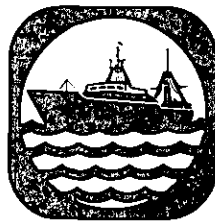


# Northwest Atlantic Fisheries Organization (NAFO)



## Meeting Proceedings of the General Council and Fisheries Commission for 1993

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## Foreword

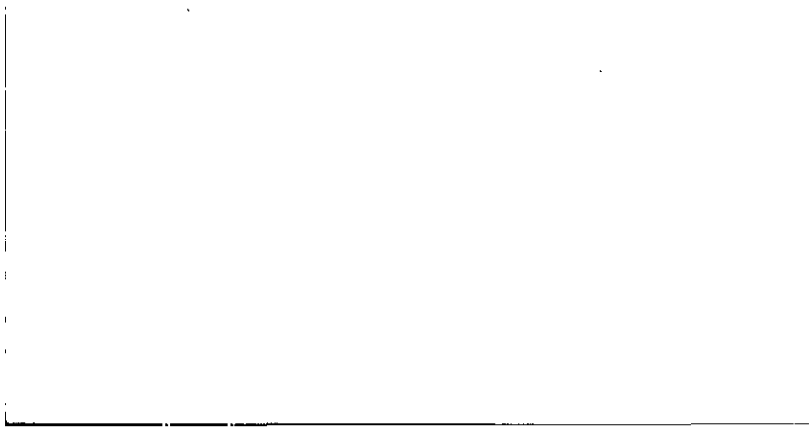
This is the annual publication of the Proceedings which contains the reports of all meetings of the General Council and Fisheries Commission including those subsidiary bodies held through 1993. The major aim of such an issue is to provide the Contracting Parties with a detailed consolidated text of all 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 Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC), 28-30 April 1993, Dartmouth, Nova Scotia, Canada.

SECTION II contains the Report of the General Council including subsidiary bodies reports (STACFAD and STACFAC), 15th Annual Meeting, 6-10 September 1993, Dartmouth, Nova Scotia, Canada.

SECTION III contains the Report of the Fisheries Commission (including STACTIC), 15th Annual Meeting, 6-10 September 1993, Dartmouth, Nova Scotia, Canada.

