that area will be met with the same support and understanding we got and experienced on our way here.

Thank-you.

Annex 4. Statement to the General Council by the Representative of Latvia

Mr Chairman, honoured NAFO Members, Ladies and Gentlemen

It is with great pleasure that Latvia assumes its seat here as a full, independent member in this august Organization.

Latvia looks forward to continuing its long standing, historical presence in the Northwest Atlantic Fishery, but finally under its own flag, and as an independent Country.

Latvian fishermen wish it to be known that they will continue in their tradition of good international citizenship, by continuing to observe all NAFO regulations and agreements, and to continue to fish with full respect for, the provisions of the Law of the Sea.

Latvia has fished from the beginning of NAFO in the NAFO zone, it is fishing there today and intends to continue fishing there next year, and the following years.

We thank all of our friends within NAFO for their great help and advice as we re-emerge into the international community. Latvia looks forward to your continued assistance in the matter of Latvia continuing to receive their historic quotas. These quotas we undertake to fish in a civilized manner fully mindful of the changing (difficult) stocks situation in the NAFO zone. We look forward to productive and friendly cooperation with all NAFO Member States.

Annex 5. Statement to the General Council by the Representative of Lithuania

It is with the greatest pleasure that in the name of Lithuania, I am able to finally address you here directly.

As you know, Lithuanian fishing vessels and Lithuanian fishermen have for many years fished in NAFO waters.

Now with the dissolution of the Soviet Union, we are still there right beside you, and this time we are flying our own gold, green and red Lithuanian flag.

Lithuania thanks all of our friends here for their concern, and care for our fate and welfare, and for your invaluable help in formalizing our independent presence in NAFO.

Lithuania is very aware that the Baltic re-emergence has caused concern among certain Parties within NAFO, as well as certain Parties which were also masked by the Soviet flag, just as we were, but now to sit here as independent members.

One such concern is that three new nations now have joined NAFO, have sent their vessels to the NAFO zone, and are fishing as non-Contracting Parties. But this is clearly not so. We were always there in the NAFO zone, just as you have been. The only change is that we now can fly our own flag, and we do so with pride. Our continued presence in the NAFO zone is logical, and rightful. The vessels are Lithuanian, and registered in Lithuania.

Any complaint about our presence in the NAFO zone, we are sure, has been as a result of a forgivable lack of understanding of how we come to be there. And any measures formulated to restrict what some may perceive as illegal fishing by us in the NAFO zone are unwarranted. We have always been, and I assure you we shall continue to be good international citizens. The monstrous harm that the illegal activities of one nation can inflict upon another, we can guarantee you, is not lost upon us.

We also are keenly aware of the tremendous pressure that fish stocks in the NAFO zone are experiencing. We would like to assure you that we have no intention of increasing our demands for quotas. We will be satisfied to continue to receive proportionally the same allocations that we have received all of these many years through former Soviet Union.

But in this matter we ask for your support. Now that the Soviet Union hurricane has subsided, let us work together to repair blown out doors and windows, and knocked down fences. We have no intention of taking advantage of the moment of after-the-storm-confusion to loot our NAFO neighbours. We ask that we, and our property, be shown the same respect. We ask for your assistance in making sure this takes place.

In closing I wish to thank you all again for your great support so far, and to assure you that Lithuania will strive to continue to be a good, law-abiding NAFO citizen.

Thank-you.

Annex 6. Agenda

Opening Procedures

1. Opening by Chairman, K. Yonezawa (Japan)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

Supervision and Coordination of the Organizational, Administrative and Other Internal Affairs

6. Approval of the Report of the 13th Annual Meeting, September 1991 (NAFO/GC Doc. 91/7)
7. Proposal for Amendment of the NAFO Convention (GC Working Paper 92/6)
8. Rules of Procedure for the General Council (seconding of motions)
9. Provision of fisheries data
10. Review of Membership
 - a) General Council
 - b) Fisheries Commission
11. NAFO Headquarters accommodations for conduction of NAFO meetings
12. Administrative Report

Coordination of the External Relations

13. Request from the United Nations for information on the large-scale pelagic driftnet fishing (UN General Assembly Resolution 46/215 of 20 December 1991; NAFO GF/92-185 of 13 April 1992 and GF/92-234 of 20 May 1992)

Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention

14. Approval of the Report of the 4th Meeting of STACFAC (GC Doc. 92/1)
15. Report of STACFAC

Finance

16. Auditor's Report
17. Meeting of the Pension Society
18. Review of Meeting Dates and Date of Annual Meeting
19. Report of STACFAD and Adoption of Budget for 1993

Closing Procedures

20. Time and Place of Next Meeting
21. Other Business
22. Press Statement
23. Adjournment

**Annex 7. Remarks by the Korean Delegation to the
14th Annual Meeting of NAFO**

Mr Chairman,

On behalf of my delegation, I would like to express a sincere appreciation to NAFO for their decision to invite the Republic of Korea to participate in this 14th Annual Meeting as Observers.

Korea shares the concerns of NAFO member countries about the preservation and expansion of fish stocks, and desires to take a more active part in these goals through mutual cooperation and understanding. I am sure that my delegations' experience here will prove invaluable in improving cooperation with NAFO member countries.

My delegation will be following the progress of this Annual Meeting closely and we are confident that the discussions that take place here at this meeting shall prove both very informative and productive.

Thank you.

Annex 8. Press Release

1. The 14th Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Dartmouth, Nova Scotia, Canada through 14-18 September 1992, under the chairmanship of K. Yonezawa (Japan), President of NAFO. The sessions of the constituent bodies of NAFO - the General Council, Scientific Council, Fisheries Commission, and subsidiary bodies - Standing Committee for finance (STACFAD), for non-Contracting Parties activities (STACFAC), for international control (STACTIC) were held at the Holiday Inn.
2. The delegations attending the meeting were from the following Contracting Parties: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Japan, Latvia, Lithuania, Norway, Poland, and Russia. Observers from the United States of America and the Republic of Korea were present.
3. The 14th Annual Meeting was notable by accession of three new countries to the NAFO Convention - Estonia, Latvia, and Lithuania, which deposited their documents of accession to the Convention with the Government of Canada, and from the following dates have become members of NAFO: Estonia-31 August 1992; Latvia- 28 August 1992; Lithuania-18 August 1992.
4. The Annual Meeting was preceded by the following eight meetings of the NAFO bodies: STACTIC (Copenhagen, Denmark, February), Scientific Council (St. John's, Newfoundland, March), STACFAC (NAFO Headquarters, April), STACTIC Working Group (NAFO Headquarters, April), Special Fisheries Commission Meeting (Dartmouth, Canada, May), Special Meeting and Regular Meeting of the Scientific Council (NAFO Headquarters, June), and Special STACTIC Meeting (Copenhagen, Denmark, July).
5. The Scientific Council, under the chairmanship of H. Lassen (EEC), provided the scientific assessment and recommendations pursuant to the provisions of the Convention on the management of the fishing stocks in the Convention Area. The scientific findings and recommendations were reported to the Fisheries Commission which utilized those as the scientific basis for the management and conservation of fishery resources within the Regulatory Area.
6. The Scientific Council Meeting was preceded by the Scientific Council Special Meeting on "State-of-the-Art in Fish Stock Assessment: a Tutorial/Workshop on Calibration Methods and their Practical use", which was held at NAFO Headquarters in Dartmouth through 9-11 September. Scientists from a majority of NAFO Contracting Parties attended, as well as some from other international organizations. The scientists assessed this meeting to be very valuable to expand the knowledge and improve the stock assessment methods performed by the scientific community.
7. The Fisheries Commission, under the chairmanship of E. Wiseman (Canada), considered and took decisions on some substantial issues pertaining to the management and conservation of the fisheries resources in the Regulatory Area.

Following the scientific advice from the Scientific Council, the Contracting Parties agreed on the Total Allowable Catches and allocations in 1993 for the fish stocks which are either entirely in the Regulatory Area or associated with the stocks within the 200-mile fishing zones. This information is attached in the Quota Table.

The Commission reached a consensus on substantive issues and adopted new proposals for international measures of control and enforcement within the Regulatory Area. The following new measures for improvements to inspection and control in the NAFO Regulatory Area will be incorporated in the NAFO Conservation and Enforcement Measures in accordance with the provisions of the NAFO Convention:

A pilot project to test operation of an NAFO Observer Scheme in the NAFO Regulatory Area by 1 January 1993 for the purpose to monitor a vessel's compliance with the NAFO Conservation and Enforcement Measures; a prompt action by the Contracting Party in the case of apparent infringement of its vessel; introduction of production logbooks on board of vessels or stowage plans for recording and control of catches by inspectors assigned for the NAFO Scheme of Joint International Inspection and Surveillance (the NAFO Scheme); prohibition for vessels fishing in the NAFO Regulatory Area to have on board ready for use nets with a mesh size smaller than that authorized; effective control of the incidental catch limits by inspectors assigned to the NAFO Scheme; introduction of minimum mesh and fish sizes for groundfish fisheries in the Regulatory Area.

8. Upon the joint proposal by Canada and the EEC, the Contracting Parties agreed that taking into account the available scientific advice, directed fisheries for Cod in Div. 3L in the Regulatory Area shall not be permitted in 1993. This measure is consistent with the current moratorium that is being applied by Canada to the fishery of this stock.
9. Upon the presentation of the Report of STACFAD, the General Council adopted the Organization's budget and accounts for 1993.
10. The Stranding Committee on Fishing Activities by non-Contracting Parties in the Regulatory Area (STACFAC), under the chairmanship of C. C. Southgate (EEC), presented its Report to the General Council, which adopted further recommended actions to curtail unregulated fishing activities by non-Contracting Parties in the NAFO Regulatory Area. The General Council emphasized that such activity is very harmful to the depleted resources and is against the provisions of the Law of the Sea. In view of the real threat to the resources, it was recommended that NAFO should continue its full scale diplomatic actions against such unregulated fishing.
11. The General Council considered the UN Resolution 46/215 on large-scale pelagic driftnet fishing and again confirmed that such fishing is not presently practised by NAFO Contracting Parties in the Convention Area.
12. The following elections took place:

Chairman of STACFAC

C. C. Southgate (EEC) for a second term (1993-94)

Vice-Chairman of STACFAC

- B. Garcia Moreno (Cuba) for a
second term (1993-94)

Chairman of Standing Committee
on Fisheries Science (STACFIS)

- H. P. Cornus (EEC)

NAFO Secretariat
Canada
18 September 1992

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 1993 of particular stocks in Subareas 3 and 4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Contracting Party	Cod		Redfish		American plaice		Yellowtail		Witch		Capelin		Squid (Illex) ^{2,3}	
	Div. 3M	Div. 3NO	Div. 3M	Div. 3LN	Div. 3M	Div. 3LNO	Div. 3LNO	Div. 3LNO	Div. 3NO	Div. 3NO	Div. 3NO	Div. 3NO	Subareas 3+4	Subareas 3+4
1. Bulgaria	-	-	450	-	-	-	-	-	-	-	-	-	-	500
2. Canada	100	4 863	750	5 964	150	10 347	6 825	3 000	-	-	-	-	-	N.S. ⁴
3. Cuba	480	-	2 625	1 372	-	-	-	-	-	-	-	-	-	2 250
4. Denmark (Faroe Islands and Greenland)	2 900	-	-	-	-	-	-	-	-	-	-	-	-	-
5. European Economic Community	6 465	3 762	4 650	476	350	133	140	-	-	-	-	-	-	N.S. ⁴
6. Japan	-	-	600	-	-	-	-	-	-	-	-	-	-	2 250
7. Norway	1 200	-	-	-	-	-	-	-	-	-	-	-	-	-
8. Poland	500	-	-	-	-	-	-	-	-	-	-	-	-	1 000
9. Estonia	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10. Latvia	1 270	1 218	20 775	6 104	1 000	-	-	1 950	-	-	-	-	-	5 000
11. Lithuania	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12. Russia	50	357	150	84	500	20	35	50	-	-	-	-	-	5 000
13. Others	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Allowable Catch	12 965	10 200	30 000	14 000	2 000	10 500	7 000	5 000	0	150 000 ⁵	-	-	-	-

¹ Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply.

² The opening date for the Squid (Illex) fishery is 1 July.

³ Any quota listed for squid may be increased by a transfer from any "coastal state" as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.

⁴ Not specified because the allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC.

⁵ The TAC would remain at 150 000 tons subject to adjustment where warranted by scientific advice.

Annex 9. Scientific Council Rules of Procedure (Draft)

In accordance with the request of Scientific Council with respect to the inclusion of a new Rule in the Scientific Council Rules of Procedure for the submission of STATLANT 21A and 21B data, the following text was prepared by the Executive Secretary for consideration:

Order of Business

- 4.1 Same
- 4.2 Same
- 4.3 **For the purpose of Article VII and VIII the appropriate statistical information should be furnished to the Scientific Council in advance of meetings and with respect of STATLANT 21A and 21B not later than on 15 May and 30 June respectively.**
- 4.4 Same as former 4.3.

**Annex 10. List of Decisions and Actions by the General Council
(14th Annual Meeting, 14-18 September 1992)**

Substantive issue (propositions/motions)	Decision/Action (GC Doc. 92/3; item)
1. Report of the 13th Annual Meeting, Sept 1991; GC Doc. 91/7	adopted (item 2.1)
2. Report of the fourth Meeting of STACFAC; April 1992; GC Doc. 92/1	adopted (item 4.1)
3. Rules of Procedure for the General Council; seconding of motions (by Executive Secretary)	discussed (at STACFAD); deferred - no commitment (item 2.3)
4. Provision of fisheries data (request from the Scientific Council)	discussed (at STACFAD); accepted - commitment to abide by Rules (item 2.4)
5. Amendment of the NAFO Convention; Article XII (by Canada)	discussed; deferred (item 2.2)
6. New Membership: Estonia, Latvia, Lithuania	reviewed; determined (item 2.5)
7. NAFO Headquarters Accommodations for the Scientific Council Meetings - to hold the June 1993 Scientific Council Meeting at NAFO Headquarters	discussed (at STACFAD); approved (item 2.6; item 5.1)
8. Report of STACFAC at the 14th Meeting - interim STACFAC meeting	adopted; to call in March-April, 1993 (item 4.6)
9. Report of STACFAD at the 14th Meeting - Auditor's Report - Accumulated Surplus Account - Romania's uncollectible debt for 1993 - Hiring of an additional staff member for the NAFO Secretariat (Hail System) - Meeting dates for 1994	adopted; (item 5.1) adopted; \$75 000.00; to write off and send a letter to Romanian authorities should not be considered at this time due to budgetary concerns to consider at the Annual Meeting in 1993
10. Budget for 1993 - addition to the budget for "external expertise" - catches for Estonia, Latvia, and Lithuania to calculate budget for 1993	adopted (item 5.1) \$ 5 000.00 (item 5.3) agreed: no catches in 1990 (item 5.4)

PART II

Report of the Standing Committee on Finance and Administration (STACFAD)

Monday, 14 September 1992 (1615-1730 hours)
 Tuesday, 15 September 1992 (1155-1235 hours)
 Tuesday, 15 September 1992 (1545-1715 hours)
 Wednesday, 16 September 1992 (0930-1230 hours)
 Wednesday, 16 September 1992 (1600-1700 hours)
 Thursday, 17 September 1992 (1030-1145 hours)

1. Opening of the Meeting

The Chairperson of STACFAD, D. Gill (Canada), opened the meeting and welcomed all participants (Annex 1). A special welcome was extended to the Representative on behalf of Estonia, Latvia and Lithuania (R. Dambergs).

2. Appointment of Rapporteur

H. Champion of the NAFO Secretariat was appointed Rapporteur.

3. Adoption of Agenda

The provisional agenda was adopted as circulated to Contracting Parties (Annex 2).

4. Auditors Report for 1991

The Executive Secretary informed STACFAD that the Auditors Report had been circulated to the Heads of Delegations and no comments had been received on the Report.

STACFAD recommended to the General Council that the Auditors Report for 1991 be adopted.

5. Meeting of the Pension Society

The Executive Secretary introduced STACFAD Working Paper 92/3, Report on the Meeting of the Pension Society and following a discussion on the paper advised STACFAD that there were no additional cost implications for NAFO as a result of this meeting.

6. Review of Accumulated Surplus Account

The Executive Secretary advised STACFAD that the estimated Accumulated Surplus at the end of 1992 would be \$195 458.00 (NAFO GC Doc. 92/2, Statement IV, p. 8). However, this amount may have to be adjusted depending on unforeseen expenses.

STACFAD recommended that the Accumulated Surplus should be maintained at \$ 75 000 and the balance used to reduce contributions of Contracting Parties for 1993. The decision to write off Romania's debt each year was discussed and STACFAD recommended that the Chairman of

the General Council should write the appropriate foreign ministry authorities in Romania requesting whether Romania wished to continue its membership in NAFO.

7. Review of Cost Implications of the NAFO Secretariat of Long-Term and Short-Term Measures for International Control in the Regulatory Area Including Increase in Secretariat Staff

The Executive Secretary summarized STACFAD Working Paper 92/2 and indicated that Heads of Delegations had received copies of the correspondence contained in the Working Paper.

The Chairperson asked the Executive Secretary to provide an explanation of the estimated costs for 1993 shown on p. 4 of the Working Paper.

Technical Resources

The Executive Secretary stated that it might be possible to reduce the estimated amount of \$40 000.00 as there was a possibility that Canada would provide some technical resources.

The representative of Canada agreed that the estimated amount of \$40 000.00 could be decreased as Canada would be able to provide a computer modem and computer software assistance.

STACFAD **recommended** that, where possible, technical resources provided from Contracting Parties should be utilized.

Communication from NAFO Headquarters to Contracting Parties

The Executive Secretary advised STACFAD that the estimated annual cost of sending messages was based on 1992 projected costs. He explained that most messages to Contracting Parties in 1992 were sent by fax machine, however, some messages were sent by telex which is more costly than a fax.

The representative of Estonia, Latvia and Lithuania suggested that the Executive Secretary should pursue other possibilities such as electronic mailing and STACFAD **recommended** that the STACTIC Working Group should investigate the most practical and economical means of dispatching hail messages.

Human Resources

The Executive Secretary explained that he followed the guidelines set out for him by the General Council and the provisions of the NAFO Convention and Rules of Procedure in the staffing of the Resource Management Coordinator position and referred STACFAD to pages 1 to 3 in STACFAD Working Paper 92/2.

The representative of Russia stated that it was his understanding that an employee had already been hired to fill the position and inquired about the legality of the later intervention of Canada into this situation. He also wondered why Canada suggested the salary for this position should be increased to at least \$60 000.00 from the proposed \$35-38 000.00, as the latter figure is the most appropriate due to budgetary reasons. Canada stated that for a position requiring this much expertise the starting salary should be raised to reflect Canadian Government guidelines on classifications and wages.