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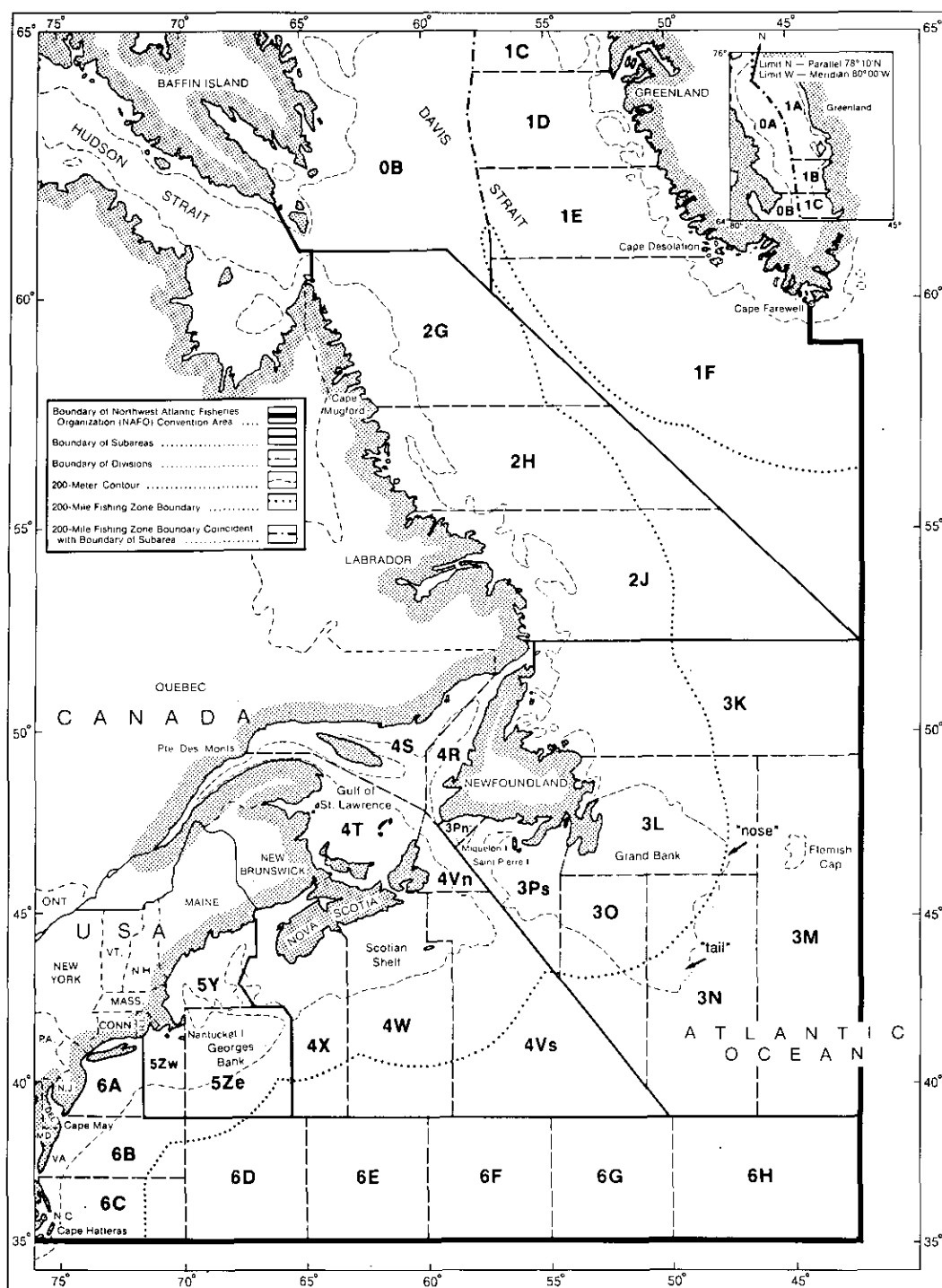


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The Convention Area to which the Convention on Future Multilateral Cooperation in the Northwest Atlantic applies







**Structure of the Northwest Atlantic Fisheries Organization (NAFO) in 1993  
(as at 15th Annual Meeting, September 1993)**

**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 (EEC)
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)	<i>Chairman</i> - H. Lassen (EEC)
	Executive Committee	<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
Accounting Officer	F. D. Keating
Desktop Publishing/Documents Clerk	F. E. Perry
Statistical Officer	G. M. Moulton
Graphic Arts/Printing Technician	R. A. Myers
Graphic Arts/Printing Technician	B. T. Crawford
Clerk-Typist	D. C. A. Auby
Statistical Clerk	B. L. Marshall
Statistical Clerk	C. L. Kerr

#### Headquarters Location

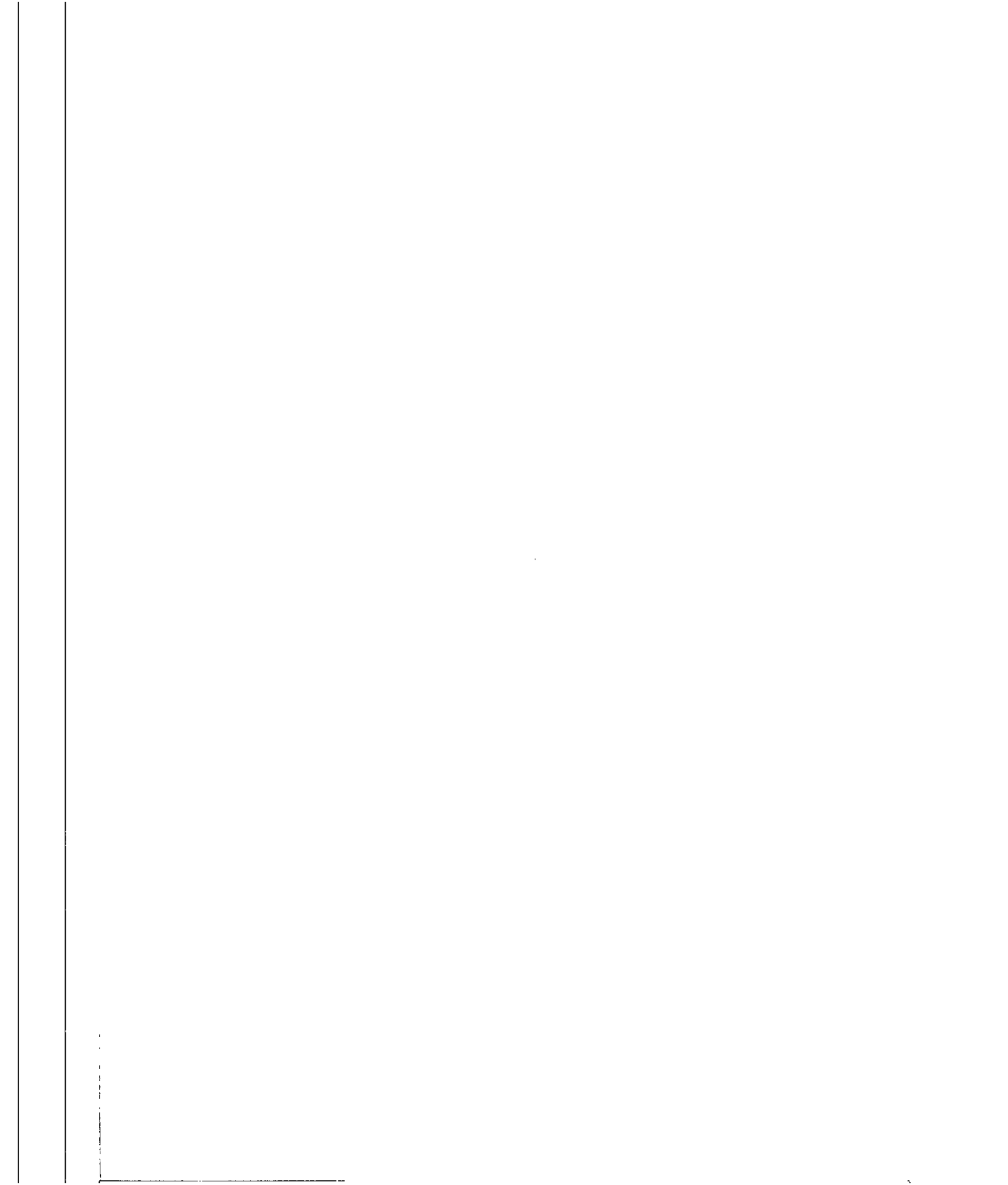
192 Wyse Road, Dartmouth, Nova Scotia, Canada

## SECTION I

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

**Dartmouth, Nova Scotia, Canada, 28-30 April 1993**

## **1. Opening of the Meeting**

- 1.1 The Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) met in Dartmouth, N.S., Canada, 28-30 April 1992 under the chairmanship of C.C. Southgate (EEC).
- 1.2 The following Contracting Parties were represented: Canada, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, and Russia (Annex 1).
- 1.3 The Chairman welcomed the delegates and requested the nomination of a rapporteur.

## **2. Appointment of Rapporteur**

- 2.1 S. Duff (Canada) was appointed Rapporteur.

## **3. Adoption of Agenda**

- 3.1 The agenda was adopted as previously circulated (Annex 2).

## **4. Review of 1992 Information and Available 1993 Information on Activities of Non-Contracting Parties Vessels in the Regulatory Area**