However, Canada stated that at this time it could not support the addition of a staff member because of the implications it would have to increase the budget. The representative of Canada further stated that it would be premature to hire a staff member until all details of the new measures for inspection and enforcement in the Regulatory Area were finalized.

The representative of Estonia, Latvia and Lithuania stated that because it is unclear of what is required at this time and for budgetary reasons, he could not support the addition of a staff member.

The representatives of Cuba and Japan expressed an understanding of the Canadian position and agreed that because of cost implications we should not proceed with additional staffing at this time.

The representative of Russia expressed concern about who was going to carry out the responsibilities of this position.

The Chairperson explained that implementation of an automated hail system has been delayed and some Contracting Parties are concerned that all duties listed in the job description may not be necessary.

The representative of Canada explained that a member of the Department of Fisheries and Oceans could provide assistance and work with a present member of the NAFO Secretariat to assist in all aspects of the implementation of the hail system.

The Executive Secretary expressed concern that if a person from outside the NAFO Secretariat is involved with the hail system, he will have no authority over this person but that this is a decision for Contracting Parties to take.

The representative of Russia stated the selection by the Executive Secretary of a new staff member position - Research Management Coordinator - should be upheld by STACFAD in order to eliminate any confusion caused by the initial Canadian proposal.

STACFAD **recommended** that, solely on the basis of budgetary concerns raised by various Contracting Parties, the addition of a staff member not be considered at this time.

8. NAFO Headquarters Accommodations for Conduction of NAFO Meetings

The Chairperson requested the Executive Secretary to elaborate on STACFAD Working Paper 92/1, actual and projected costs of NAFO Meetings for 1991-97. The Executive Secretary referred to the request of the Scientific Council that the meeting room space available in the NAFO Secretariat is not sufficient to properly conduct the business of the Scientific Council. During the 13th Annual Meeting the Executive Secretary was requested to provide costs for holding the Scientific Council Meeting outside NAFO Headquarters. The Executive Secretary also reported that he had contacted the Halifax Office, Department of Fisheries and Oceans (DFO) regarding the possible expansion of the existing NAFO Headquarters and that no commitment for this project had been received from this department. He pointed out that representatives of three additional Contracting Parties would be attending the next meeting of the Scientific Council.

The representative of Canada provided a cost estimate on expansion of the present facilities which totalled \$30 000.00 for initial refit and a yearly rental cost of \$ 60 000.00. If expansion of the present facilities did take place then this cost would have to be shared amongst all Contracting Parties. The representative for Estonia, Latvia and Lithuania suggested that the Executive Secretary should investigate the possibilities of renting space in one of the universities in the Halifax-Dartmouth area which could be a more economical alternative. The representative of Canada suggested that possibly space could be found in a government building presently under construction in the Halifax area to conduct the Scientific Council Meeting. The representative to Canada will undertake to pursue this further and report to the Executive Secretary.

At this time, STACFAD recommended that the meeting of the June 1993 Scientific Council remain at NAFO Headquarters.

9. Administrative and Financial Statements for 1992 (to 31 July 1992)

The Administrative Report (NAFO/GC Doc. 92/2) was reviewed in detail. The Executive Secretary pointed out that the estimated over expenditure of \$14 496.00 was due mainly to the additional increase in the number of meetings held during 1992 that were not included in the budget calculations.

The Executive Secretary drew attention to the amount of unpaid member contributions (Statement III, page 7). The amount shown of \$228 104.00 has been reduced to \$205 349.00 as one Contracting Party's contribution was received after this Statement was prepared by the Secretariat. The Executive Secretary agreed to continue to remind Contracting Parties with outstanding payments of their obligations.

The Executive Secretary explained that Estonia, Latvia and Lithuania would be assessed as Contracting Parties for September, October, November and December, 1992 and that other Contracting Parties would receive a credit on their 1993 assessment resulting from the addition of three new Contracting Parties. This preliminary assessment for Estonia, Latvia and Lithuania would be based on the 30% portion of the billing assessed to all Contracting Parties (see Annex 3). A revised billing may be necessary at a later date based on revisions to the nominal catches for 1990.

The representative of Russia pointed out that the nominal catches shown for Russia in Annex 3 of the report include catches from joint ventures and charters with Canada. He requested revised statistics be incorporated into Annex 3 and the preliminary calculation of the billing be revised.

The Chairperson stated that as it was not possible for Canada and Russia to resolve this problem without further consultation that this matter would be reviewed after the conclusion of the meeting.

10. Preliminary Budget Estimate for the Fiscal Year Ending 31 December 1993

STACFAD reviewed the preliminary budget estimate of \$ 962 000 for 1993, a 6.53% increase over the approved budget for 1992.

The representative of Canada indicated that due to severe reduction to Canadian Government budget, Canada could not consider a budget in excess of a 3% increase for salaries with no increase in all other items in the budget for 1993.

The representative of Estonia, Latvia and Lithuania agreed with the Canadian proposal and noted that a 66.67% increase in Annual and Mid-Year Meeting was the result of inserting an amount for the meeting of the Scientific Council outside NAFO headquarters. In addition, he noted that it would be very useful to have any special projects affecting the NAFO budget separated from the regular budget for the purpose of analyzing future budgetary requirements and agreed to present a working paper on the subject.

The Executive Secretary pointed out that personal services items (b), (d), (e), (f) are related to salaries and years of service and therefore could not be set at 0% increase.

The representative of Estonia, Latvia and Lithuania stated that he could agree with the Executive Secretary as long as those items were only increased to reflect the allowable increase to correspond with the 3% salary increase STACFAD agreed that the items (b), (d), (e) and (f) should reflect the 3% salary increase.

STACFAD recommended to the General Council that a budget increase of 3% for salaries in accordance with increases to Canadian public servants and the budget for NAFO be adopted as presented in Annex 4.

11. Preliminary Budget Forecast for the Fiscal Year Ending 31 December 1994

STACFAD noted that the preliminary budget forecast of \$1 027 000 for 1994 (Annex 5) would be reviewed in detail during the 15th Annual Meeting.

12. Time and Place of 1993, 1994, and 1995 Annual Meetings

The location of the 1993, 1994 and 1995 Annual Meetings was to be in the area of Halifax-Dartmouth if no invitations to host the Annual Meetings were extended by a Contracting Party and accepted by the Organization.

1993	-	Scientific Council	-	1-10 September
	-	Fisheries Commission	-	6-10 September
	-	General Council	-	6-10 September
1994	-	Scientific Council	-	14-23 September
	-	Fisheries Commission	-	19-23 September
	-	General Council	-	19-23 September
1995	-	Scientific Council	-	6-15 September
	-	Fisheries Commission	-	11-15 September
	-	General Council	-	11-15 September

13. Other Business

a) Rules of Procedure for the General Council (referred to STACFAD by the General Council)

The Executive Secretary introduced GC Working Paper 92/1 concerning Rules of Procedure for the General Council.

The representative of Russia referred to Rule 5.1 of the Rules of Procedure for the General Council (NAFO Handbook, p. 60) and expressed concern that STACFAD was not the appropriate body to advise the General Council of Rules of Procedure. STACFAD agreed with these concerns.

STACFAD **recommended** that if the General Council so desired, a working group could be set up to consider amendments to the Rules of Procedure but in light of the heavy agenda of the General Council at this time, further discussion of this issue be deferred.

b) **Rules of Procedure for Scientific Council**

The Chairperson introduced GC Working Paper 92/7.

Following statements by Contracting Parties it was agreed that the Scientific Council has the authority to establish its own Rules of Procedure under item 5.5 of the Scientific Council Rules and STACFAD was not the appropriate body to discuss this item.

c) **Scientific Council Recommendation**

The Chairperson introduced STACFAD Working Paper 92/4 noting that the Scientific Council had requested STACFAD to consider a recommendation that \$ 2 000.00 be allocated for travel and daily subsistence allowance for a co-convenor for the Special Session of the Scientific Council in September 1993.

Following a discussion of this item STACFAD **recommended** to the General Council that the NAFO budget would not be able to accommodate this request and that other sources of funding should be pursued. The Chairperson of STACFAD will pursue this and report further to the Executive Secretary as soon as possible.

14. Adjournment

The meeting adjourned at 0930 hours on 18 September 1992.

Annex 1. List of Participants

Name	Delegation
D. Gill (Chairperson)	Canada
J. Quintal-McGrath	Canada
B. Garcia-Moreno	Cuba
R. Dambergs	Estonia, Latvia and Lithuania
G. F. Kingston	EEC
H. Köster	EEC
A. Umezawa	Japan
V. N. Solodovnik	Russian Federation
L. Dybiec	Poland
L. Chepel	NAFO Secretariat
T. Amaratunga	NAFO Secretariat
H. Champion	NAFO Secretariat
F. Keating	NAFO Secretariat

Annex 2. Agenda

1. Opening by the Chairperson, D. Gill (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditor's Report
5. Meeting of the Pension Society
6. Review of Accumulated Surplus Account
7. Review of Cost Implications for the NAFO Secretariat of long-term and short-term measures for international control in the Regulatory Area including increase in Secretariat staff
8. NAFO Headquarters accommodations for conduction of NAFO meetings
9. Administrative and Financial Statements for 1992 (to July)
10. Preliminary Budget Estimate for the fiscal year ending 31 December 1993
11. Preliminary Budget Forecast for the fiscal year ending 31 December 1994
12. Time and Place of 1993, 1994, and 1995 Annual Meetings
13. Other Business
 - a) Rules of Procedure for the General Council (referred to STACFAD by the General Council)
 - b) Rules of Procedure for the Scientific Council (referred to STACFAD by the General Council.
 - c) Request from Scientific Council
14. Adjournment

Annex 3. Preliminary Calculation of Billing for 1993

Preliminary calculation of billing for Contracting Parties against the proposed estimate of \$938 000.00 for the 1993 financial year (based on 14 Contracting Parties to NAFO).

Budget Estimate.....	\$938 000.00
Deduct: Amount from Accumulated Surplus Account.....	<u>120 458.00</u>
Funds required to meet 1993 Budget.....	<u>\$817 542.00</u>

60% of funds required = \$ 490 525.20

10% of funds required = 81 754.20

30% of funds required = 245 262.60

Contracting Parties	Nominal Catches for 1990	% of Total Catch in the Convention Area	% of Total			Amount billed
			10%	30%	60%	
Bulgaria	1 928	0.12	-	17 518.76	588.63	18 107.39
Canada	1 023 001	66.23	71 992.75	17 518.76	324 874.84	414 386.35
Cuba	27 576	1.79	-	17 518.76	8 780.40	26 299.16
Denmark (Faroes and Greenland) ¹	138 683	8.98	9 761.45	17 518.76	44 049.16	71 329.37
Estonia	-	-	-	17 518.76	-	17 518.76
European Economic Community ²	98 455	6.37	-	17 518.76	31 246.46	48 765.22
Iceland	-	-	-	17 518.76	-	17 518.76
Japan	11 862	0.77	-	17 518.76	3 777.04	21 295.80
Latvia	-	-	-	17 518.76	-	17 518.76
Lithuania	-	-	-	17 518.76	-	17 518.76
Norway ²	12 609	0.82	-	17 518.76	4 022.31	21 541.07
Poland	509	0.03	-	17 518.76	147.16	17 665.92
Romania	-	-	-	17 518.76	-	17 518.76
Russia	229 955	14.89	-	17 518.76	73 039.20	90 557.96
	1 544 578	100.00	81 754.20	245 262.60	490 525.20	\$817 542.00
Funds required to meet 1 January - 31 December 1993 Administrative Budget						\$817 542.00

¹ Faroes = 7 784; Greenland = 130 899

² Provisional Statistics used when calculating 1990 nominal catches.

Annex 4. Preliminary Budget Estimate for 1993

	Approved budget for 1992	Preliminary budget forecast for 1993	Preliminary budget estimate for 1993
1. Personal Services			
a) Salaries	\$ 562 000 (570 018) ^a	\$ 595 000	\$ 596 000
b) Superannuation and Annuities	71 000	73 000	74 000
c) Additional Help	1 000	1 000	1 000
d) Group Medical and Insurance Plans	30 000	32 000	32 000
e) Termination Benefits	15 000	18 000	20 000 ^c
f) Accrued Vacation Pay	6 000	6 000	8 000
2. Travel	17 000	8 000	8 000 ^d
3. Transportation	1 000	1 000	1 000
4. Communications	51 000	53 000	51 000
5. Publications	22 000	24 000	22 000
6. Other Contractual Services	47 000	49 000	45 000
7. Materials and Supplies	30 000	32 000	30 000
8. Equipment	5 000	5 000	5 000
9. Annual and Mid-Year Meetings	30 000 (54 800) ^b	30 000	30 000
10. Computer Services	15 000	17 000	15 000
Total	903 000 (935 818) ^{a+b}	944 000	938 000

^a Estimated over expenditure due to an increase in the REM-2 classification of the Public Service of Canada and was not included in the budget calculation for 1992.

^b Estimated over expenditure due to additional meetings held during 1992 that were not included in the budget calculations for 1992.

^c This figure is for 1993 credits. An amount of \$154 665.00 is required to upgrade termination benefits to the end of 1993 to conform with NAFO Staff Rules 10.4(a) adopted by the General Council in September 1991. See the Report of the General Council (GC Doc. 91/7, p. 35, item 14.5) and the Auditor's Report for the year ended 1991 (notes to the Financial Statements, item 9).

^d Assistant Executive Secretary attendance at the *ad hoc* Interagency Consultations of the CWP, Dublin, Ireland, September 1993. Two persons to meeting of Directors and Executive Secretaries of the six International Commissions located in North America, re discussion of pension scheme for employees, May 1993.

Annex 5. Preliminary Budget Forecast 1994

1.	Personal Services	
	a) Salaries	\$ 630 000
	b) Superannuation and Annuities	75 000
	c) Additional Help	1 000
	d) Group Medical and Insurance Plans	34 000
	e) Termination Benefits	22 000
	f) Accrued Vacation Pay	10 000
2.	Travel	23 000 ^a
3.	Transportation	1 000
4.	Communications	55 000
5.	Publications	25 000
6.	Other Contractual Services	47 000
7.	Materials and Supplies	32 000
8.	Equipment	5 000
9.	Annual and Mid-Year Meetings	50 000
10.	Computer Services	<u>17 000</u>
		<u>\$1 027 000</u>

^a Includes home leave to Russia for Executive Secretary and his family; two persons to meeting of Directors and Executive Secretaries of the six International Commissions located in North America, re discussion of pension scheme for employees, May 1994, Ann Arbor, USA; Assistant Executive Secretary attendance at 16th Session of the CWP, Madrid, Spain, July 1994.

PART III

Report of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC)

1. Opening of the Meeting (items 1-3 of the Agenda)

- 1.1 The Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) met in Dartmouth, Nova Scotia, Canada, 14-18 September 1992 under the chairmanship of C. C. Southgate (EEC).
- 1.2 The following Contracting Parties were present: Canada, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Japan, Latvia, Lithuania, Russian Federation (Russia).
- 1.3 The Chairman welcomed delegates extending a particular welcome to new members: Estonia, Latvia, Lithuania and to the observers from Republic of Korea and the United States of America.
- 1.4 S. Duff (Canada) was appointed Rapporteur.
- 1.5 The agenda was adopted as previously circulated (Annex 1).

2. Review of 1992 Information on Activities of Non-Contracting Party Vessels in the Regulatory Area (item 4 of the Agenda)

- 2.1 The Canadian representative tabled a report on vessel sightings and catch estimates by species for non-Contracting Party vessels in 1992 (Annex 2). She explained that as catch estimates are based upon surveillance and inspection data, the estimates for the 6 month period in 1992 represent a rougher estimate than could be derived from inspection data for a 12 month period; as no catch data had been compiled for the corresponding 6 month period of 1991, it would be difficult to make comparative observations based upon the 1992 figures.
- 2.2 The Chairman noted that there had been no recorded fishing of NAFO regulated species by USA vessels in 1991 or 1992.
- 2.3 The report indicated that of the 32 non-Contracting Party vessels sighted in the Regulatory Area in the first half of 1992, 25 were crewed by nationals of European countries and 7 were crewed by nationals of the Republic of Korea. It was noted that although there were far fewer Korean vessels than European vessels in the Area, estimated Korean catches of 8 500 tons for this period were considerably higher than the 5 900 tons estimated EEC catch for the same period. The Canadian representative confirmed that the Korean vessels were estimated to have obtained higher catch rates.
- 2.4 The Chairman pointed out that although the total projected 1992 catch for non-Contracting Party vessels, 23 000 tons, represented an approximate 50% reduction from the 47 050 tons caught in 1991, NAFO quotas for 1992 had not been reduced by 50%.

- The Canadian representative undertook to ascertain the method by which the Canadian estimate for 1992 had been derived.
- 2.5 The Russian representative noted that the 1992 fishing activities of Estonia, Latvia, and Lithuania were not included in the Canadian report, and expressed the view that as these countries were fishing without quotas in 1992, their activities should be included.
- 2.6 The EEC representative commented that the dissolution of the USSR presented a special situation, and although the Baltic States had technically been non-Contracting Parties for a period in 1992, they had fished for many years in the NAFO Area under the NAFO quotas of the former USSR. Now that the Baltic States were Contracting Parties, he expressed the view that it would not be necessary to include Baltic fishing activity in the report.
- 2.7 The Canadian representative agreed with the position taken by the EEC representative.
- 2.8 The Danish representative added that although he recognized that Baltic fishing activity in the NAFO Regulatory Area, after the dissolution of the USSR, did constitute non-Contracting Party fishing, he accepted the view of the Canadian and EEC representatives, and suggested that as these countries are now Contracting Parties, fishing by Baltic vessels was now probably outside the scope of STACFAC committee work.
- 2.9 The Russian representative accepted that it would not be necessary to make specific mention of Baltic fishing in the data report but suggested that it might be useful to examine catches over this period.
- 2.10 The Canadian representative informed the Committee that Canadian catch estimates for Baltic vessels in 1992 were 8 400 t of groundfish, thought to be mostly redfish.
- 2.11 It was agreed that no formal reference to Baltic vessel activity in the NAFO Regulatory Area would be included in the report of the General Council and that reference in the minutes would be appropriate.
- 2.12 The Lithuanian representative stated that he had no problem with a reference to Baltic vessel activity in the minutes, but stressed that there had been an undetermined situation in the Regulatory Area and that fishing by Baltic States during that period had been inadvertent, and driven by political events which have now passed. He assured the Committee of the intention of the Baltic States to fish in accordance with NAFO decisions.

**3. Review of Available Information on Landings and Transshipment
of Fish Caught in the Regulatory Area by Non-Contracting
Parties (item 5 of the Agenda)**

- 3.1 In reviewing the landing data the Chairman pointed out that the EEC data did not include salt cod which, particularly in the case of fish products from Panama, would represent a significant portion of landings. He suggested that to be useful, landing declarations should cover most of the product.