- 4.1 Canada tabled a paper on the fishing activity of non-Contracting Party vessels in the NAFO Regulatory Area (GC Doc. 93/2). The paper included a report on sightings of non-Contracting Party vessels, and fishing effort, expressed in vessel days, as well as Canadian estimates, by species, of non-Contracting Party catches. The Canadian representative explained the methodology upon which Canadian catch estimates are based and expressed Canadian confidence in their accuracy.
  - 4.2 The Canadian paper indicated that in 1992 the number of non-Contracting Party vessels fishing in the NAFO Area, and the catches of these vessels remained about the same as in 1991. The Canadian representative commented that although sightings of non-Contracting Party vessels in 1993 were at about the same level as during the first quarter or 1992, positive measures taken by several non-Contracting Party Governments in recent months could lead to an overall reduction in the number of non-Contracting Party vessels in 1993. She cautioned that while some vessels have left the area as a result of pressure or sanction by their flag state for fishing activities in the NAFO Area, it would appear that some of these vessels are seeking to re-register in countries which have not previously had a fishing presence in NAFO Area.
-

She reported that two formerly Panamanian vessels have recently registered in Belize and a third Panamanian-flagged, Korean-licensed, vessel re-registered last year in Vanuatu.

- 4.3 The EEC representative tabled a report on sightings of non-Contracting Party vessels in the NAFO Area by the EEC surveillance vessel, the Ernst Haeckel (GC Doc. 93/2). He explained that the vessel is in the NAFO Area for 10 months of the year. The EEC sightings report supported Canadian conclusions that there had been no significant reduction in non-Contracting Party vessel activity in the NAFO Area over the 1991-1992 period. The EEC representative also expressed the view that while the number of vessels could increase in the remaining months of the year, there could well be an overall reduction in the number of non-Contracting Party vessels in the NAFO Area in 1993.
- 4.4 At the request of the Japanese representative, the Canadian representative clarified Canadian surveillance reports relating to "Korean crewed" vessels in the NAFO Area. She outlined the three categories of Korean interest vessels which are reported under that heading in the Canadian paper:
- i) Korean flagged vessels which are licensed by Korea to fish in the NAFO Area;
  - ii) vessels which are licensed to fish in the NAFO Area by Korea but which are flagged in third countries;
  - iii) vessels which are neither flagged nor licensed by Korea but which are crewed by Korean nationals, in some cases under a contract authorized by the Korean Government.
- 4.5 The Canadian representative reported a reduction in the number of Korean crewed vessels since 1990 and informed the Committee that the Korean Government has committed to withdraw the three remaining Korean-licensed fishing vessels from the NAFO Area by 30 April 1993.
- 4.6 The Executive Secretary informed the Committee that statistics on Korean catches in the NAFO Area in 1992 have now been received from Korea. The completed STATLANT forms were circulated.

#### **5. Review of 1992 Information and Available 1993 Information on Landings and Transshipment of Fish Caught in the Regulatory Area by Non-Contracting Party Vessels**

- 5.1 The Chairman noted that the principle difference between this agenda item and agenda item 6 is the issue of transshipments.
- 5.2 The Japanese representative reported on the results of a Japanese investigation of transshipment activities involving a Japanese cargo vessel, the DAIKO-MARU, in the NAFO Area. The Japanese representative informed the Committee that the DAIKO-MARU was operated by a Japanese reefer company which had a contract with a Korean company to transport fish caught by the Korean vessel from the NAFO Area to Pusan, Korea. He explained that as all transshipments were landed in Korea, the activities of the Japanese vessel did not constitute a violation of Japanese law. He advised the Committee that the Japanese Government has contacted the reefer company involved in the operation of the DAIKO-MARU, as well as the Association of reefer companies

in Japan, to provide them with background information on this problem. Japanese reefer companies have been urged to refrain from engaging in the transshipment of NAFO regulated species from non-Contracting Party vessels.