- 3.2 The EEC representative responded that in his view, the system should be kept as simple as possible and should not therefore include processed or semi-processed products. He suggested that statistics on imports of unprocessed fish could be easily cross-referenced with the statistics we now compile on non-Contracting Party catches.
- 3.3 It was agreed that the reports on landings should be limited to unprocessed fish products.
- 3.4 With respect to transshipments, the Canadian representative informed the Committee that the Korean vessels, the "Golden Venture" had been sighted in the Regulatory Area in the process of transshipping fish at sea to the Japanese cargo vessel the "Daiku". She also remarked that some vessels were taking advantage of the port at Saint Pierre and Miquelon for transshipment of fish caught in the NAFO Area.
- 3.5 The EEC representative reminded the Committee that Saint Pierre and Miquelon was outside of EEC territory and that the EEC would not therefore have any information on this activity. He also cautioned that the measures taken by NAFO should in no way limit the freedom of transshipment.
- 3.6 The Danish representative remarked that the terms of reference for the Committee did include the task of gathering information on transshipment as well as imports.
- 3.7 The EEC representative acknowledged the Committee mandate in this regard but added that it was important to consider the GATT perspective.

**4. Consideration of Statistics Submitted by Contracting Parties on
Their Imports of Groundfish Species Regulated by NAFO
from Non-Contracting Parties (item 6 of the Agenda)**

- 4.1 The Chairman commented that this information was intended to permit an assessment of the relationship between non-Contracting Party catches and the imports of these species from non-Contracting Parties into Contracting Party markets. Import statistics were provided by Japan (Annex 3); Canada and the EEC (GC Doc. 92/1); Cuba, Russia, the Faroes and Greenland have reported to the Executive Secretary that they do not import NAFO regulated species from non-Contracting Parties and have not therefore provided import statistics. The Chairman pointed out that the import figures did not appear to coincide with catch estimates.
- 4.2 The Canadian representative stated that she recognized the concerns of the EEC representative with respect to providing data on processed and semi-processed fish, but that as Canada had undertaken a comprehensive assessment of import data for 1991, it would be helpful if the EEC could provide data for salt fish, for 1991 only.
- 4.3 The EEC representative undertook to provide this data.

**5. National Reports of the Aide-Memoire (for Joint Diplomatic Demarches)
Dispatches to Non-Contracting Parties (item 7 of the Agenda)**

- 5.1 The EEC representative reported on its Joint Diplomatic Demarches on Panama and Venezuela.

Panama

The EEC led a NAFO Joint Diplomatic Demarche on Panama on 22 August 1992, in Brussels. Canada, Denmark, Norway, Poland and Russia also participated in this Demarche. The EEC stressed that despite the assurances of support and goodwill in addressing the problem of Panamanian flagged vessels in the Regulatory Area, there had been no reduction in Panamanian vessels, and catches remained significant. The Panamanian Ambassador to the EEC acknowledged the problem and advised the EEC that further action would be taken. She did not indicate whether specific measures were being contemplated.

Venezuela

The Joint Diplomatic Demarche on Venezuela was also conducted on 22 August 1992. In response to the Demarche, the Venezuelan Ambassador to the EEC advised the EEC that his Government considers the fishing activity of Venezuelan vessels in the NAFO Area to be a violation of national law, which could result in withdrawal of license. He informed the EEC that the two vessels recently sighted in the NAFO Area - "Bacnova" and "Pescagel" - had been asked not to fish in the Area and he requested evidence on these vessels for follow up by Venezuelan authorities.

- 5.2 The Japanese representative reported on the Japanese demarche on Korea.

Korea

Japan led the Joint Diplomatic Demarche on Korea on 2 September 1992. Canada, Denmark, the EEC, Norway, and Russia participated in the Demarche. Korean officials acknowledged the presence of Korean interest vessels in the NAFO Area and advised the Contracting Parties that Korea was in the process of gradually withdrawing its vessels from the NAFO Area, emphasizing the economic implications of an immediate withdrawal. It was noted that one vessel had been withdrawn this year and that another would be withdrawn by 31 March 1993. In response to concerns regarding Korean crews aboard third party vessels in the NAFO Area, the Contracting Parties were advised that after 31 March 1993, the Korean government would not allow contracts for Korean crews on vessels which fish in the NAFO Area.

- 5.3 The Canadian representative reported on Joint Diplomatic Demarches on Sierra Leone, Morocco and Honduras.

Sierra Leone

The Canadian Ambassador to Ghana delivered the Aide-Memoire to the Minister of Foreign Affairs in Sierra Leone in late July, 1992. Canada was advised that the registration of the Sierra Leonean vessel the "Great Splendor" would be withdrawn upon the written request of the Ambassador. Evidentiary material on this vessel has been forwarded to the Canadian Ambassador for follow up with Sierra Leonean authorities.

Morocco

On 15 September 1992 Canada, accompanied by Russia and the EEC, led the Joint Diplomatic Demarche on Morocco. Canada was advised by the Moroccan Fisheries officials that on 4 August 1992 the Moroccan Minister of Fisheries had written to the owners of the "Ain Chanech", the Moroccan vessel that has been sighted in the NAFO Area, requesting that the vessel be withdrawn from the Area immediately. As the vessel continues to fish in the NAFO Area, Canada will follow up with Moroccan authorities.

Honduras

Honduran authorities have indicated that they are prepared to impose sanctions against their flagged vessels fishing in the NAFO Regulatory Area, on the basis of evidence provided by Canada. Canada is preparing evidentiary material on the activity of the Honduran vessel the "Danica" and will proceed with a Joint Diplomatic Demarche on Honduras once this has been compiled.

- 5.4 The Canadian representative also reported on the April 1992 visit to Panama by the Canadian Minister of Fisheries and Oceans. The Minister met with the Panamanian Minister of Finance and Treasury to discuss the problem of fishing by Panamanian flagged vessels in the NAFO Regulatory Area. A Joint Communique was signed at that meeting which recorded Panama's undertaking, upon receipt of evidence of fishing by Panamanian registered vessels in the NAFO Area, to impose severe sanctions on these vessels including, fines or removal from the registry. Canada continues to provide evidentiary material on the activity of Panamanian flagged vessels in the NAFO Area for follow up by Panamanian authorities.
- 5.5 The Canadian representative also informed the Committee that Canada continues to provide evidentiary material on Venezuelan vessel sightings to Venezuelan authorities.
- 5.6 The Russian representative reported that Russia had informed Latvia and Lithuania of its concern about their vessels' fishing activity in the NAFO Regulatory Area prior to their joining NAFO and obtaining allocations.
- 5.7 The EEC representative commented that although the diplomatic initiatives by the Contracting Parties had not been entirely effective, they had produced some positive results. He noted the cooperative attitude demonstrated by the authorities in non-Contracting Parties but cautioned that goodwill has not always materialized into an effective administrative response, and that it remained to be seen how Governments would follow up on these initiatives with their nationals.
- 5.8 It was agreed that Panama continued to represent a significant portion of the problem of non-Contracting Party fishing, and would require follow up.
- 5.9 The Canadian representative informed the Committee that Canada continued to monitor action taken by Panama against Panamanian flagged vessels, on the basis of evidentiary material provided by Canada. She reported that Panamanian authorities had imposed fines of approximately \$2 000 (Cdn.) against 11 Panamanian flagged vessels that had been sighted in the NAFO Area. Another package of evidentiary material has been prepared and will be forwarded to the Panamanian authorities. Canada will continue to monitor the response of Panamanian authorities to this material.

6. Examination of Methodology of Improving the Reporting of Catches, Transshipments and Landings from the Regulatory Area by Non-Contracting Parties (item 8 of the Agenda)

- 6.1 The Chairman noted the importance of improving the sharing of information relating to non-Contracting Party catches in the Regulatory Area. He pointed out that many non-Contracting Parties do not have data on the activities of their vessels in the Regulatory Area.
- 6.2 The Canadian representative informed the Committee that Canada had asked France for information on landing and transshipment of fish caught in the Regulatory Area. She pointed out that the NAFO Aide-Memoire also requested that this information on non-Contracting Party catches be reported.

7. Examination of Options Open to Contracting Parties to Dissuade Their Nationals from Fishing in the Regulatory Area Under Non-Contracting Party Flags and to Discourage such Activities Where They are Currently Taking Place (item 9 of the Agenda)

- 7.1 It was agreed that as the issue of reflagging was being considered in other fora, including FAO, future meetings of STACFAC should focus on this important issue and should take into account the work of these organizations.

8. Examination of Landing Declaration System to Collect Data on Landing Catches by Non-Contracting Parties in the Regulatory Area (item 10 of the Agenda)

- 8.1 The Canadian representative introduced a paper outlining proposed Canadian implementation of a Landing Declaration (Annex 4). The paper had been prepared in light of discussions of the EEC draft Landing Declaration that was tabled at the April meeting of STACFAC (GC Doc. 92/1). She stressed that the Canadian paper proposed a possible approach to implementation of the Landing Declaration, which might not be appropriate for all countries but would provide a basis for discussion considering the following essential principles:

Under the Canadian proposal,

- the Landing Declaration would apply to fish caught in the Regulatory Area by non-Contracting Parties who do not report their catches;
- product coverage would include raw fish and processed products to the frozen fillet stage;
- the Landing Declaration would be completed by the vessel master, to ensure the closest connection between the fishing activity and the declaration;
- Landing Declaration forms would be provided to the master by the Contracting Party, as the link between these vessels and the flag state authorities is often tenuous;
- customs officials would be responsible for the administration of the Landing Declaration System;
- while completion of the Landing Declaration would not be a condition of entry for the product, failure to do so would result in an administrative penalty.

8.2 With respect to the practical implementation of the Landing Declaration, the following discussions developed:

- The representative from Japan suggested that given the distance of many Contracting Parties from the fishing grounds, the Landing Declaration forms should be distributed by the NAFO Secretariat to the appropriate authorities in the non-Contracting Party. He felt that these would be in the best position to distribute the forms to vessels registered under their flags.
- The Danish representative expressed the concern that to distribute the forms to the non-Contracting Party authorities could be perceived as tacit acceptance of fishing by non-Contracting Party vessels. He suggested that the forms should therefore be distributed at the point of landing or transshipment.
- The Chairman commented that he appreciated the practical difficulties presented by the distance between the fishing grounds and many Contracting Parties and added that in that in many cases, the importer in the Contracting Party may not have the product information sought. He also noted that in cases where the flag state is not cooperating with NAFO, it could be difficult to ensure the consistent and efficient distribution of forms by these states.
- The Canadian representative stated that the Canadian proposal envisaged a network of transmissions of Landing Declarations to address the problems posed by transshipments of the product.
- The Chairman also noted that the list of countries to which the Landing Declaration would apply was subject to regular change, which could present difficulties for the authorities responsible for implementing the Landing Declaration.

On the administrative penalty,

- The Japanese representative expressed the view that the decision to impose such a penalty should be left to the individual Contracting Parties, as domestic legislation in many states restricts the use of this kind of sanction.
- The Canadian representative pointed out that as indicated in section 4 of the Canadian proposal, each Contracting Party would determine the amount and appropriateness of an administrative penalty.
- The EEC representative pointed out that an administrative penalty that was proportionate to the value of the imported product, could be inconsistent with Article VIII.3 of the GATT, which restricts the power of customs authorities to impose penalties for minor breaches of customs regulations or procedural requirements (ie. failure to complete the Landing Declaration).

8.3 It was decided that the Contracting Parties should review the Canadian paper on implementation of the Landing Declaration, in light of the discussion at this meeting, and should be prepared to comment, at the next STACFAC meeting, on the desirability of proceeding with the Landing Declaration proposal.

- 8.4 The Canadian representative stated that in Canada's view STACFAC should be prepared, at its next meeting, to recommend implementation of the Landing Declaration or to remove the item from the agenda. Canada is of the view that further discussion of the subject would be fruitless. In the absence of any decision by STACFAC to proceed with implementation, Canada will be prepared to consider unilateral action of a similar nature.

9. Elaboration of Report to the General Council and Recommendations on Measures to Resolve the Problem (item 11 of the Agenda)

- 9.1 STACFAC discussed the text of the Chairman's draft report to the General Council and agreed upon revisions to be incorporated into the final report. The report identifies the data currently available to the Committee with respect to the activities and catches of non-Contracting Party vessels, and notes the inadequacy of this data. It reviews the diplomatic initiatives that have been undertaken by the Contracting Parties to address this problem. Finally, the report considers other measures which could be implemented to resolve the problem (Annex 5).

10. Election of Chairman and Vice-Chairman

The current Chairman, C. C. Southgate (EEC) was elected for a second term; the current Vice-Chairman, B. Garcia Moreno (Cuba) was elected for a second term.

11. Other Matters

It was agreed that an intercessional meeting of STACFAC should be held in **late March or early April, 1993**. The Chairman will contact the Executive Secretary of NAFO to set a specific date.

12. Adjournment

The meeting was adjourned at 1230 hours on 18 September 1992.

Annex 1. Agenda

1. Opening by the Chairman, C.C. Southgate (EEC)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of 1992 information on activities of non-Contracting Parties' vessels in the Regulatory Area
5. Review of available information on landings and transshipment of fish caught in the Regulatory Area by non-Contracting Parties
6. Consideration of statistics submitted by Contracting Parties on their imports of groundfish species regulated by NAFO, from non-Contracting Parties fishing in the Regulatory Area
7. National reports on the results of the Aide-Memoire (for joint diplomatic demarches) dispatches to non-Contracting Parties
8. Examination of methodology of improving the reporting of catches, transshipments, and landings from the Regulatory Area by non-Contracting Parties
9. Examination of options open to Contracting Parties to dissuade their nationals from fishing in the Regulatory Area under non-Contracting Party flags and to discourage such activities where they are currently taking place
10. Examination of Landing Declaration System to collect data on landing of catches by non-Contracting Parties in the Regulatory Area
11. Elaboration of a Comprehensive Report to the General Council and recommendations on measures to resolve the problem
12. Election of Chairman and Vice-Chairman
13. Other Matters
14. Adjournment

Annex 2. Canadian Report on Non-Contracting Party Fishing Activity in the Regulatory Area - 1992 (mid-year)

1.0 Fleet Profile

During the 1985-91 period, an average of 37 non-Contracting Party vessels were observed in the Regulatory Area on an annual basis. This non-Contracting Party activity included, on an annual average, 18 vessels crewed by Europeans, 10 vessels crewed by Koreans, and 9 vessels registered in the USA¹. To 31 August 1992 a total of 32 non-Contracting Party vessels have been sighted in the Regulatory Area, comprised of 25 (5 pairs, 15 singles) crewed by Europeans and 7 crewed by Koreans.

The following is a list of non-Contracting Party vessels sighted to 31 August 1992 (all data preliminary):

European	Korean
ANITA I	DANICA
ELLY	GOLDEN VENTURE
COLOMBO V	PUK YANG II
COLOMBO VI	MARSOPLA
COLOMBO VII	PEONIA NO 9
COLOMBO VIII	GREAT SPLENDOR
PESCAMEX I	AIN CHANECH
PESCAMEX II	
PESCAMEX III	
PESCAMEX IV	
ALPES II	
ALPES III	
AMAZONES	
CIDADE DE AVEIRO	
CLASSIC BELAIR	
ESPADARTE	
GAFANHO DO CARMO	
IZARRA	
LEONE	
LEONE III	
PABLO I	
PORTO DE AVEIRO	
PORTO SANTO	
SANTA JOANA	
TERRA DE LEMOS	

Three European crewed vessels (Pablo I, Gafanho do Carmo, Porto de Aveiro) have initiated fisheries in the Regulatory Area since the last annual NAFO meeting.

¹ One USA registered groundfish vessel may have fished in 1991.

In 1992, it has been reported that four European crewed vessels (Izarra, Pescamex III, Classic Belair, and Alpes III) have sunk, although Canadian surveillance confirmed only the loss of the Izarra.

2.0 Catch and Effort

During the 1985-91 period, an average of 37 non-Contracting Party vessels fished 3 000 days annually, catching approximately 33 850 tons of groundfish. This 33 850 tons was comprised, on average, of 8 250 tons of cod, 15 050 tons of redfish, 8 200 tons of flounder species, 1 350 tons of Greenland halibut, and 1 000 tons of other species.

During the 1990-91 period, an average of 39 non-Contracting Party vessels fished 4 200 days annually, catching approximately 47 050 tons of groundfish or 11.2 tons per day. This 47 050 tons was comprised, on average, of 13 500 tons of cod, 18 225 tons of redfish, 8 450 tons of flounder species, 4 750 tons of Greenland halibut, and 2 125 tons of other species.

To 31 August 1992, it is estimated that 32 non-Contracting Party vessels fished approximately 1 700 days catching 14 400 tons or 8.4 tons per day. This 14 400 tons includes 8 300 tons of redfish, 2 500 tons of cod, 2 000 tons of flounder species, and 1 600 tons of Greenland halibut. Of the 14 400 tons, it is estimated that European crewed vessels caught 5 900 tons and Korean crewed vessels caught 8 500 tons.

If current fishing patterns and catch rates continue, it is estimated that non-Contracting Party vessels will fish approximately 2 500-3 000 days and catch in excess of 23 000 tons.

**Annex 3. Japanese Import Statistics of Groundfish Species
Regulated by NAFO from Non-Contracting Parties in 1991**

Non-Contracting Party	Amount of import (tons)				
	Redfish	Cod	Greenland halibut	American plaice	Others ¹
Caymen Islands	-	-	-	-	-
Honduras	-	-	-	-	22
Korea	1 689	11	1 183	9	9 209
Mauritania	-	-	-	-	-
Malta	-	-	-	-	580
Morroco	-	-	-	5	527
Panama	188	-	41	-	338
St. Vincents	-	-	-	-	-
USA	8 937	24 627	4 440	1	43 663
Mexico	-	-	-	-	-
Chile	26	-	-	-	10
Venezuela	-	-	-	-	-
Sierra Leone	-	-	-	-	-

¹ Witch flounder, Yellowtail flounder

NOTE: The above figures may include fish caught outside the NAFO Area. It is confirmed by the Government of the USA that no USA vessels engaged in the NAFO Regulatory Area in 1991.

Annex 4. A Proposed NAFO Landing Declaration System by the Canadian Delegation

Purpose

1. To provide Canada's views regarding implementation of the proposed landing declaration system in respect of the five fish species caught in the NAFO Regulatory Area and landed in NAFO countries by vessels of non-Contracting Parties.