- 5.3 The Canadian representative welcomed the action taken by Japan and informed the Committee that there have been no subsequent reports of transshipments involving Japanese vessels in the NAFO Regulatory Area. She stated that some transshipment of Korean catches in the NAFO Area may be occurring in the ports of St. Pierre and Miguelon, and noted that Canadian attempts to obtain data on these transshipments had been unsuccessful. The EEC representative explained that as these islands are not part of EEC territory, the EEC is unable to provide this information.
- 5.4 The Canadian representative informed the Committee that as a result of Canadian port access policy, there were no landings of NAFO origin groundfish in Canadian ports by non-Contracting Party vessels. She informed the Committee that in Canada imports of fish are accompanied by a declaration of the country of origin and inquired whether other countries require disclosure of country of origin.
- 5.5 The EEC representative responded that fisheries imports are subject to ordinary customs documentation and that there was no statistical scheme to record harvest origin. He stated that while non-Contracting Party vessels do land fish caught in the NAFO Area in EEC ports, particularly redfish, it is highly unlikely that products from the NAFO Regulatory Area are transhipped before landing. He explained that for products that are transhipped in EEC ports for onward transportation to a non-Community country, no statistics would be retained on the product, as it does not enter the Community markets and is not subject to customs import documentation.
- 5.6 The Chairman noted that while it is believed that there are significant transshipments of NAFO regulated species, the lack of information on this makes it difficult to draw direct comparisons between catches and imports.

**6. Review of Information on Imports by Contracting Parties of Groundfish  
Species Regulated by NAFO from Non-Contracting Parties Whose  
Vessels Have Fished in the NAFO Regulatory Area**

- 6.1 Japan provided statistics on Japanese imports of NAFO regulated species for 1992, and submitted revised statistical information on imports for 1991 (GC Doc. 93/2). The Japanese representative explained that imports of these species from non-Contracting Parties do not distinguish between catches from the NAFO Regulatory Area and catches of the same species from other areas. He also noted that these statistics represent a small portion of the total imports of these species. For example while total imports of redfish into Japan in 1992 were about 60 000 tons, only 3 769 tons of this was imported from non-Contracting Parties, whose vessels were sighted in the Regulatory Area.
- 6.2 The EEC provided provisional data on imports of NAFO regulated species from non-Contracting Parties for the first 11 months of 1992 (GC Doc. 93/2). He also stated that much of the product covered by the EEC statistics did not originate in the NAFO Regulatory Area, and that these figures did not reflect a large portion of EEC imports of these species.

- 6.3 The Chairman pointed out that while imports of cod and redfish into the Community have declined markedly, Canadian catch estimates indicate that non-Contracting Party catches of these species have not.
- 6.4 The Canadian representative reported that there were no imports into Canada of NAFO regulated species from non-Contracting Parties in 1992.
- 6.5 The Canadian representative suggested that it might be helpful were Contracting Parties to delete from their import statistics items which are not relevant to the objectives of STACFAC. She noted that while in many cases, the categories in the harmonized tariff system include species which are not exclusively found in the NAFO Area, in some of the categories included in the EEC and Japanese statistics it is clear that the fish imported was not caught in the NAFO Area.
- 6.6 The EEC representative reaffirmed the usefulness of the harmonized system because it covers all products. He cautioned that to exclude certain categories of imports for the purposes of STACFAC could result in the deletion of relevant statistics. He explained that it is not always possible for customs officials to clearly identify the area of harvest for species imported, in particular where there has been some degree of processing. In most cases, customs officials must accept the declaration of the species unless there are grounds to believe the product should be inspected.
- 6.7 The Japanese delegate concurred that it would be difficult for customs officials to investigate the exact area of harvest of fisheries imports. He stated that while cod imports from Korea were believed to originate almost entirely in the Pacific, due to strong consumer preference for Pacific cod, imports of this species are not designated as Atlantic or Pacific cod under the harmonized standard code system in Japan and customs officials could not be expected to identify the origin of harvest of cod imports.
- 6.8 The Chairman commented that in cases like this, where the statistics clearly do not reflect product which has originated in the NAFO Regulatory Area, it might be useful to delete this information from the import reports submitted to STACFAC. He also pointed out that imports from the USA in the EEC statistics could be deleted as the USA did not fish NAFO regulated species in 1992.

#### **7. Reports by Contracting Parties on Diplomatic Contacts With Non-Contracting Party Governments Concerning Fishing by Their Vessels in the Regulatory Area**

- 7.1 The Executive Secretary of NAFO circulated copies of recent correspondence with non-Contracting Parties and drew the attention to inquiries he received from a solicitor representing Panamanian vessels which were seeking fishing opportunities in the NAFO Area, and from the Commissioner of Maritime Affairs of Vanuatu regarding possible fishing opportunities for a Vanuatu flagged vessel. He referred to letters which had been prepared in response and dispatched to authorities in both countries in which he explained the current situation in NAFO and the problem of fishing activities by non-Contracting Parties. He also noted that letters were sent to Korea and Panama requesting 1992 fishing effort statistics in the form of STATLANT 21A and B forms.