Background

2. In response to the problem of declining fish stocks in the Northwest Atlantic, one of the measures examined by the NAFO Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) is the introduction of a statistical landing declaration system to monitor trade in NAFO species by non-Contracting Parties of NAFO. At the 7-9 April STACFAC meeting, it was agreed that NAFO Contracting Parties would consult domestic authorities on how to implement such a system. The EEC tabled a draft document (copy attached) which Canada believes can be used as a basis for an agreed landing declaration form.

Features of System

3. As envisaged by Canada, the landing declaration system could document the linkage between non-Contracting Party fishing in the NAFO Regulatory Area and the species being caught. It would also provide information as to the point of landing and quantities of NAFO Regulatory Area fish entering the territories of Contracting Parties.
4. The landing declaration system would have the following features:
 - it would apply only to the five species managed by NAFO in the NAFO Regulatory Area;
 - product coverage would range from raw fish to processed products up to the frozen fillet stage, as described in Chapter 03 of the Harmonized System of Tariff Nomenclature;
 - only the vessels of non-Contracting Parties that do **not** report their NAFO Regulatory Area catches to NAFO in a timely manner would be asked to submit a declaration form;
 - submission of a signed declaration form would **not** be a condition of entry for the fish being imported by a NAFO Contracting Party or allowed entry "in transit". However, vessels of the non-Contracting Parties mentioned above that fail to submit a declaration form would be subject to an **administrative penalty** imposed by the NAFO Contracting Party concerned. The penalty could consist of a fine based on a percentage of the customs valuation of the fish or a fixed amount. It would be individually set by each NAFO Contracting Party.

Operation of System

5. The landing declaration system would operate as follows:
- the declaration form would be issued by the Contracting Party in whose port the fish is being landed or into which the fish is being imported;
 - the procedure to be followed for the issuance of the declaration form would be determined by the Contracting Party;
 - the declaration form would be filled out and signed by the captain of the vessel that was used to catch, ship or transship the fish;
 - the declaration form would be submitted to the customs or fisheries inspection officials at the port of entry of the NAFO Contracting Party concerned;
 - in the case of fish arriving at a port of entry by air or overland transport, the fish would also have to be accompanied by a declaration form signed by the captain of the vessel that was used to catch, ship or transship the fish prior to its loading on a plane or motor vehicle;
 - failure to produce a signed declaration form at the port of entry would result in an **administrative penalty**, in the form of a fine, being levied against the exporter by the NAFO Contracting Party importing the fish or allowing it to enter "in transit";
 - the fine would be payable at the port of entry and collected by the customs or fisheries inspection officials of the NAFO Contracting Party concerned;
 - the statistical information gathered under the above system would be transmitted on a monthly basis to the NAFO Secretariat.

EEC Draft of Landing Declaration/Declaration de Debarquement(1)

1. Exporter (Name, full address, country) Exportateur (Nom, adresse complète, pays)	2. Number 000 Numéro	
3. Consignee (Name, full address, country) Destinataire (Nom, adresse complète, pays)	DECLARATION IN REGARD TO Atlantic Cod (Gadus Morhua) Atlantic Redfish (sebastes spp) American Plaice (Hippoglossoides platessoides) Yellowtail Flounder (Limanda Ferruginea) Witch Flounder (Glyptocephalus cynoglossus) (2) Issued with a view to obtaining statistical information on harvest origin (1) DECLARATION CONCERNANT La Morue Fraiche (Atlantique) (Gadus Morhua) Sébaste (Atlantique Nord) (Sebastes spp) Plie canadienne (Hippoglossoides platessoides) Limande à quene jaune (Limanda ferruginea) Plie grise (Glyptocephalus cynoglossus) (2) Délivrée en vue de l'obtention d'information statistique concernant l'origine de pêche (1)	
6. Place and date of catch/shipment/transshipment/ - name and flag of catch-/transport vessel(s) lieu et date de pêche/d'embarquement/-de transbordement/ - nom et pavillon du (des) navire(s) de pêche/de transport	4. Country of origin Pays d'origine	5. Country of destination Pays de destination
7. Marks and numbers-Number and kind of packages-DETAILED DESCRIPTION OF GOODS (3) Marques et numéros-nombre et nature des colis-DESIGNATION DETAILIEE DES MARCHANDISES (3)	8. Quantity in tonnes Quantité en tonnes	
9. DECLARATION BY THE CAPTAIN I the undersigned, declare that in accordance with the entries in the logbook the consignment described above contains Atlantic Cod (Gadus Morhua), Atlantic Redfish (Sebastes spp), American Plaice (Hippoglossoides Platessoides), Yellowtail Flounder (Limanda Ferruginea), Witch Flounder (Glyptocephalus cynoglossus) from the stocks of the Northwest Atlantic Ocean fished in the Regulatory Area of the Northwest Atlantic Fisheries Organization - NAFO. (2) DECLARATION DU CAPITAINE Je soussigné déclare qu'en accord avec les inscriptions dans le livre de bord l'envoi décrit ci-dessus contient de la Morue Fraiche (Atlantique) (Gadus Morhua), Sébaste (Atlantique Nord) (sebastes spp), Plie canadienne (Hippoglossoides platessoides), Limande à quene jaune (Limanda ferruginea), Plie grise (Glyptocephalus cynoglossus) provenant des stocks de l'océan de l'Atlantique Nord-Ouest et capturée dans la Zone de Réglementation de l'Organisation de Pêche de l'Atlantique du nord-Ouest - OPANO. (3)		
10. CAPTAIN (Name, full address, country) CAPITAINE (Nom, adresse complète, pays)	At/A..... on le..... (Signature)	

(1) This Landing Declaration for statistical purposes has to be presented to the competent authorities upon landing
 Cette Declaration Débarquement pour de statisque doit atre présentée aux autorité compétentes lors du débarquement

(2) Delete as appropriate

Biffer la mention inutile

(3) - Fresh/Frozen (Harmonized System 0302-0303) Frais/Congelé (Système harmonisé 0302-0303)

- Fillets/Filets

- Meat/Chair

- Salted/Salé

Annex 5. Report on Fishing Activities by Vessels Flying the Flag of Non-Contracting Parties in the NAFO Regulatory Area

The 12th meeting of the NAFO General Council established the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC), the terms of reference of which are attached (Attachment 1).

At the 13th meeting of the NAFO General Council a recommendation was adopted by consensus (NAFO/GC Doc. 91/6) according to which, *inter alia*, STACFAC shall submit a comprehensive report.

STACFAC agreed to report as follows:

- I Statistical Database
- II Efforts at Diplomatic persuasion
- III Other measures such as:

- consideration of a Landing Declaration system to improve the statistical database
- consideration of measures to discourage reflagging of vessels to Non-Contracting Parties for fishing in the Regulatory Area

I. Database

Information is sought on the level of catches in the Regulatory Area by non-Contracting Party vessels.

The statistical information available to STACFAC consists of:

- sightings of non-Contracting Party vessels in the Regulatory Area and information obtained from courtesy boardings.
- Contracting Party statistics on imports of certain groundfish species from non-Contracting Parties
- information obtained from some non-Contracting Parties on their catches in the Regulatory Area

In relation to the information required from non-Contracting Parties this information is insufficient. STACFAC does not have at its disposal complete information on catches by non-Contracting Parties.

In order to assess the impact of non-Contracting Party fishing activities estimates have been made on the basis of assumed catch rates and of the period of time during which these vessels have been sighted in the Regulatory Area. Information on the destination of these catches (including whether NAFO Contracting Parties were the main destinations) was sought by comparing these estimates with statistics on groundfish imports from non-Contracting Parties (Attachment 2).

Although in some cases it was clear that the bulk of the catches was destined for Contracting Party markets, it was not generally possible to use import data either to establish final destinations of catches by non-Contracting Parties or to corroborate the Canadian catch estimates.

The following conclusions can, however, be drawn on the basis of the above information:

- estimations on catches of non-Contracting Party fishing activities in the Regulatory Area could well amount to more than a third of the total NAFO groundfish quotas.
- Non-Contracting Party catches in the Regulatory Area may not be primarily intended for non-Contracting Party markets but seem to be exported mainly to Contracting Party markets such as the EEC, and Japan.

Obviously, non-Contracting Party fishing activities in the Regulatory Area impede the conservation and rational management of fish stocks by NAFO, especially since fishing vessels flying non-Contracting Party flags are not bound by NAFO rules and do not respect NAFO decisions or the obligations of conservation, cooperation and flag state responsibility as provided for in UNCLOS. The Scientific Council has confirmed the use of small meshed nets by some of these vessels in some fisheries.

STACFAC considered possible ways of improving the database on non-Contracting Party fishing activities bearing in mind that this information is required for conservation and rational management decisions. It was agreed that non-Contracting Parties whose vessels have been sighted in the NAFO Regulatory Area should be requested to withdraw from the Area and to supply information on amounts already taken, in accordance with their obligations under the relevant provisions of the UN Law of the Sea Convention. Furthermore, it was agreed that uncontrolled transshipments complicate any scheme for the collection of such data. In that respect, Contracting Parties agreed to do everything possible to obtain better information including transshipment information, from their own and non-Contracting Parties authorities.

For the above reasons, it was agreed that the current information sources on non-Contracting Party fishing activities would be explored in detail and expanded where possible in order to obtain as much information as possible.

II. Diplomatic Persuasion Efforts

NAFO, together with its Contracting Parties, has made diplomatic demarches to eight (8) non-Contracting Parties, namely: Cayman Islands, Korea, Malta, Panama, St. Vincent and Grenadines, Venezuela, Morocco and USA.

STACFAC concluded that the results of certain demarches have been satisfactory whilst others have not yet produced the results desired.

- Malta and Cayman Islands had withdrawn their flags from their vessels sighted in the Regulatory Area. Morocco has responded positively but a definitive response is awaited.
- Panama and Venezuela responded positively but vessels flying their flag continue to be sighted in the Regulatory Area.

- USA vessels have not been sighted in the Regulatory Area and USA authorities have said that the USA relationship with NAFO is under review.
- Korea continues to operate in the Regulatory Area and continues to undermine NAFO conservation measures.

Despite NAFO's diplomatic initiatives the overall level of non-Contracting Party fishing activities has not been reduced and certain vessels de-registered in one flag state have re-registered in another non-Contracting Party (e.g. from Cayman Islands to Panama). This fact reflects the difficulties of addressing this problem.

For the above reasons STACFAC has arranged for further joint diplomatic demarches to Korea, Panama and Venezuela as well as joint demarches to Sierra Leone, Honduras and Morocco.

III. Other Measures

STACFAC considered further measures that could be implemented to resolve the problem.

Taking full account of the obligations of States with respect to the conservation of marine living resources as provided for in the relevant provisions of UNCLOS, STACFAC explored options along two lines. These are a possible landing declaration system to collect statistical data, and the possibility of action by Contracting Parties to discourage their nationals from operating reflagged vessels in the Regulatory Area in contravention of NAFO rules.

To the extent that non-Contracting Parties do not respond to diplomatic approaches STACFAC has considered the following specific measures:

- a) **Landing Declaration** - in order to improve the information on non-Contracting Party fishing activities STACFAC has been considering the implementation of a system of landing declarations, which would be required for landing and transshipment of NAFO-managed species of fish caught by non-Contracting Parties' vessels which were sighted in the Regulatory Area and which cannot or do not cooperate in providing catch data to NAFO. The landing declarations would indicate the quantities of fish imported caught in the NAFO Regulatory Area and would provide suitable supplementary data on non-Contracting Party catches in the NAFO Regulatory Area.

The details of implementation of a system of landing declarations and its implications for the administrative systems of the Contracting Parties are currently under discussion and will be carefully analysed in the intersessional meeting expected to take place in March or April 1993.

- b) **Measures to discourage reflagging** - Discussions within STACFAC have concluded that measures to dissuade commercial interests of Contracting Parties from reflagging their vessels to non-Contracting Party flag states for use within the NAFO Regulatory Area are essential. Such measures, however, depend upon an in-depth consideration of the national legislation of Contracting Parties and the need for any such measures to respect the principles of international law and an open international system of trade. Consideration of such measures has therefore to date been largely confined to internal

debate within Contracting Parties but STACFAC members expressed their support for efforts being made to address this problem and their hope that solutions would be forthcoming.

Discussions on possible measures to address this problem are already commencing in a number of other international fora such as ICCAT, NASCO and the United Nations.

Attachment 1. Terms of Reference

The Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) will examine, on the basis of the best available information, options to cause non-Contracting Parties to withdraw from fishing activities contrary to NAFO Conservation Measures in the Regulatory Area. The Committee will make recommendations to that effect to the General Council.

In particular, the Committee will

- obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area, including details on the type, flag and name of vessels and reported or estimated catches by species and area;
- obtain and compile all available information on landings, and transshipments of fish caught in the Regulatory Area by non-Contracting Parties, including details on the name and flag of the vessels; the quantities by species landed, transshipped; and the countries and ports through which the product was shipped;
- examine and assess all such options open to NAFO Contracting Parties including measures to control imports of fish caught by non-Contracting Party vessels in the Regulatory Area and to prevent the reflagging of fishing vessels to fish under the flags of non-Contracting Parties;
- recommend to the General Council measures to resolve the problem.

The Committee will include one representative from each Contracting Party that wishes to participate. The chairperson will be elected for a term of 2 years.

The initial chairperson will be _____.

The Committee will report to the General Council once a year, at the Annual Meeting of NAFO, and as otherwise requested by the General Council.

Attachment 2. Summary of Data Concerning Fishing by Non-Contracting Parties in the Regulatory Area

1. Nature of Information

- 1.1 At the 12th and 13th Annual Meetings of NAFO, Contracting Parties agreed that STACFAC should obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area and on landings and transshipment of fish caught in the Regulatory Area by non-Contracting Parties.
- 1.2 Two annual reports of activities, estimated effort and catches were provided by Canada. Sightings information was also provided by Japan, the EEC, and the USSR (Russia).
- 1.3 Import data for 1991 were provided by Japan, the EEC and Canada. While no conclusive links could be established, indications are that as Panama does not have a national cod fishing fleet, EEC imports of cod from Panama must come from reflagged EEC vessels. Japanese statistics showed significant imports of relevant species from Korea but it was not possible to determine how much was harvested in the Regulatory Area. Similarly, the small quantities of Canadian imports of groundfish from Korea could not be linked direct to Korean fishing in the Regulatory area.

2. Summary of Data by Country

- 2.1 Vessels from the following non-Contracting Parties have been sighted fishing in the Regulatory Area in 1991 and first quarter of 1992:

Panama
Korea
Venezuela
Honduras
Sierra Leone
Morocco
St. Vincent and the Grenadines

- 2.2 **Panama**

Twenty five Panamanian flagged vessels were sighted fishing in the Regulatory Area in 1991. Of these, 10 were pair trawlers and 3 were gillnetters. Twenty-three of these vessels had EEC nationality crews and two, the Peonia No. 9 and the Marsopla had crews of Korean nationality. These two vessels were also licensed by Korea to fish in the Regulatory Area. The 23 EEC crewed Panamanian vessels caught an estimated 22 000 tons (round weight) of groundfish over 2 200 effort days, at an average catch rate of 10 tons per day. The 2 Panamanian flagged but Korean licensed and crewed vessels fished 7 000 tons of groundfish over 400 days at a rate of 17.5 tons per day.

The EEC imported 4 749 tons (product weight) of groundfish from Panama, not including salted cod. Japan imported 201 tons. There were no Canadian imports.

2.3 Korea

Three Korean flagged vessels were sighted fishing in the Regulatory Area in 1991. These Korean flagged vessels were estimated to have caught 7 400 round weight of groundfish over 550 days at an average of 13.4 tons per vessel day. Two Panamanian flagged Korean crewed vessels have been licensed by Korea to fish in the Regulatory Area. These two Korean licensed vessels were estimated to have harvested 7 000 tons of groundfish over 100 days at an average of 10 tons per vessel day. Vessels under flag of Sierra Leone, St. Vincent's, Honduras and Morocco also had Korean crews. Total catches for Korean licensed and crewed vessels were approximately 24 000 tons round weight.

The EEC imported 1 828 tons product weight of NAFO-managed groundfish species from Korea, Canada 158 tons product weight, and Japan 9 195 tons product weight.

2.4 Venezuela

Two Venezuelan flagged pair trawlers were sighted in the Regulatory Area in 1991. These vessels had EEC nationality crews. They were estimated to have fished 1 150 tons round weight of groundfish over 125 days at an average rate of 9.2 tons per vessel day.

The EEC imported 33 tons product weight of groundfish from Venezuela. There were no Canadian or Japanese imports.

2.5 Honduras

One Korean crewed Honduran flagged vessel (Danica) fished in the Regulatory Area in 1991. It was estimated to have caught 4 000 tons round weight of groundfish over 225 days at an average rate of 17.7 tons per day. There were no EEC statistics for imports from Honduras. Japan imported 22 tons product weight of flounder from Honduras. There were no Canadian imports.

2.6 Sierra Leone

One Sierra Leone flagged vessel (Great Splendour) fished in the Regulatory Area in 1991. It had a Korean crew and was estimated to have caught 3 200 tons round weight of groundfish over 225 days at a rate of 14.2 tons per day. There were no EEC or Japanese statistics for imports from Sierra Leone. There were no Canadian imports.

2.7 Morocco

One Moroccan vessel (Ein Chanekh) fished in the Regulatory Area in 1991. It had some Korean crew and fished an estimated 600 tons round weight of groundfish over 60 days at a rate of 10 tons per day. There were no EEC statistics for imports from Morocco. Japan imported 527 tons of flounder from Morocco. There were no Canadian imports.

2.8 St. Vincents and the Grenadines

One Korean crewed vessel (Hao Quang III) fished in the Regulatory Area in 1991. It caught an estimated 2 000 tons round weight of groundfish over 200 days at a rate of 10 tons per day. The EEC imported 697 tons of flatfish from St. Vincent. There were no Japanese or Canadian imports.

SECTION VII

(pages 299 to 358)

**Report of the Fisheries Commission and its Subsidiary
Body (STACTIC), 14th Annual Meeting
14-18 September 1992
Dartmouth, Nova Scotia, Canada**

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PART I

Report of the Meeting of the Fisheries Commission

14th Annual Meeting, 14-18 September 1992
 Dartmouth, Nova Scotia, Canada

Monday, 14 September, 1025-1700 hours
 Tuesday, 15 September, 1145-1805 hours
 Wednesday, 16 September, 1040-1835 hours
 Thursday, 17 September, 1040-1830 hours
 Friday, 18 September, 1215-1530 hours

1. Opening Procedures (Agenda items 1 to 5)

- 1.1 The meeting was called to order by the Chairman, E. Wiseman (Canada) on 14 September 1992 at 1025 hours. Representatives from the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, the European Economic Community (EEC), Japan, Latvia, Lithuania, Norway, Poland and the Russian Federation (Russia) (Annex 1).
- 1.2 The Chairman ruled that in accordance with provisions of the NAFO Convention, until formalization of the accession of Estonia, Latvia, and Lithuania by the General Council, these states were observers. He proposed the Fisheries Commission would take no formal decisions until the opening of the General Council Meeting tomorrow, September 15. This was agreed.
- 1.3 S. B. Kristensen (EEC) was appointed Rapporteur.
- 1.4 The provisional agenda was adopted with the following amendments:
 - adoption of the Report of the Special Meeting of the Fisheries Commission, May 1992 (FC Doc. 92/3) would be added to agenda item 6;
 - agenda items 17 and 18 would read: "Management and technical measures..." to allow for discussion of any specific measures in respect of individual stocks which were not covered by agenda items no. 7 and no. 12.
- 1.5 A proposal by the representative of the European Community that agenda item 18(i) read: "Cod in Div. 2J3KL" was opposed by the representative of Canada. However, it was agreed to revert to the matter when discussing the substance of that item.
 - i) The representative of the EEC recalled his proposal to label this agenda item "Cod in Div. 2J3KL" as all rational management must be based on the whole stock and explained that the EEC cooperated with other third countries in joint stock management, irrespective of the share of the stock attributed to each Party.

He then introduced an EEC proposal (FC Working Paper 92/50) calling for joint action by NAFO in conformity with Article XI.2 of the Convention to set a zero TAC for cod in 2J3KL, taking into account the scientific advice and in consistency with the moratorium introduced by Canada in its own waters.

- ii) The representative of Canada opposed both proposals which he considered contrary to the Convention and the principle of exclusive management by the coastal state recognized by international law.
 - iii) The representative of the European Community responded that the proposal was intended to ensure consistency in the management of a single biological stock and did not interfere with the competence of the coastal state.
 - iv) The representatives of Denmark and Norway had some understanding for the interest of a coastal state in the management of a stock in which it held a share of 95-97%.
 - v) The Fisheries Commission decided to revert to agenda items 17(a) and 18 as a whole when the technical conservation measures under agenda item 10 had been settled.
- 1.6 The agenda as amended **was adopted** (Annex 2).
- 1.7 Representatives of the Republic of Korea and the United States of America were admitted to the Meeting as observers.
- 1.8 It **was agreed** that normal NAFO practice should be followed in relation to publicity and that no statements would be made to the media until after the conclusion of the meeting when a press release would be drawn up by the Chairman of the General Council and of the Fisheries Commission, and the Executive Secretary.
- 1.9 The representative of Canada made an opening statement (Annex 3).
- 1.10 The representative of the European Community also made an opening statement (Annex 4).
- 1.11 The representative of Norway commented on these statements that overfishing and cold water conditions were not the only causes of the depletion of the 2J3KL cod stock, but all causes affecting the marine ecosystem should be taken into account, such as the impact of sea mammals. He added that the seal population had grown from 1 1/2 to 3 or 4 million over recent years and that this factor had been ignored so far.

The representative of Denmark agreed with these comments.

2. Administrative (Agenda items 6 to 8)

- 2.1 The reports of the 13th Annual Meeting, September 1991 (FC Doc. 91/14) and of the Special Meeting of the Fisheries Commission, May 1992 (FC Doc. 92/3) **were adopted**.

- 2.2 Review of Commission Membership (item 7), was deferred until after the General Council Meeting when discussing the substance of that item.

Note (by Executive Secretary):

At the opening session of the General Council on 15 September 1992 the three new members of NAFO - Estonia, Latvia, and Lithuania presented their statements of intentions and participation in the fisheries in the Regulatory Area, and they were admitted to the membership of the Fisheries Commission in accordance with the provisions of Article III e) and Article XIII.1 of the NAFO Convention.

- 2.3 At the request of the representative of Canada, agenda item 8 "Clarification of rules of procedure", which was explained in Note 1 to the Fisheries Commission Agenda and presented to the Meeting in FC Working Paper 92/26 by the Executive Secretary, was also deferred without definite commitment.

At the closing session on 18 September it was decided to postpone this item pending possible similar examination procedures by the General Council in the near future.

3. Commission Proposals (Agenda items 9 to 14)

- 3.1 At the request of the representative of Denmark, agenda item 9, "Adoption of Reports of STACTIC Meetings in February and July 1992 in Copenhagen", was deferred pending further discussion at STACTIC during this Annual Meeting.

The Reports were adopted at the later session of the Commission.

- 3.2 The Fisheries Commission then examined agenda item 10, "Conservation and Enforcement Measures (amendments for adoption by the Commission)", on the basis of the reports of the Special Meeting of the Fisheries Commission (May 1992) and the Special Meeting of STACTIC (July 1992).

- i) The Chairman noted the two principal documents (FC Doc. 92/3 and 92/4) and asked for comments from the floor.
- ii) The representative of Denmark (Chairman of STACTIC) Mr Lemche, explained that the STACTIC Report (FC Doc. 92/4) was done in accordance with a request from the Fisheries Commission and in a very high degree of agreement in STACTIC. It would be appropriate to consider the Special Fisheries Commission Meeting Report as a major document and the STACTIC July Report as a supportive document. All possible additional proposals should be incorporated as amendments to the pending proposals in FC Doc. 92/4. This was agreed by the Fisheries Commission.

- 3.3 **Pilot project for a NAFO Observer Scheme (Agenda item 10.1: Annex 5 of FC Doc. 92/3; Annex 3 of FC Doc. 92/4)**

- i) The representatives of Canada and Denmark (in respect of the Faroe Islands and Greenland) declared their willingness to implement the pilot project proposal as agreed at the Special Meeting of the Fisheries Commission. The

representative of Canada in particular felt that the observer scheme must enable Contracting Parties to take action to ensure compliance with NAFO Conservation and Enforcement Measures and that suspected violations must be followed up.

- ii) The representatives of the EEC and Russia pointed out that observers would not have any inspection powers in the sense of the joint international inspection scheme which would neither be duplicated nor added to by the scheme. Their mandate was of a more limited nature, in consisting in passing on information to Contracting Parties at the end of their assignment period.
- iii) The representative of the EEC stressed that a substantial and, compared to fleet activity, disproportionate share of the EEC's overall expenses on enforcement and control was already spent in the Regulatory Area. There could be no question of the EEC increasing these expenses on its own. He therefore suggested to replace the financing of observers by Contracting Parties as set out in paragraph 3(c) of FC Working Paper 92/6 by a NAFO financed system. The representative of Denmark noted that such a system would require detailed regulations which were almost impossible to work out before its actual application and that the scheme would then be less flexible. The representative of the EEC repeated that the EEC could not spend more but took note of the remarks made.
- iv) The Chairman of STACTIC pointed out that Annex 3 to the STACTIC July Report had been agreed by all Parties with the exception of para 1.5. STACTIC had discussed but not agreed on whether the final reports or summaries thereof should be sent to the Executive Secretary for onward transmission to Contracting Parties with an inspection presence in the Area.
- v) The representative of Canada suggested to overcome this difficulty by deleting the last qualification from the text of paragraph 5(b) in FC Working Paper 92/6 which would then read: "to provide to the vessel's authorities and to the NAFO Executive Secretary, at the termination of the observer's assignment to a vessel, a written report for onward transmission by the Executive Secretary to Contracting Parties". This suggestion **was approved**.
- vi) The Chairman concluded that there was a large consensus on this scheme, with the exception of the question of funding raised by the EEC.
- vii) The representative of the EEC at the second session on 15 September proposed to add language from the STACTIC July report on the role of observers and filing of reports as set out in FC Working Paper 92/37.

He also responded to the representative of Canada that it was his understanding of the text that individual reports would be made available to other Contracting Parties after evaluation.

- viii) These amendments were **agreed** by the Fisheries Commission.

- xi) The only point outstanding was the EEC proposal to replace paragraph 3(b) by the following:

- "All costs shall be borne by NAFO".

The representatives of Canada, Denmark and Russia opposed this proposal for budgetary and operational reasons.

The representative of Denmark suggested, by way of compromise, that travel expenses only be covered by the NAFO budget.

- x) The Fisheries Commission at its session on 17 September examined two drafts: one by the EEC (FC Working Paper 92/37) and one by Canada (FC Working Paper 92/52).

The difference between the two drafts was that the EEC draft provided for funding by the NAFO budget, the Canadian draft, by Contracting Parties (paragraph 3(c)). The Canadian draft also provided for mandatory transmission of unedited observer's reports to other Contracting Parties in paragraph 4(b).

The representative of Canada withdrew his proposal on the latter point and accepted the wording of the EEC proposal, with the exception of paragraph 3(c) which was replaced by the wording of the Canadian proposal.

- xi) **This amended text was put to a vote and adopted as set out in FC Doc. 92/13 with 10 votes in favour, none against and 1 abstention (EEC) (Annex 5 - FC Doc. 92/13).**

3.4 **Incorporation of a catch reporting system into the hail system (Agenda item 10.2: Annex 14 of FC Doc. 92/4; Annex 4 of FC Doc. 92/3)**

- i) The representative of Canada reiterated his support for this proposal which would provide NAFO inspectors with otherwise unavailable real time catch information and help to reveal apparent infringements to NAFO conservation rules.

The representative of the EEC stated that the EEC was not against catch reporting as such but felt that the hail system was still in an early stage of application and that the effectiveness would suffer if it was overloaded with additional reporting requirements.

The representative of Russia reserved his position for later comment.

- ii) On the question of communication of hail reports to competent authorities of the NAFO Secretariat, the representatives of Denmark and Norway said that they preferred reporting to the NAFO Secretariat which would considerably shorten communication lines. The representative of Norway added that the NAFO Secretariat should create a data base from which Contracting Parties could draw information on a selective basis.

The representative of the EEC reiterated that reports should be sent to Contracting Parties before they were transmitted to the NAFO Secretariat, but could live with the present drafting: "and to the NAFO Secretariat if the Contracting Party so desires".

- iii) The representative of Canada suggested to make the proposal acceptable by postponing its implementation until 1 January 1994.

The representative of the EEC indicated that this was a step in the right direction but that it was necessary to improve the present hail system before taking on any additional obligations.

- iv) The representative of Canada then introduced an amended proposal (FC Working Paper 92/7, 4th revision).

The representative of the EEC reiterated that he was still not in a position to move on this matter. The representative of Denmark, although he considered real time catch reporting an essential element in revealing apparent infringements, felt that the next Annual Meeting should consider its implementation in 1994 on the basis of expert advice from STACTIC.

- v) The representative of Canada then withdrew his proposal, and noted his intention to put it forward again next year.

- vi) **The Fisheries Commission decided to defer this item to the next Annual Meeting.**

3.5 **Production logbooks and stowage plans** (Agenda item 10.3: Annex 7 of FC Doc. 92/3; Annex 5 of FC Doc. 92/4)

- i) The representative of Canada strongly supported the adoption of such a measure which would be a very modest requirement as most vessels already kept production logbooks for commercial purposes or could alternatively draw up a stowage plan. The information was essential in order to compare reported catches with the estimated stow in the hold.

The representative of Russia referred to the solution indicated by STACTIC that the inspectors could be guided by conversion factors established by the master of the vessel and wanted this reflected in paragraph 6ii(e) of FC Working Paper 92/8 (5th revision).

This request was supported by the representative of Canada who proposed to come back with an appropriate draft.

- ii) This measure was **adopted** by consensus as set out in Annex 6 (FC Doc. 92/8).

3.6 Action by the Contracting Parties to prevent infringements of the measures by their vessels (Agenda item 10.4: Annex 8 of FC Doc. 92/3)

- i) The representative of Canada recalled that the text now on the table was far less comprehensive than the reciprocal detention scheme previously proposed but was nevertheless important in order to prevent vessels from committing further infringements during the fishing season.

The representative of the EEC basically agreed on the text. He would come back with further comment at a later stage.

- ii) Following the deliberations at the second session on September 15, this measure was adopted by consensus (Annex 7 - FC Doc. 92/7).

3.7 Effort plans for the vessels of the Contracting Parties operating in the Regulatory Area (Agenda item 10.5: Annex 9 of FC Doc. 92/3)

- i) The representatives of Canada and Denmark supported the text as presently drafted.

The representative of Japan suggested to replace paragraph 1 (b) (ii) by the submission of plans on 1 January and 1 July. The representative of Canada supported this suggestion.

The representative of the EEC stated that, as a matter of principle, compliance with conservation measures was a matter for Contracting Parties, but that the EEC was in the process of establishing its own rules to ensure that the fishing effort would match available quotas.

- ii) The representative of Canada introduced an amended proposal (FC Working Paper 92/23, 2nd revision) which met the request made by Japan. He asked whether this text would be acceptable if it would apply for the 1994 fishing season and beyond.

The representative of the EEC responded that the EEC was preparing its own licensing system but could not undertake any international obligation which would prejudice its adoption. He offered a more general wording under which each Contracting Party should notify the Executive Secretary of all appropriate information on the conditions under which its fishing vessels were authorized to operate in the Regulatory Area (see FC Working Paper 92/40).

The representative of Russia stated that it was not possible to draw up effort plans as its fleet also operated outside the Regulatory Area.

The representative of Denmark felt that the obligation as presently drafted was so general that it could be fulfilled by all Contracting Parties whatever the present state of their effort limitation measures.

- iii) The Fisheries Commission examined two drafts: one by the EEC (FC Working Paper 92/40) and one by Canada (FC Working Paper 92/46).

It was agreed to delete paragraph 1(b) from both drafts.

- iv) The representative of the EEC reiterated that the EEC was not yet in a position to establish a "balance" between quotas and fishing effort as it had not yet implemented its own regulations on management of fishing input, but was quite willing to provide more general information as set out in its own proposal.

The representative of Russia also stated that it was not possible to provide such information for the Russian fleet. He could accept the European Community proposal as an interim measure.

- v) The representative of Denmark proposed to postpone a decision to the next Annual Meeting.

The representative of Canada then announced that a new proposal would be prepared by Canada for discussion later in the meeting.

- vi) The representative of Canada introduced FC Working Paper 92/46 (Revised) where the information to be provided by each Contracting Party had been limited to the total number of vessels exceeding 50 GRT and the number of fishing days planned for each species by division.

The representative of the EEC maintained his position set out in FC Working Paper 92/40. The representative of Russia supported this position.

- vii) The Fisheries Commission decided to defer this item to the next Annual Meeting.

3.8 Incidental catch limits (Agenda item 10.6: Annex 10 of FC Doc. 92/3)

- i) The representative of Russia suggested the deletion of the two last lines of para 3(c).

The representative of Denmark stated that the possibility of inspectors to recommend further investigation reflected a general principle which would apply whether the text was amended or not.

- ii) The measure was adopted by consensus as set out in Annex 8 (FC Doc. 92/6).

3.9 A uniform mesh size in the Regulatory Area (Agenda item 10.7: Annex 11 of FC Doc. 92/3; Annex 6 of FC Doc. 92/4)

- i) The representative of the EEC stated that the proposal for a uniform mesh size throughout the Regulatory Area had both control and conservation aspects. It was easier to control the compliance with minimum mesh sizes if the number of meshes allowed on board was limited. On the other hand, account must be

taken of vessels operating outside the Regulatory Area and fishing for other species on the same trip. A possible solution would be to prescribe the stowage or sealing of unused nets.

The representative of Denmark referred to the STACTIC report and pointed out that a uniform mesh size irrespective of material would be easier to enforce. In particular, it would remove the need for inspectors to identify the material which was a burdensome task.

The representatives of Latvia and Lithuania stated their opposition to a uniform 130 mm mesh size throughout the Regulatory Area.

ii) This measure was approved by a majority of representatives as was set out in FC Working Paper 92/35 (Revised), pending the drafting of a proposal for a regulation allowing temporarily for nets made of materials other than manila until 31 December 1993 as was set out in FC Working Paper 92/43.

iii) The representative of Russia questioned the scientific justification given for a uniform mesh size of 130 mm.

The representative of Canada also introduced the proposal for a "one net rule" in FC Working Paper 92/36.

iv) The representatives of Cuba, the EEC and Russia were willing to accept this measure with a regulation allowing vessels engaging in fishing activities in other areas outside the NAFO Regulatory Area to retain on board nets with a mesh size smaller than that prescribed for the said Area provided that these nets were securely lashed and stowed and not available for immediate use.

v) The Fisheries Commission agreed on the mesh sizes set out in two proposals (FC Working Papers 92/35, 2nd revision, Canada and 92/43, revised, EEC) and examined the question of admitting a temporary derogation (until 1 June 1994) from the 130 mm mesh size for nets made of certain materials as set out in the EEC proposal.

This proposal was amended by the representative of Denmark by adding a Note 2 to the text (see FC Working Paper 92/43, 2nd revision), in order to admit a derogation (120 mm) for polyamide nets of certain trade names.

vi) The representative of the EEC had reservations about linking management measures to commercial products.

vii) **A separate vote was taken on Note 2 which was adopted with 10 votes in favour, 1 vote against (EEC) and no abstentions.**

viii) **A decision was then taken on the amended proposal as a whole which was adopted by a unanimous vote (11 votes). (Annex 9 - FC Doc. 92/14)**

- ix) The representative of the EEC explained his vote by saying that the EEC would consider additional conditions when implementing the measure.
- x) The representative of Russia recalled his proposal for a request for advice from the Scientific Council on the introduction of 130 mm nets and for a review of STACTIC of the actual operating size of nets, pointing out that the effective selectivity of a 120 mm polyamide net corresponded to a 128-130 mm mesh (see FC Working Paper 92/49).
- xi) **Finally, the Fisheries Commission adopted by consensus a "one net rule".** (Annex 10 - FC Doc. 92/10)

3.10 **STACTIC form of inspections, apparent infringements and their disposition** (Agenda item 10.8: Annex 12 of FC Doc. 92/3)

- i) There was a general agreement on the amended form. The representative of Canada pointed out that the last column should read: "**Dispositions** of apparent infringements...".
- ii) The Commission **adopted** the form by consensus. (Annex 11 - FC Doc. 92/9)

3.11 **Definition of an inspection party** (Agenda item 10.9: Annex 13 of FC Doc. 92/3)

- i) There was a general agreement on the proposed guidelines after brief discussions.
- ii) This proposal was **adopted by consensus** as set out in Annex 12 (FC Doc. 92/11).

3.12 **Operation of the hail system** (Agenda item 10.10: Annex 14 of FC Doc. 92/3; Annex 4 of FC Doc. 92/4)

- i) The Chairman **ruled** that this item was dealt with under agenda item 10.2 (item 3.4 of this Report).

3.13 **Coordination and financing of inspection activities in the Regulatory Area** (Agenda item 10.11: Annex 15 of FC Doc. 92/3; Annex of FC Doc. 92/4)

- i) The Fisheries Commission **took note** of the estimates by STACTIC.