- 7.2 The Chairman reported that he had also been contacted by the Solicitor of the Panamanian vessel owners residing in the UK. He advised the Solicitor that it was the U.K position that as Panama is not a member of NAFO and has no quotas for NAFO regulated species, the vessels should not fish in the NAFO Area and that pressure was being applied to Panama to take action against vessels which do fish in the NAFO Area.
- 7.3 The EEC representative noted the necessary formality of the response from the Executive Secretary to the letter from the Vanuatu Commissioner for Maritime Affairs, and suggested that a NAFO joint diplomatic demarche would provide an appropriate opportunity to respond to some of the specific questions raised by the Government of Vanuatu.
- 7.4 The Canadian representative reported on recent bilateral contacts with Vanuatu on the issue of fishing by the Vanuatu flagged vessel, the MARSOPLA, in the NAFO Area. She explained that initial contacts between the two Governments resulted from the refusal of the Canadian Government to issue a licence to another Vanuatu flagged vessel, to conduct fisheries support activities in Canadian waters. The licence was denied because of the fishing activities of the MARSOPLA in the NAFO Area. As a result of recent bilateral contacts, the Government of Vanuatu has agreed to take prompt action to deregister the MARSOPLA should it continue to fish in the NAFO Area after 30 April. The Canadian representative suggested that a joint diplomatic demarche would be useful if recent developments do not result in the withdrawal of the MARSOPLA from the NAFO Area.
- 7.5 The EEC representative inquired about another Vanuatu flagged fishing vessel, the KANESHIMA, referred to in the letter by the Executive Secretary. The Executive Secretary responded that a sighting of the KANESHIMA was reported in an EC report in 1991, but that the vessel did not conduct a substantial fishing effort, and has not been sighted since.
- 7.6 The Canadian representative inquired whether letters requesting catch information had been sent to other non-Contracting Parties. The Executive Secretary responded that on the basis of the information on non-Contracting Party vessel activity tabled at this meeting of STACFAC, letters seeking completed STATLANT forms will be sent to other non-Contracting Parties.
- 7.7 The Chairman invited reports from Contracting Parties on collective and bilateral diplomatic efforts to secure the withdrawal of non-Contracting Party vessels from the NAFO Area.
- 7.8 The Canadian representative presented a paper outlining Canadian diplomatic initiatives in 1992-93 with Panama, Honduras, Morocco, Venezuela, Sierra Leone, Korea, and reported on some of the positive results of these contacts. She commented that several non-Contracting Party Governments have taken measures in recent months to ensure that their flagged vessels comply with NAFO conservation decisions. Panama has deregistered three vessels for fishing in the NAFO Area, and has fined several others, with fines for repeat offenders now amounting to \$7 500. Sierra Leone has deregistered a vessel for NAFO fishing activities. The Government of Venezuela has not renewed the fishing licence of two Venezuelan vessels which refused to cease fishing in the NAFO Area.
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- 7.9 The Canadian representative reported on Canada-Korea fisheries consultations which were held in Ottawa 8-10 February 1993. She informed the Committee that these consultations had resulted in a Korean commitment to withdraw all Korean licensed vessels from the NAFO Area by 30 April 1993. The Korean Government also advised Canada that the last contract for Korean crews on third party vessels which fish in the NAFO Area had been terminated as of January 1993. She informed the Committee that during these consultations, the Government of Korea indicated its intention to join NAFO, and requested Canada's support for a quota allocation in NAFO. Canada had responded that as NAFO was an open organization, Korea would be free to join, but that given the serious depletion of NAFO resources, and the fact that Korea has taken large sums of NAFO regulated species in recent years, Korea should not expect quotas at this time.