3.14 **Scientific advice on minimum cod size, and minimum flatfish size in the Regulatory Area** (Agenda item 10.12: Executive Summary of the Report of the Scientific Council Meetings, p. 64)

- i) The representative of the EEC could not agree to the proposals before a procedure on how to measure the fish had been established.

The Commission **agreed** to consider a draft by the EEC of a new proposal (FC Working Paper 92/44).

- ii) The representative of Denmark questioned FC Working Paper 92/44 where the proposed retention sizes were in the lower end of the range indicated by the Scientific Council. He also commented on the discarding of undersized fish but, like the representative of Norway, felt that it would be too complicated to apply a system of real time closures in the NAFO Regulatory Area.
- iii) The Fisheries Commission examined two drafts: by the EEC (FC Working Paper 92/44, Revised) and by Canada (FC Working Paper 92/48, Revised).

The two drafts were identical in respect of minimum fish sizes and discarding of undersized fish. In addition, the Canadian draft included an obligation for vessels to change fishing grounds immediately if the amount of undersized fish exceeded 10% of the haul.

This amendment was not acceptable to the representative of the EEC, and the representative of Canada indicated he was prepared to withdraw it.

- iv) The representatives of Norway and Russia could not accept the obligation to discard undersized fish. In return, they supported the obligation to change fishing grounds with a minimum distance of 5 nautical miles.
- v) The representative of Denmark in principle favoured a discard ban, but found it unenforceable in the Regulatory Area.
- vi) The Commission decided to defer this item to a later stage of its deliberations and returned to this pending question at the closing session on 18 September.
- vii) The representatives of Canada and Norway tabled FC Working Paper 92/48, Revised, as an official proposal, with the following amendment to paragraph 1 (2): "If the amount of undersized fish in any one haul exceeds 10% by number, the vessel shall immediately change fishing area (**minimum 5 nautical miles**) in order to seek to avoid further catches of undersized fish."
- viii) The representative of the EEC could not accept this proposal and proposed the following wording: "In case of catches of large amounts of undersized fish, the vessel shall...".
- ix) A separate vote was taken on each proposal. **The EEC proposal was defeated by 10 votes against, one vote in favour (EEC). The Canadian/Norwegian proposal was adopted by 10 votes in favour, none against and 1 abstention (EEC). (Annex 13 - FC Doc. 92/15)**
- x) The representative of the EEC explained that the EEC attached great importance to the rules on minimum retention size of fish and that his abstention related exclusively to the 10% limit.

3.15 Financing of the NAFO's scientific work in the Regulatory Area (Agenda item 10.13)

- i) At the request of the representative of Canada, discussion of this agenda item was deferred pending tabling of a proposal by Canada.
- ii) At the second session on 15 September the Canadian proposal (FC Working Paper 92/34) was accepted by consensus as set out in Annex 14 (FC Doc. 92/20). It was agreed that the Scientific Council should look into the matter at its next annual meeting and report back to the Fisheries Commission.

4. International Control (Agenda items 11-14)

- 4.1 The Fisheries Commission agreed to consider agenda items 11 to 13 upon the reporting by the Chairman of STACTIC on its ongoing meeting.
 - 4.2 The Chairman of STACTIC, E. Lemche (Denmark), reported at the closing session on 18 September and the STACTIC report was adopted by the Commission (see Part II of the Fisheries Commission Report).
 - 4.3 Regarding Attachment 1 to the STACTIC report, the Representative of Japan pointed out that Japan had received a transfer of 1 000 tons of redfish in Div. 3M from Canada and thus respected its overall allocation. It was then decided to include such transfers in the table and to calculate the overshooting of quotas on that basis.
 - 4.4 The representative of the EEC inquired regarding STACTIC's authority to compile such information and requested this question be put on the agenda of the next Annual Meeting.
- This was agreed.
- 4.5 Under agenda item 14 the Report of the STACTIC Working Group (April 1992) on a NAFO Communication Study was adopted.

5. Conservation - Transfer of Quotas Between Contracting Parties (Agenda items 15 to 19)

- 5.1 The representative of Denmark, referred to last year's proceedings (FC Doc. 91/14, p. 5). He felt that the cumulative impact of three management criteria on small quota allocations were extremely severe. These criteria were:
 - a low "others" quota
 - a rigid distribution key
 - the practice of quota transfers

He added that it was unfair to operate swaps of under-utilized quotas between Contracting Parties without taking into account the interests of other Contracting Parties who were in real need for fishing opportunities and had nothing to offer in return. A short-term remedy would be the increase of the "others" quota for transfer to such Parties, but the fundamental question of changing the allocation key would also have to be addressed.

- 5.2 The representatives of Canada, the EEC and Japan pointed out that quota transfers were important to them in order to ensure full utilization and a viable fishery, although the Representative of Canada shared the concern expressed.
- 5.3 The Fisheries Commission decided to defer this item for further examination at the next Annual Meeting.

6. Conservation-Summary of Scientific Advice by the Scientific Council
(Agenda item 16)

- 6.1 The acting Chairman of the Scientific Council, H. Lassen (EEC), gave a summary of scientific advice by the Scientific Council as outlined in SCS Doc. 92/23 and referred to the Executive Summary of the report of Scientific Council Meetings in 1992. The report included responses to the questions posed by the Fisheries Commission at its 13th Annual Meeting. He stated that the assessments were in many cases of poor quality, one of the reasons being the high level of unreported catches related to fishing activities by non-Contracting Parties which in some cases had attained the level of 50% of total catches or more. In these circumstances, it was not possible to have any data from biological sampling although work was going on to have better estimates. This meant that there were no management options and catch predictions available for certain stocks as set out in the report. In some other cases such as cod in Div. 3NO and American plaice in Div. 3LNO the Council had nevertheless attempted to give options.
- 6.2 He responded to the requests of the Fisheries Commission in respect of technical conservation measures as set out in Annex 6 to FC Doc 91/14:
- No. 4: elimination of massive catches of juvenile flatfishes;
 - No. 5: improving the utilization (yield-per-recruit) of 3M cod;
 - No. 6: reducing the harvest of juvenile redfish in Div. 3M;
 - No. 9: possible derogations to a uniform 130 mm mesh size.

The general answer was that the introduction of a uniform mesh size, irrespective of material, throughout the Regulatory Area would be an appropriate conservation measure to meet all of these objectives, although the selectivity was uncertain for redfish. He added that the only trawl fisheries in the Regulatory Area for which a derogation from the 130 mm mesh was justified were capelin and squid.

- 6.3 On request No. 10 (minimum retention size) in relation to a 130 mm mesh, he stated that a 25% retention rate would be achieved at:
- 40-45 cm for cod
 - 25-28 cm for American plaice
 - 25-28 cm for yellowtail flounder

(p. 64 of the Executive Summary)

- 6.4 He referred to the summary sheets, resulting in the following management advice for 1993 and TAC(s) for the regulated species:

- Cod 3M	as low as possible
- Redfish 3M	20,000 t
- American plaice 3M	2,000 t
- Cod 3NO	10,200 t
- Redfish 3LN	14,000 t
- American plaice 3LNO	10,500 -14,500 t
- Yellowtail flounder 3LNO	5,000 t
- Witch flounder 3NO	5,000 t
- Capelin 3NO	no directed fishery

- 6.5 The recommendations of the Scientific Council were further explained by the acting Chairman on the following items:

on request No. 7 from the Fisheries Commission with respect of squid in Subarea 3 and 4 the Scientific Council was not in a position to give any advice;

on request No. 8 with respect of capelin in Div. 3NO he said that the 10% exploitation rate was still appropriate;

on request No. 3 with respect of cod stock separation in Div. 2J+3KL the Scientific Council continued to believe that cod in Div. 2J3KL should be assessed as a single stock complex and referred to the updated survey information in SCS Doc. 92/23, p. 22-23.

- 6.6 The representative of Canada stated that this report gave an overall gloomy picture of the stock situation in the Regulatory Area, with the possible exception of American plaice in Div. 3M, and announced that Canada would table proposals on mesh size and minimum retention size.

The representative of Denmark shared this assessment and added that any new conservation measure would have to be properly controlled and enforced.

- 6.7 The representative of the EEC indicated his willingness to adopt proper conservation measures on mesh size and retention size. He inquired about the method of measurement of fish sizes.

The acting Chairman of the Scientific Council responded that flatfish was measured in total length (from the tip of the snout to the tip of the fin) whereas cod was measured from the tip of the snout to the fork of the tail.

7. Conservation-Management and Technical Measures for Fish Stocks in the Regulatory Area (Agenda items 17 and 18)

The Fisheries Commission agreed to proceed with discussions on those items stock by stock in the traditional way through informal exchange of opinions and then adoption of formal proposals by consensus or voting as it could be decided by the Meeting.

7.1 Cod 3M

The Fisheries Commission postponed its decisions on this stock, pending the adoption of a uniform mesh size and minimum retention sizes in order to protect incoming year-classes.

On this understanding, the representative of Denmark stated that he could go along with a TAC of 12 965 tons as in 1992 and made a formal proposal.

The representative of the EEC requested this TAC be set together with Cod 3NO and proposed an increase for the reduced mortality resulting from the 130 mm mesh size.

The representative of Canada indicated that he would abstain as Canada did not fish 3M cod.

A TAC of 12 965 tons was adopted with 9 votes in favour, none against and 2 abstentions (Canada, EEC).

7.2 Redfish 3M

The acting Chairman of the Scientific Council at the Commission's request explained that the two management options given in the report ($F_{0.1} = 20\ 000$ tons - $F_{max} = 36\ 000$ tons) were indicative and upwards biased as the information on the stock was scarce.

The representative of Canada proposed a TAC of 20 000 tons, the representatives of Russia and Cuba - 28 000 tons. The representative of the EEC proposed a TAC of 31 000 tons and then modified his proposal to 30 000 tons. The proposals of Canada and Russia were withdrawn following discussions.

A TAC of 30 000 tons was adopted by consensus.

7.3 American plaice 3M

The representatives of Canada, Japan and Russia proposed a TAC of 2 000 tons in accordance with the recommendation by the Scientific Council, and a formal presentation was made by Canada.

A TAC of 2 000 tons was adopted by consensus.

7.4 Cod 3NO

The representative of Canada inquired about indications that the 1989 year-class may be above average strength. He noted that a TAC of 10 200 tons corresponding to the $F_{0.1}$ option should be the highest in the circumstances. The representative of the EEC felt that this figure could be reconsidered in the view of the technical conservation measures which were about to be taken.

The following proposals were formerly made for TAC(s):

- 10 200 tons (Canada)
- 13 600 tons (EEC)

The representative of Canada pointed out that Canada had notified NAFO that this stock was managed according to the $F_{0.1}$ option in its own waters and involved the principle of consistency.

A TAC of 10 200 tons was adopted by consensus.

7.5 Redfish 3LN

The representative of Canada recalled that, since 1986, reported catches had been in excess of agreed TACs. He would favour a figure of 14 000 tons as recommended by the Scientific Council but invited Contracting Parties to cooperate in limiting the fishing effort and monitoring the enforcement and conservation measures in respect of this stock.

A proposal for a 1993 TAC of 14 000 tons was made by Canada.

A TAC of 14 000 tons was adopted by consensus.

7.6 American plaice 3LNO

The representative of Canada referred to the state of the stock currently far below historical levels as indicated by the Scientific Council. There were two $F_{0.1}$ estimates: 10 500 tons (Laurec/Shepherd) and 14 500 tons (ADAPT) of which a conservative management strategy would indicate the lower option in spite of immediate losses for the Canadian industry. The representative of the EEC also indicated his preference for this option.

A proposal of 10 500 tons was made by Canada.

A TAC of 10 500 tons was adopted by consensus.

7.7 Yellowtail flounder 3LNO

The representative of Canada referred to catches exceeding agreed TACs and the need to protect juveniles which indicated following the recommendation of a TAC of 7 000 tons.

A proposal of 7 000 tons was made by Canada.

A TAC of 7 000 tons was adopted by consensus.

7.8 Witch flounder 3NO

The representative of Canada advocated a TAC of 5 000 tons as recommended by the Scientific Council.

The representative of Japan inquired if a figure of 40 tons included catches by non-Contracting Parties and, if so, requested its breakdown by Contracting and non-Contracting Parties (FC Working Paper 92/32, p. 15). The acting Chairman of the Scientific Council responded that this figure was an estimate based on available catch reports and statistics.

A proposal of 5 000 tons was made by Canada.

A TAC of 5 000 tons was adopted by consensus.

7.9 Capelin 3NO

The representative of Norway questioned the report of the Scientific Council (SCS Doc. 92/23, p. 92) which indicated two factors causing the decline of the stock:

- the failure of future recruitment by analogy from the 3L stock
- the importance of capelin as a forage species for cod and flatfish

On the latter indent, he pointed out that the explosive growth in the seal population had probably generated an outtake of fish and crustaceans which could be counted in millions of tons.

The acting Chairman of the Scientific Council responded that the advanced arguments could not justify an increased outtake of capelin which was an important food source for higher predators, in particular cod.

The representative of Russia suggested an unallocated quota of 5-8 000 tons in order to conduct an experimental fishery. The representative of Cuba supported this idea.

The acting Chairman of the Scientific Council explained that data on this stock could best be obtained from hydroacoustic surveys and that any quotas allocated to an experimental fishing campaign would be far below the figure mentioned. See FC Working Paper 92/51.

A proposal of a zero TAC was made by Norway.

A zero TAC was agreed by consensus.

7.10 Squid 3+4

The representatives of Canada and Japan proposed to maintain the status quo on this stock and to set the TAC at 150 000 tons.

A proposal of 150 000 tons TAC made by Japan was adopted by consensus.

7.11 Cod in Div. 3L

A joint EEC/Canadian proposal that directed fisheries for cod in Div. 3L shall not be permitted in 1993 (FC Working Paper 92/53) was presented.

This proposal was adopted by consensus as set out in FC Doc. 92/12. (Annex 15)

7.12 The meeting proceeded with the following discussions for the distribution of quotas of the NAFO managed stocks in 1993 to the Contracting Parties:

- i) A Heads of Delegations meeting was called to hear a report by the representative of Denmark who had been appointed mediator for the question of allocation of quotas to Estonia, Latvia, Lithuania, and Russia.

The representative of Denmark reported that his mediation in the question of quota allocations to Estonia, Latvia, Lithuania and Russia had not been successful.

- ii) It was the **consensus position** of the other Contracting Parties that, in the absence of an agreement at this meeting, the issue could be decided by a mail vote if the Parties came to an agreement by **31 December 1992**.

In the meantime, the Fisheries Commission would assign to the four Contracting Parties collectively the quota levels formerly allocated to the USSR. The end result would be that four Contracting Parties would be fishing on one quota in a competitive fishery.

- iii) It was proposed to complete the relevant quotas by the following footnote: "Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply."

- iv) At the request of the representative of Russia, a separate vote was taken on the allocation of each TAC where this clause would apply (Cod 3M, Cod 3NO, Redfish 3M, Redfish 3LN, American plaice 3M, Witch flounder 3NO, Squid 3+4, American plaice 3LNO, Yellowtail flounder 3LNO and Capelin 3NO). The outcome of the vote was **10 votes in favour, 1 against (Russia), no abstentions, adopted by concensus** (see Quota Table in Annex 16).

- v) The representative of Russia stated that his delegation had made all possible effort to reach an agreement with the Baltic States on the quota allocation, but that the rights of the former USSR as a founding member of NAFO could not be ignored. He added that it had been generally accepted that Russia was the successor of the former USSR.

- vi) The representatives of Estonia, Latvia, and Lithuania did not agree with the statement of the representative of Russia. Whatever the position on the state succession, legal property rights would have to be respected, and fishing quotas to be allocated according to generally accepted principles, including historical catch performances, on which they had provided all relevant information which would have enabled the Fisheries Commission to decide on the allocation (GC Working Papers 92/8, 92/9 and 92/10).

**8. Formulation of Request to Scientific Council for Scientific Advice
on the Management of Fish Stocks in 1994**

Agenda item 19, Formulation of request to the Scientific Council for scientific advice on the management of fish stocks in 1994 was adopted as set out in Annex 17 (FC Doc. 92/17).

9. Adjournment (Agenda items 20 to 22)

- 9.1 Agenda item 20, Time and place of the next meeting was referred to the General Council. The 15th Annual Meeting will be held on 10-14 September in the Halifax-Dartmouth area subject to the decision of the General Council.
- 9.2 There was no other business under agenda item 21.
- 9.3 The meeting adjourned at 1530 hours on 18 September 1992.

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Annex 2. Agenda

Opening Procedures

1. Opening by the Chairman, E. Wiseman (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

Administrative

6. Adoption of the Report of the 13th Annual Meeting, September 1991 (FC Doc. 91/14) and Report of the Special Meeting of the Fisheries Commission, May 1992 (FC Doc. 92/3)
7. Review of Commission Membership
8. Clarification of the Rules of Procedure

Commission Proposals

9. Adoption of Reports of STACTIC Meetings in February and July 1992 in Copenhagen, Denmark)
10. Conservation and Enforcement Measures (amendments for adoption by the Commission)
 - 10.1 Pilot project for a NAFO Observer Scheme
 - 10.2 Incorporation of a catch reporting feature into the hail system
 - 10.3 Production logbooks and stowage plans
 - 10.4 Action by the Contracting Parties to prevent infringements of the measures by their vessels
 - 10.5 Effort plans for the vessels of the Contracting Parties operating in the Regulatory Area
 - 10.6 Incidental catch limits
 - 10.7 A uniform mesh size in the Regulatory Area
 - 10.8 STACTIC Form of inspections, apparent infringements and their disposition
 - 10.9 Definition of an inspection party
 - 10.10 Operation of the hail system
 - 10.11 Coordination and financing of inspection activities in the Regulatory Area

- 10.12 Scientific advice on minimum cod size, and minimum flatfish size in the Regulatory Area
- 10.13 Financing of the NAFO scientific work in the Regulatory Area
- 11. Annual Return of Infringements; Surveillance and Inspection Reports
- 12. Fishing Vessels Registration
- 13. Report of STACTIC
- 14. Report of STACTIC Working Group (April, 1992) on NAFO Communication Study

Conservation

- 15. Transfer of quotas between Contracting Parties
- 16. Summary of scientific advice by the Scientific Council (stock summary sheets and detailed assessments in the report of the 1992 June Meeting of the Scientific Council)
- 17. Management and technical measures for fish stocks in the Regulatory Area
 - a) Cod in Div. 3M
 - b) Redfish in Div. 3M
 - c) American plaice in Div. 3M
- 18. Management and technical measures for fish stocks overlapping national fishing limits
 - a) Cod in Div. 3NO
 - b) Redfish in Div. 3LN
 - c) American plaice in Div. 3LNO
 - d) Yellowtail flounder in Div. 3LNO
 - e) Witch flounder in Div. 3NO
 - f) Capelin in Div. 3NO
 - g) Squid (illex) in Subareas 3 and 4
 - h) Management measures for the following stock, if available in the Regulatory Area, in 1992
 - i) Cod in Div. 3L
- 19. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 1994

Adjournment

- 20. Time and Place of the Next Meeting
- 21. Other Business
- 22. Adjournment

Annex 3. Statement to the Fisheries Commission by the Representative of Canada (B. Rawson)

Mr Chairman, last year at this time I attended my first NAFO meeting. I spoke then about NAFO's mandate, about the problems preventing NAFO from fulfilling its mandate and the areas where improvement is needed. I pointed out that NAFO's problems and failures had resulted in a 50% reduction in Canadian Quotas of NAFO-managed stocks over the previous five years. I spoke about the deep anxiety of Canadians whose lives depend on the Atlantic fishery and their suffering and frustration because of decreasing fishing opportunities off their own Atlantic coast.