The Canadian representative pointed out that while the problem persists, progress is being made. She stressed that it would be important to maintain pressure on these countries, particularly Panama and Korea, which have had the most significant fishing presence in the NAFO Area.

- 7.10 The EEC representative expressed appreciation for the initiatives taken by Canada and welcomed the positive results. With respect to the accession of new members to the NAFO Convention, he expressed the Community position that non-Contracting Parties should be encouraged to join NAFO and to participate in the conservation of NAFO resources. He added that new members should share the same rights and obligations of other Contracting Parties, and that current Contracting Parties could not say in advance that no quotas would be available to new members. While he acknowledged that the question of quotas would be difficult, he stressed that it would be important to avoid a situation where denial of a quota to new members would deter accession to the NAFO Convention by new members.
- 7.11 The Canadian representative responded that while NAFO is an open organization in which new members enjoy rights and obligations as outlined in the NAFO Convention, the issue of quotas, as a practical matter, is difficult to address. She stated that as Canadian quotas for NAFO regulated species have declined significantly in recent years, Canada could not offer a share of its quotas to new members, and she presumed that other Contracting Parties would be in a similar position. She commented that the "others" quotas represented a small quantity of fish, and were, in any case, fully used. While all NAFO members theoretically enjoy the right to a quota allocation, the Canadian representative pointed out that in the context of declining NAFO resources, other Contracting Parties like Greenland and Iceland receive no quotas or, as in the case of Poland, receive minimal quotas. She questioned whether Contracting Parties who have complied with NAFO conservation decisions should have to contemplate rewarding with future quotas those countries which have fished extensively in the NAFO Area without quotas and thereby contributed to the current resource crisis. She suggested that these countries should wait until stocks have recovered before receiving quota allocations. She noted that notwithstanding the firm position taken by Canada on this issue in bilateral discussions with the Koreans, Korea has indicated its intention to join NAFO this year.

- 7.12 The Chairman acknowledged that the debate regarding quota allocations to non-Contracting Parties should they join NAFO would likely be long and hard. He noted that in bilateral contacts with non-Contracting Parties, Canada had taken the position that non-Contracting Parties should not fish in the NAFO Area, and that while these countries are welcome to join NAFO, no quotas could be guaranteed. He stated that this position was not inconsistent with NAFO policy.
- 7.13 With respect to the new fishing presence of Belize flagged vessels in the NAFO area, the EEC representative suggested that a NAFO joint diplomatic demarche should be considered to request the cooperation of the Government of Belize in ending the fishing activities of their vessels in the NAFO Area. The Canadian representative informed the Committee that the Canadian High Commissioner to Jamaica was currently in Belize and would be calling on the Foreign Minister to discuss this problem. The EEC representative stated that it is important to approach non-Contracting Parties from all angles to urge their cooperation with NAFO. It was agreed that a NAFO joint diplomatic demarche should be coordinated by STACFAC during this meeting.

#### **8. Consideration of Statistical Measures to Document Catches, Transshipments and Landings of Groundfish Caught in the Regulatory Area by Non-Contracting Party Vessels**

- 8.1 The Chairman opened discussion on the item by noting that the NAFO Landing Declaration had been on the STACFAC agenda for some time, and that several proposals had been considered by the Committee. He recalled the decision of the Committee at the last STACFAC meeting to determine whether it was feasible to proceed with this initiative.
- 8.2 The Canadian representative introduced a Canadian paper (STACFAC Working Paper 93/2) outlining a Landing Declaration scheme for catches of NAFO regulated species that are landed in the ports of NAFO Contracting Parties and explained that the paper was based on proposals for a Landing Declaration that have been discussed in previous STACFAC meetings. The Executive Secretary circulated copies of earlier proposals as STACFAC Working Paper 93/11.