When I spoke of these things last year, I thought we were facing the worst. None of us knew then that for Canadians worse was to come.

My Minister, John Crosbie, has described his decision to implement a two-year moratorium on fishing Northern Cod inside the Canadian zone as one of the most heart-wrenching in his 27 years of public service. A moratorium was the only chance for the spawning biomass to recover quickly to its long term average, permitting resumption of the inshore fishery in the spring of 1994.

The costs of the 2-year moratorium are immense - immediate unemployment for approximately 20 000 fishermen and plant workers and hardship for thousands more that depend directly on the northern cod fishery. The entire Canadian Atlantic region is profoundly affected. It is one of the biggest work disruptions in Canadian history.

We knew, there was no alternative. We knew that drastic measures were necessary to preserve Northern Cod and to re-build it for future fisheries.

Canada will continue to seek the support of NAFO Contracting Parties for our effort to re-build the Northern Cod stock through continuation of the NAFO moratorium on fishing for cod outside the 200 mile limit and through measures to ensure that all vessels respect the moratorium.

I wish that I could have read in the June 1992 Report of the Scientific Council that the NAFO-managed stocks were in better shape. In fact, it is sad reading. The Scientific Council Report indicates that for most of the stocks managed by NAFO catches have exceeded TACs for several years, by two or three times in some cases. For some stocks, the Council reports that indices are among the lowest observed and points to general declines and long term depressions. It strongly argues for measures to reduce catches of juvenile fish and to improve monitoring of compliance with NAFO decisions.

Cuts of more than 50% are advised in the 1993 TACs for 3M redbfish and 3LNO American plaice. Plaice is the key to the Newfoundland fishing industry, whose access to it has been wiped out due to overfishing. Setting all 1993 TACs at the levels advised by the Scientific Council will mean that Canadian quotas for 1993 will amount to almost 32 000 tons - one-third of total Canadian quotas for NAFO-managed stocks in 1986. The picture is bleak for Canada, but it is hardly better for other members of NAFO. Our problems have arisen from a failure to co-operate effectively ... and it is by succeeding in co-operating effectively that we will overcome those problems.

The last 12 months has been an important period for management of high seas fisheries. In key forums, including the U.N. General Assembly, the Cancun Conference on Responsible Fisheries and the U.N. Conference on Environment and Development, the international community has demonstrated its deep concern with the problems that exist globally in high seas fisheries. In forums such as the Earth Summit in Rio de Janeiro, all of our countries have committed themselves to the fundamental goal of conservation.

Today, as representatives of the NAFO Contracting Parties our task and our responsibility is to give practical effect to that commitment in the Northwest Atlantic. Doing so can be difficult, complex and detailed, but it is necessary. The fisheries resources of the Northwest Atlantic are in the poorest and most worrisome state they have been since NAFO was created.

Throughout our work this week, let us never lose sight of this reality, let us always bear in mind our commitment to conservation and let us in every case take the decisions needed to give practical effect to that goal. Let us do so in the spirit of common purpose that existed in our Special Session held in May.

Annex 4. Statement to the Fisheries Commission by the Representative of the EEC (M. Arnal)

At its 14th Annual Meeting, NAFO is faced with an alarming state of the stocks in the Regulatory Area. In particular, the cod stocks appear to be in a very poor state. This state of the cod stocks coincides with similar situations for a range of other cod stocks in the North Atlantic, such as in coastal waters of Canada, Greenland, Iceland, the Faroe Islands and those in the North Sea and the Baltic. The Arctic cod stock in the Northeast Atlantic seems to be the only exception in this range. The reasons for the decline in the cod stocks seem to be different from one stock to another.

In the Northwest Atlantic environmental cases, such as extreme cold water temperatures, could play a role in the disappearance of cod in the waters west of Greenland as well as in the steep reduction of the cod biomass in NAFO Div. 2J3KL which has been observed rather unexpectedly as from the beginning of this year. Since the relation between extreme cold sea water temperature and biological factors such as migration, recruitment and natural mortality is not fully understood, scientists may be unable to assess the variations in the biomass and to make a forecast of future variations.

As regards the 2J3KL stock, it appears, however, too easy to point only to environmental causes. Certain scientists believe that the exploitation of this stock has gone well beyond the level which could be sustained by this stock. At least partly, the reduced biomass might, therefore, have arisen from an excessive exploitation of this stock which has mainly occurred and taken place in the Canadian fishing zone.

For the above reasons, and taking into account scientific advice, drastic and appropriate management measures for the cod fishery, in NAFO Divisions 2J3KL, appear to be required. It should be recalled that the EEC stopped directed cod fishery in 3L as from June and that Canada stopped offshore fishing as from February and inshore fishery as from July. The EEC remains committed to conservation of this stock in the same way as other stocks and it will manage its fishing fleet accordingly next year.

In the case where management measures are based on scientific advice, scientists and managers are co-responsible for conservation. Last year the EEC criticized the Scientific Report since it did not provide sufficient information, in particular, regarding the consequences of different management strategies. At this stage, I am pleased to note the improvements in this year's Scientific Report. The EEC delegation wished to encourage the Scientific Council to continue along these lines and it will support, where possible, improvements in data required for assessing the stocks.

The NAFO Fisheries Commission, in basing its decisions on the Scientific Report of the NAFO Scientific Council, should be in a position to pursue consistent management strategies for the different stocks in the Regulatory Area. It is regrettable that such management strategy could not be pursued in previous years in respect of the 2J3KL cod stock. The EEC feels that the only effective way to manage the cod stock in NAFO Divisions 2J3KL, is a joint management by Canada and NAFO in full accordance with both UNCLOS and the NAFO Convention and just as in case of other straddling stocks. Indeed, there cannot be a justification for a different treatment regarding the 2J3KL stock.

Against this background, the EEC is glad that the coastal state i.e. Canada requested in May an extraordinary meeting the NAFO Scientific Council for the assessment of the 2J3KL cod stock, since the EEC has insisted all along on such assessment.

In order to meet its future challenges, it would strengthen NAFO if it were in a position to pursue rational management strategies for all stocks in the Regulatory Area which are consistent with conservation requirements. The EEC, in considering conservation as a priority in the framework of its common fishery policy, will support such consistent and rational management strategies for all stocks including the 2J3KL cod stock.

Annex 5. Amendment to the NAFO Conservation and Enforcement Measures on a Pilot Project for a NAFO Observer Scheme

The Fisheries Commission

Noting that Canada has a program under which there is extensive observer coverage on board vessels fishing in its waters;

Considering that the placement of fisheries observers on board Contracting Party vessels fishing in the Regulatory Area may be a useful and cost effective method of monitoring compliance with the provisions of the NAFO Conservation and Enforcement Measures and that the observers might also provide sampling information for use by the Scientific Council;

Therefore:

1. Endorses implementation of an 18-month pilot project to test operation of a NAFO Observer Scheme in the NAFO Regulatory Area by 1 January 1993.

Observers would monitor a vessel's compliance with the NAFO Conservation and Enforcement Measures. Observers will record and report upon the fishing activities of the vessel observed and will verify the position of the vessel when engaged in fishing, observe and estimate catches taken with a view to identifying catch composition, monitor discarding, by-catches and the taking of undersized species, record the gear, mesh sizes and attachments employed by the skipper and verify entries made to the logbook (catch quantities and hail reports).

The role envisaged is strictly an observer one and shall be confined to the Regulatory Area, but could include for example the collection of samples. Any "quasi" scientific role would have to be defined on the advice of the Scientific Council.

2. Requests that the Scientific Council recommend a work plan for fisheries observers that are authorized to obtain biological sampling data from Contracting Party vessels fishing in the Regulatory Area.
3. Calls on all Contracting Parties that anticipate their fishing operations to exceed 300 fishing days on ground in 1993 to:
 - a) Deploy on their vessels fishing in the Regulatory Area trained individuals from their own countries, or from other NAFO Contracting Parties where agreed bilaterally, to monitor compliance with the provisions of the NAFO Conservation and Enforcement Measures in accordance with criteria agreed by STACTIC and approved by the Fisheries Commission;
 - b) Deploy those observers appropriately to ensure that a minimum of 10% of the Contracting Party's total estimated fishing days on ground for 1993 are subject to observation across as many fisheries in the NAFO Regulatory Area as possible;

- c) Pay all costs associated with their observers;
 - d) Advise the Executive Secretary of the vessels on which observers are deployed for subsequent transmission to Contracting Parties with an inspection presence in the Regulatory Area;
 - e) Table at a special Fisheries Commission meeting to be held in 1994 at the conclusion of 12 months of the pilot program a report assessing the effectiveness and costs of the program and outlining administrative and operational problems while also considering the continuation and possible future expansion of the program.
4. Requests all Contracting Parties to authorize observers on board their vessels fishing in the Regulatory Area:
- a) To monitor their assigned vessel's compliance with the provisions of the NAFO Conservation and Enforcement Measures and, if approved by the Contracting Party which receives the observer, to conduct sampling in accordance with technical guidelines and a work plan developed in accordance with paragraph 2.
 - b) To prepare a report of their findings at the termination of the observer period. These reports shall be forwarded to the competent authorities of the Contracting Party providing the observer. The said competent authorities shall examine these reports with a view to preparing an overall evaluation of the findings presented during the entire period of the pilot project.

These findings shall be presented to the Fisheries Commission at its special session in 1994.

Annex 6. Amendment to the NAFO Conservation and Enforcement Measures Referring to Production Logbooks and Stowage Plans

Part I. C. Recording of Catch

Add new paragraph:

2. (c) For all fish taken under paragraph 2 (a), Contracting Parties shall ensure that all vessels of that Party fishing in the Regulatory Area shall either:
 - i) record their cumulative production by species and product form in a production logbook
 - or
 - ii) stow in the hold all processed catch in such a way that each species is stowed separately. A stowage plan shall be maintained showing the location of the products in the hold.

Part IV Scheme of Joint International Inspection and Surveillance

Add new paragraphs:

6. (ii) (d) Inspectors shall be given access to production logbooks or stowage plans in accordance with the NAFO Conservation and Enforcement Measures, Part I.C.2 (a) and (c) and in the latter case shall be given such assistance as is possible and reasonable and necessary to ascertain that the stowage conforms to the stowage plan, no interference being allowed in the stowage of product or in the technological process on the vessel.
- (e) Inspectors shall convert production weight, as recorded in production logbooks, into live weight so that the latter can be verified against the logbook entries which are made in live weight. Inspectors shall be guided by conversion factors established by the master of the vessel.

Existing (d) becomes (f).

**Annex 7. Amendment to the NAFO Conservation and Enforcement
Measures Regarding Action by Contracting Parties to Prevent
Infringements of the Measures by Their Vessels**

Part IV. 7 (new text is in bold)

An appropriate authority of a Contracting Party notified of an apparent infringement committed by a vessel of that Party shall take prompt action to **conduct the investigations necessary to obtain the evidence required and**, whenever possible, board the vessel involved. **The authority shall take immediate judicial or administrative action as would be the case when dealing with apparent infringements of fisheries regulations in national waters.** An appropriate authority of the Contracting Party for the vessel concerned shall cooperate fully with the appropriate authority of the Contracting Party that designated the inspector to ensure that the evidence of the apparent infringement is prepared and preserved in a form which facilitates judicial action. **The appropriate authorities in the flag state of the vessels concerned shall take prompt action as necessary to receive and consider the evidence and shall conduct any further investigation necessary for disposition of the apparent infringement.**

Text of second paragraph in Part IV. 7 remains as is.

**Annex 8. Amendment to the NAFO Conservation and Enforcement
Measures Regarding Observations by Inspectors of Incidental
By-catches in Excess of Prescribed Limits**

Part II.B.3. Mesh Size

New sub-paragraph 3 (c)

- (c) If, in fisheries conducted with nets having mesh sizes less than those specified in paragraph 2, an inspector observes in nets hauled in his/her presence incidental catches in excess of 10% for each species listed in Schedule I, he/she shall record this fact in the Inspection Report and shall remind the Master of the vessel not to continue fishing in the area after the fish on board exceeds the incidental catch limits specified in Part II.B.3 (a).

**Annex 9. Amendment to the NAFO Conservation and Enforcement
Measures in Respect of Minimum Mesh Sizes for Groundfish
Fisheries in the Regulatory Area**

Existing Table in Part V - Schedule IV to be replaced as follows:

PART V - SCHEDULE IV
Authorized Mesh Size of Nets

Species	Mesh Size
a) All principal groundfish, flatfishes and other groundfish, as listed in Part V, Schedule II, Attachment II.	130 mm
b) Short-finned squid, <i>Illex illecebrosus</i> (leSueur)	60 mm

Note 1. Until 1st June 1994, when trawl nets or parts thereof made of materials other than manila are used, the equivalent minimum mesh size shall be as follows:

- (a) such part of any trawl net made of hemp, or polyamide fibres, or polyester fibres: 120 mm
- (b) such part of any trawl net made of any other material: 130 mm

Note 2. For the nets made of polyamide fibres of the following tradenames:

caprolan
dederon
kapron

the equivalent minimum mesh size shall be 120 mm. Vessels using these materials shall have aboard certificates, which establish that the fibres in the net used correspond to the tradenames mentioned above.

**Annex 10. Amendment to the NAFO Conservation and Enforcement
Measures to Regulate the Mesh Size of Nets on Board Vessels
Operating in the Regulatory Area**

PART II. B. Mesh Size

- NEW: 2. (a) A Contracting Party shall prohibit its vessels fishing in the Regulatory Area for a species listed in Part V, Schedule IV, to which a mesh size measure applies, from having on board during any trip any net with a mesh size smaller than that authorized for that species.
- (b) Vessels from Contracting Parties which fish in other areas outside the NAFO Regulatory Area shall be authorized when fishing in the Regulatory Area to retain on board nets with a mesh size smaller than that prescribed by paragraph 2(a) above provided that these nets are securely lashed and stowed and are not available for immediate use.

Re-number the existing paragraphs.

Annex 11. Amendment to STACTIC Form 1 (09/83), STACTIC Form 2A (09/83), and STACTIC Form 2B (09/83), used for Annual Reports by Contracting Parties of Inspections, Apparent Infringements and Their Disposition

STACTIC Form 1 - Annual Return of Inspections, Apparent Infringements and their Disposition (National); STACTIC Form 2A - Annual Return of Inspections and Apparent Infringements (International); and STACTIC Form 2B - Annual Return of Disposition of Infringements (International) are replaced by STACTIC Form A - **Annual Return of Inspections, Catch Record Discrepancies and/or apparent infringements** and STACTIC Form B - **Annual Return of Disposition of Catch Record Discrepancies and/or apparent infringements**.

Annex 12. Amendment to the NAFO Conservation and Enforcement Measures Regarding Definition of an Inspection Party

1. Amend Part IV.1.(ii)

The appropriate authorities of Contracting Parties shall notify the Executive Secretary by November 1 each year of the name of Inspectors, **NAFO Inspection trainees** and special inspection vessels.

2. Amend Part IV.1.(iv)

On receipt of the notification of assignment to the Scheme from the Contracting Party, the Executive Secretary shall issue a document of identity, as shown in Annex 1, to the respective authority for each inspector or **NAFO Inspection trainee** of that Party.

3. Amend Part IV.5.(iv)

An inspection party shall consist of, at maximum, two inspectors assigned to the Scheme. **Occasionally, vessel conditions permitting, a NAFO Inspection trainee may accompany the inspection party for training purposes only. In such circumstances the inspection party shall, upon arrival on board, identify the trainee to the Master of the vessel being inspected. This trainee shall simply observe the inspection operation conducted by the duly authorized inspectors and shall in no way interfere with the activities of the fishing vessel and with the inspection.**

4. Amend Annex I, Document of Identity, as appropriate.

Annex 13. Amendment to the NAFO Conservation and Enforcement Measures on Minimum Fish Size

PART I. QUOTAS

New: D. Minimum Fish Size

1. Vessels of a Contracting Party shall not retain on board any fish of a species listed in Part V, Schedule VII that is below the minimum size as listed in that Schedule. If the amount of undersized fish in any one haul exceeds 10% by number, the vessel shall immediately change fishing area (minimum 5 nautical miles) in order to seek to avoid further catches of undersized fish.
2. Undersized fish shall not be transhipped, landed, transported, stored, displayed or offered for sale, but shall be returned immediately to the sea.

New:

Part V. Schedule VII

Minimum Fish Size

Species	Minimum Size
Atlantic cod, <i>Gadus morhua</i> L.	41 cm
American plaice, <i>Hippoglossoides platessoides</i> (Fab)	25 cm
Yellowtail flounder, <i>Limanda ferruginea</i> (Storer)	25 cm

NOTE: Fish size for Atlantic cod refers to fork length and for other species it is total length.

Annex 14. Determination of the Optimum Volume and Funding of Scientific Research in the NAFO Regulatory Area

Background

The data utilized by the Scientific Council come largely from four sources - commercial fisheries, research surveys, biological studies and oceanographic studies. The difficulties caused for the Scientific Council by the lack and/or incomplete submission of catch and effort data, and poor sampling of commercial catches remain of major significance and have been discussed frequently, although apparently to little avail. The Scientific Council is increasingly concerned that the information from the other three sources is also deteriorating due to funding constraints, rather than being augmented as repeatedly recommended by the Council.

Research is conducted from vessels of a limited number of Contracting Parties. Considerable expenses are involved, and are assumed only by nations that make those studies.

Proposal

With the purpose of understanding the extent of the research being carried out, and the nature of the research that would be desirable, as well as the costs of both current research, and the likely costs of alternate approaches to enhancing the scientific effort, the Fisheries Commission requests

the Scientific Council of NAFO to describe current research being carried out by relevant Contracting Parties on the stocks under NAFO management, together with the costs of such research, and to determine the optimum volume of scientific work by each division and stock needed for monitoring and for estimation of TACs, as well as work necessary to understand the environmental and ecological factors influencing stock abundance. The Council is requested further to consider options for achieving the desired level of research and to provide estimates of cost.

**Annex 15. Amendment to NAFO Conservation and Enforcement
Measures re New Item "E-Other Measures"**

To "Part I - Management of the Conservation and Enforcement Measures is added an Item "E-Other Measures" reading:

Noting differences that have been expressed on the subject of 2J3KL cod by Contracting Parties,

Noting the need to avoid prejudice to the legal position of any Contracting Party on this subject,

Noting the current moratorium that is being applied by Canada to the fishing of this stock,

Noting the available scientific advice,

Directed fisheries for this cod in Division 3L in the Regulatory Area shall not be permitted in 1993.

Annex 16. Quota Table for 1993

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 1993 of particular stocks in Subareas 3 and 4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Contracting Party	Cod			Redfish			American plaice			Yellowtail			Witch		Capelin		Squid (<i>Illex</i>) ^{2,3}	
	Div. 3M	Div. 3NO	Div. 3LN	Div. 3M	Div. 3LN	Div. 3LN	Div. 3M	Div. 3LNO	Div. 3LNO	Div. 3LNO	Div. 3NO	Div. 3NO	Div. 3NO	Div. 3NO	Subareas 3+4	Subareas 3+4		
1. Bulgaria	-	-	-	450	-	-	-	-	-	-	-	-	-	-	500	-	-	
2. Canada	100	4 863	5 964	750	5 964	10 347	150	10 347	6 825	3 000	-	-	-	-	N.S. ⁴	-	-	
3. Cuba	480	-	1 372	2 625	1 372	-	-	-	-	-	-	-	-	-	2 250	-	-	
4. Denmark (Faroe Islands and Greenland)	2 900	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
5. European Economic Community	6 465	3 762	4 650	4 650	476	133	350	133	140	-	-	-	-	-	N.S. ⁴	-	-	
6. Japan	-	-	-	600	-	-	-	-	-	-	-	-	-	-	2 250	-	-	
7. Norway	1 200	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
8. Poland	500	-	-	-	-	-	-	-	-	-	-	-	-	-	1 000	-	-	
9. Estonia	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
10. Latvia	1 270	1 218	6 104	20 775	6 104	1 000	1 000	-	-	1 950	-	-	-	-	5 000	-	-	
11. Lithuania	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
12. Russia	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
13. Others	50	357	84	150	84	20	500	20	35	50	-	-	-	-	5 000	-	-	
Total Allowable Catch	12 965	10 200	14 000	30 000	14 000	10 500	2 000	10 500	7 000	5 000	0	150 000 ⁵	0	150 000 ⁵				

¹ Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply.

² The opening date for the Squid (*Illex*) fishery is 1 July.

³ Any quota listed for squid may be increased by a transfer from any "coastal state" as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.

⁴ Not specified because the allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC.

⁵ The TAC would remain at 150 000 tons subject to adjustment where warranted by scientific advice.

**Annex 17. Fisheries Commission's Request for Scientific Advice on
Management in 1994 of Certain Stocks in Subareas 3 and 4**

1. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 1993 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 1994:

Cod (Div. 3NO; Div. 3M)
Redfish (Div. 3LN; Div. 3M)
American plaice (Div. 3LNO; Div. 3M)
Witch flounder (Div. 3NO)
Yellowtail flounder (Div. 3LNO)
Capelin (Div. 3NO)
Squid (Subareas 3 and 4)

2. The Commission and the Coastal State request the Scientific Council to consider the following options in assessing and projecting future stock levels for those stocks listed above:

- a) For those stocks subject to analytical dynamic-pool type assessments, the status of the stock should be reviewed and management options evaluated in terms of their implications for fishable stock size in both the short and long term. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing productive potential of the stock, management options should be evaluated in relation to spawning stock size. As general reference points the implications of fishing at $F_{0.1}$, F_{1990} and F_{max} in 1994 and subsequent years should be evaluated. The present stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.

Opinions of the Scientific council should be expressed in regard to stock size, spawning stock sizes, recruitment prospects, catch rates and TACs implied by these management strategies for 1994 and the long term. Values of F corresponding to the reference points should be given and their accuracy assessed.

- b) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the general reference points should be the level of fishing effort or fishing mortality (F) which is calculated to be required to take the MSY catch in the long term and two-thirds of that effort level.

- c) For those resources of which only general biological and/or catch data are available, no standard criteria on which to base advice can be established. The evidence of stock status should, however, be weighed against a strategy of optimum yield management and maintenance of stock biomass at levels of about two-thirds of the virgin stock.
- d) Spawning stock biomass levels that might be considered necessary for maintenance of sustained recruitment should be recommended for each stock.
- e) Presentation of the result should include the following:
 - i) for stocks for which analytical dynamic-pool type assessments are possible:
 - a graph of yield and fishing mortality for at least the past 10 years.
 - a graph of spawning stock biomass and recruitment levels for at least the past 10 years.
 - a graph of catch options for the year 1994 over a range of fishing mortality rates (F) at least from $F_{0.1}$ to F_{max} .
 - a graph showing spawning stock biomass at 1.1.1995 corresponding to each catch option.
 - graphs showing the yield-per-recruit and spawning stock per-recruit values for a range of fishing mortality.
 - ii) for stocks for which advice is based on general production models, the relevant graph of production on fishing mortality rate or fishing effort.

In all cases the three reference points, actual F, F_{max} and $F_{0.1}$ should be shown.

3. The Fisheries Commission with the concurrence of the Coastal State requests that the Scientific Council continue to provide information, if available, on the structure of the stock complex of cod in Div. 2J+3KL and the proportion of the biomass of the cod stock in Div. 3L in the Regulatory Area and a projection if possible of the proportion likely to be available in the Regulatory Area in future years. Information is also requested on the age composition of that portion of the stock occurring in the Regulatory Area.

**Annex 18. List of Decisions and Actions by the Fisheries Commission
(14th Annual Meeting, 14-18 September 1992)**

Substantive issue (propositions/motions)	Decision/Action (FC Doc. 92/19; item)
1. Report of the 13th Annual Meeting, Sept 1991; FC Doc. 91/14	adopted (item 2.1)
2. Report of the Special Meeting; May 1992; FC Doc. 92/3	adopted (item 2.1)
3. Reports of STACTIC; February, July 1992 (Copenhagen); FC Doc. 92/1 and 92/4	adopted (item 3.1)
4. Report of STACTIC Working Group on the Hail System; April 1992; FC Doc. 92/2	adopted (item 4.5)
5. Observations by inspectors of incidental by-catches in excess of prescribed limits; FC Doc. 92/6	adopted (item 3.8)
6. Action by Contracting Parties to prevent infringements to the Measures by their vessels; FC Doc. 92/7	adopted (item 3.6)
7. Production logbooks and stowage plans; FC Doc. 92/8	adopted (item 3.5)
8. STACTIC Form A-Annual Return of Inspections, Catch Record Discrepancies and/or Apparent Infringements; STACTIC Form B-Annual Return of Disposition of Catch Record Discrepancies and/or Apparent Infringement; FC Doc. 92/9	adopted (item 3.10)
9. Mesh size of nets on board vessels operating in the Regulatory Area; FC Doc. 92/10	adopted (item 3.9)
10. Definition of an inspection party; FC Doc. 92/11	adopted (item 3.11)
11. New item E-Other Measures; "Directed fishery for cod in division 3L in the Regulatory Area shall not be permitted in 1993; FC Doc. 92/12	adopted (item 7.11)
12. Pilot project for a NAFO Observer Scheme (a new Part VI of the Measures); FC Doc. 92/13	adopted (item 3.3)

Substantive issue (propositions/motions)	Decision/Action (FC Doc. 92/19; item)
13. Minimum mesh sizes for groundfish fisheries in the Regulatory Area; FC Doc. 92/14	adopted (item 3.9)
14. Minimum fish size; FC Doc. 92/15 (Part I. new item D)	adopted (item 3.14)
15. Annual Return of surveillance information in compliance with the hail system (see FC Doc. 92/1; item 7c).1, p 19 and Annex 11); FC Doc. 92/16	adopted (item 3.1)
16. Schedule I-Quota Table for 1993 for NAFO Conservation and Enforcement Measures (Part V) for international regulation of the fisheries for particular stocks	adopted (item 7.12)
17. Incorporation of a catch reporting system into the hail system (by Canada); FC W.P. 92/7 (4th revision)	discussed; deferred to the next annual meeting (1993) (item 3.4)
18. Effort plans for the vessels of the Contracting Parties operating in the Regulatory Area (by Canada and EEC); FC W.P. 92/46 and FC W.P. 92/40	discussed; deferred to the next annual meeting (1993) (item 3.7)
19. Operation of the Hail System; FC Doc. 92/3, Annex 14	discussed; deferred to the next annual Meeting (1993) (item 3.12)
20. Coordination and financing of inspection activities in the Regulatory Area	discussed; took note of the estimates (by STACTIC) (item 3.13)
21. Financing of NAFO's scientific work in the Regulatory Area; FC Doc. 92/20	discussed; request to the Scientific Council (item 3.15)
22. Report of STACTIC at the 14th Annual Meeting	adopted (item 4.2)
23. Terms of reference for STACTIC to compile statistics (by EEC)	discussed; deferred to the next Annual Meeting (1993) (item 4.4)
24. Transfer of quotas between Contracting Parties	discussed; deferred to the next Annual Meeting (1993) (item 5)
25. TAC of Cod 3M for 1993	adopted - 12 965 tons (item 7.1)
26. TAC of Redfish 3M for 1993	adopted - 30 000 tons (item 7.2)

Substantive issue (propositions/motions)

Decision/Action (FC Doc. 92/19; item)

- | | |
|--|---|
| 27. TAC of American plaice for 1993 | adopted - 2 000 tons (item 7.3) |
| 28. TAC of Cod 3NO for 1993 | adopted - 10 200 tons (item 7.4) |
| 29. TAC of Redfish 3LN for 1993 | adopted - 14 000 tons (item 7.5) |
| 30. TAC of American plaice 3LNO for 1993 | adopted - 10 500 tons (item 7.6) |
| 31. TAC of Yellowtail flounder 3LNO for 1993 | adopted - 7 000 tons (item 7.7) |
| 32. TAC of Witch flounder 3NO for 1993 | adopted - 5 000 tons (item 7.8) |
| 33. TAC of Capelin 3NO for 1993 | agreed - "zero TAC" (item 7.9) |
| 34. TAC of Squid 3+4 for 1993 | adopted - 150 000 tons (item 7.10) |
| 35. Distribution of quotas to the Contracting Parties
- quota allocations to Estonia, Latvia, Lithuania, and Russia | decided (item 7.12)
discussed; to proceed with a mail vote before 31 December 1992 upon the agreement between the interested Parties |
| 36. Request to the Scientific Council for scientific advice on the management of fish stocks in 1994; FC Doc. 92/17 | adopted (item 8) |

PART II

Report of the Standing Committee on International Control (STACTIC)

The Standing Committee on International Control (STACTIC) met on two occasions during the week of 14-18 September 1992. The initial session was convened at 1600 hours on 14 September 1992.

1. Opening of the Meeting

- 1.1 The Chairman of STACTIC, E. Lemche (Denmark, in respect of the Faroe Islands and Greenland) welcomed the delegates to the meeting. STACTIC delegations comprised Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EEC, Japan, Norway and the Russian Federation (Russia) (Annex 1).
- 1.2 P. J. Ogden (EEC) was appointed Rapporteur.
- 1.3 The Agenda was adopted as presented (Annex 2).

2. Review of Annual Return of Infringements (FC Working Paper 92/29)

- 2.1 The Chairman referred the meeting to FC Working Paper 92/29 which detailed 1991 inspections, apparent infringements and their disposition and noted that Canada, Cuba, Denmark and Russia had submitted the appropriate returns. These were listed in FC Doc. 92/18 as amended.
- 2.2 The delegate of Canada reported that vessels from Japan, Denmark (for Faroe Islands and Greenland) and Russia had been inspected in 1991 but no apparent infringements had been found.

The delegate of Denmark sought details from the EEC on the disposition of the two apparent infringements by EEC vessels reported in 1991. The delegate of the EEC was not yet in a position to reply but undertook to provide the relevant information after the meeting. The Chairman reminded EEC that it still had to provide details of the disposition of apparent infringements in 1990 (Report of the Fisheries Commission 91/14, Part II, paragraph 2.2). The delegate of the EEC undertook to provide this information also after the meeting.

3. Review of Surveillance and Inspection Reports

- 3.1 Contracting Parties had submitted the following papers:

EEC - FC Working Paper 92/30
Canada - NAFO/FC Doc. 92/5

- 3.2 The delegate of Canada pointed out that the Control and Enforcement Measures required Contracting Parties to provide annual details of penalties for each infringement confirmed. These details had been omitted from the EEC Working Paper 92/30. EEC had no figures for individual cases but hoped to provide these after the meeting.

4. Notification of Fishing Vessels Intending to Fish in the Regulatory Area in 1992

- 4.1 The Chairman drew the attention of the meeting to STACTIC Working Paper 92/40 which listed those vessels which had notified the Secretariat of their intention to fish in 1992 in the Regulatory Area. The total numbers of vessels notified was 386 from the following Contracting Parties:

Canada-139, Cuba-12, Denmark-14, EEC-128, Japan-5, Norway-1, Poland-1, Russia-86. Of the vessels notified, a total of 113 had sent hail reports as follows: Canada-2, Cuba-11, Denmark-5, EEC-86 (+4 vessels not notified), Japan-5, Norway-0, Poland-0, Russia-0 (not yet adopted hail system).

- 4.2 The Chairman pointed out that the hail system as introduced envisaged use by around 200 vessels. Since numbers were much less than this in practice perhaps there was a need to review the system. He enquired if there was anywhere a single comprehensive list of activities by both Contracting and non-Contracting Parties to give a picture of activity in NAFO waters as a whole.
- 4.3 The delegate of Canada pointed out that its 1991 annual surveillance summary gave a total of 247 different vessels sighted in the area: 213 Contracting Party vessels and 34 non-Contracting Party vessels.

5. Feasibility of the Implementation of Other Measures to Improve Inspection and Control

- 5.1 The delegate of Denmark was of the view that other measures to improve inspection and control such as satellite tracking could present practical problems for Contracting Parties and would therefore need to be further considered by STACTIC.

It was also important that any NAFO measures on effort plans should include licensing as originally discussed in STACTIC.

6. Report to the Fisheries Commission

- 6.1 This was agreed as attached at Annex 3.

7. Time and Place of Next Meeting

- 7.1 The time and place of the next STACTIC meeting would be determined by the Fisheries Commission.

8. Other Matters

8.1 Nominal Catches by Contracting Parties Exceeding 1991 Quotas

The Chairman was of the view that STACTIC needed to examine an important element of control which was not addressed elsewhere. This was the question of catches in excess of NAFO quotas and any resultant action. To this end he had prepared FC Working Paper 92/47 (Revised) to identify such catches but without seeking to identify particular Contracting Parties. He pointed out that catches listed against "others" in FC Working Paper 92/32 had all been caught by Korea.

8.2 The delegate of Norway considered that this was a prudent initiative and considered that the Executive Secretary should prepare a report similar to FC Working Paper 92/47 (Revised) prior to each future Annual Meeting as a basis for consideration by STACTIC.

8.3 The delegate of Japan also supported the Chairman's initiative but pointed out that the Japanese catches referred to were by-catches and a quota transfer of 1 000 tons of 3M redfish from Canada had been omitted.

The paper should be noted accordingly. Canada similarly wished the paper to include a quota transfer of 1 500 tons of 3NO cod from Russia.

8.4 The delegate of the EEC however expressed doubts that with the current suspension of fishing a similar exercise next year and in subsequent years might not have very much practical significance.

8.5 Noting the views of Contracting Parties it was agreed to recommend the preparation of such annual catch reports to the Fisheries Commission. FC Working Paper 92/47 (Revised) attached to STACTIC's Report would be amended to include appropriate footnotes on by-catches and quota transfers.

9. Adjournment

9.1 The meeting was adjourned at 1015 hours on 17 September 1992.

Annex 1. List of Representatives of Delegations to STACTIC

Canada	C. J. Allen
Cuba	R. Dominguez
Denmark (in respect of the Faroe Islands and Greenland)	K. P. Mortensen
EEC	P. Curran
Japan	M. Yoshida
Norway	P. Gullestad
Russia	A. Mikhailov

Annex 2. Agenda

1. Opening by the Chairman, E. Lemche (Denmark in respect of the Faroe Islands and Greenland)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Return of Infringements
5. Review of Surveillance and Inspection Reports
6. Review of Registration of vessels fishing in the Regulatory Area
7. Discussion on the feasibility of implementation of other measures on improvements to inspection and control
8. Report to the Fisheries Commission
9. Time and Place of the Next Meeting
10. Other Matters
11. Adjournment

Annex 3. Report to the Fisheries Commission

1. At its 1992 Meeting STACTIC considered the annual returns of infringements as submitted by Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland) and Russia. These are contained in FC Working Papers 92/29, 92/29 (Corrigendum), 92/29 (Corrigendum 2) and 92/29 (Addendum). STACTIC also had before it Reports on Surveillance and Control by EEC (FC Working Paper 92/30) and Canada (NAFO/FC Doc. 92/5).
2. STACTIC considered "Notification of Fishing Vessels intending to Fish in the Regulatory Area in 1992" (STACTIC Working Paper 92/40), and noted that the total number of vessels notified to the NAFO Secretariat was 386. Of these, a total of 113 vessels had sent hail reports. Four vessels had sent hail reports but had not notified the Secretariat. It was noted that Canada had reported for 1991 sightings of a total of 213 vessels from Contracting Parties and 34 from non-Contracting Parties.
3. STACTIC also considered the question of nominal catches by Contracting Parties with exceeded 1991 quotas as set out in FC Working Paper 92/47 (2nd Revision) (Attachment 1). It was considered that this would be a useful annual exercise and STACTIC **recommends** to the Fisheries Commission that the Executive Secretary be asked to prepare a suitable table prior to each Annual Meeting for consideration and comment by STACTIC at that Annual Meeting.

**Attachment 1. Nominal Catches by Contracting Parties Exceeding 1991 Quotas¹,
by E. Lemche, Chairman of STACTIC**

Division/Species	Country	Quota	Catch
3M Cod	Other	50	54 ²
3NO Cod	Canada	7 984 ³	8 117
	EEC	5 016	6 509
3M Redfish	EEC	7 750	10 111
3LN Redfish	Cuba	1 372	1 378
	Other	84	88 ²
3M American plaice	EEC	350	1 643
3LNO American plaice	EEC	328	972
	Other	47	115 ²
3LNO Yellowtail flounder	EEC	140	246

¹ Source: FC Working Paper 92/32

² By-catches

³ Including 1 500 tons quota transfer from Russia.