The principal elements of the Canadian proposal were summarized as follows:

- Landings of NAFO Regulated Species in Contracting Party ports, by non-Contracting Party fishing vessels, should be accompanied by a Landing Declaration form. The product subject to this requirement would range from raw fish to processed fish up to the frozen fillet state;
- The data requested would include: the name of the vessel and master; the date and port of landing; the nature and quantity of the catch, and the dates vessel fished in NAFO divisions;
- Given the often tenuous link between non-Contracting Party authorities and their fishing vessels, the Landing Declaration forms would be distributed by the Contracting Party in whose port the fish is being landed;

- Landing declarations accompanying product landed by non-Contracting Party vessels would be subject to verification by competent Contracting Party authorities;
- Failure to submit a Landing Declaration or false declaration would not result in denial of entry but would result in the application of an administrative penalty.

- 8.3 The Chairman invited general comments on the Canadian paper.
- 8.4 The Danish representative expressed the view that before proceeding, the Committee should clearly define the objectives of the Landing Declaration. He stated that the Committee would have to decide whether the primary purpose of the scheme would be to further statistical objectives or whether it would be intended to advance the broader objective of ending fishing by non-Contracting Parties in the NAFO Area. He questioned whether the implementation of a Landing Declaration would create the perception in non-Contracting Parties that compliance with the scheme would somehow legitimize the fishing activities of their vessels in the NAFO Area.
- 8.5 The EEC representative welcomed Canada's proposal and noted that part of the reason the proposal has been on the table for a long period is the complexity of the issue. He advised the Committee that within the Community, the purpose and utility of a Landing Declaration with purely statistical objectives has been questioned. As the information which could be obtained through the implementation of a Landing Declaration would be incomplete, it is not clear how much the system would assist in the scientific assessment of stocks. He shared the concerns of the Danish representative that a Landing Declaration scheme with a purely statistical objective, without thought of pressure on the non-Contracting Parties to cease fishing activities, would give the impression that pure compliance with the Landing Declaration would legitimize their fishing activity. He added that participation in a Landing Declaration scheme should not enable non-Contracting Parties to avoid their international obligations to report the catches of their flag vessels, as this would be contrary to the mandate of STACFAC. He stated that it would be important to engage the cooperation of non-Contracting Parties to fulfill their obligation to report their catches.
- 8.6 The Japanese representative noted the general understandings formed during the course of previous discussions and expressed the view that at least Japan could not implement the mandatory Landing Declaration system in which the fishermen of non-Contracting Parties would fill out the forms voluntarily. He stated that imposition of administrative penalty on the cooperative non-Contracting Parties' fishermen would result in providing disincentive for them to cooperate the system. He questioned the feasibility of verification of harvest origin at the custom offices unless an effective technology was developed for easy identification of whether the fish originated inside or outside the NAFO Regulatory Area. He emphasized the necessity of wide distribution of the forms for the effective implementation of the system. He pointed out that explanatory notes would be necessary on the reverse side of the form to assist those who filled out the form.
- 8.7 The Chairman summarized three possible objectives of the Landing Declaration that have been identified to date in discussions of this issue in STACFAC:
- i) to obtain more comprehensive statistical information on the catches of NAFO regulated species thereby permitting more accurate scientific assessment of the stocks, and determination of TAC;

- ii) to enable Contracting Parties to assist non-Contracting Parties in discharging their duty to report the catches of their fishing vessels;
- iii) to provide an opportunity for increased non-Contracting Party cooperation in the conservation of fisheries resources, and to establish a framework in which to exert pressure upon non-Contracting Parties until their vessels cease fishing in the NAFO Area, thereby making it less convenient to be a flag of convenience.

- 8.8 The representative of Canada agreed that the Landing Declaration should further three objectives outlined by the Chairman in his helpful summary. She suggested that the purpose of the proposal should be considered in light of the mandate of STACFAC, in particular, the responsibility of the Committee to obtain and compile all information on landings and transshipments of non-Contracting Party catches, and to consider measures to control imports of this fish. She stated that while Canada supports measures designed to enhance the statistical information available to NAFO, Canada also seeks to end non-Contracting Party fishing in the NAFO Area and to prevent imports of NAFO origin groundfish from non-Contracting Parties. She expressed the view that the Landing Declaration is only one means of moving closer to these objectives, and that it is important to use every available instrument.
- 8.9 The EEC representative agreed that each of the objectives outlined by the Chairman was important. He stated that the EEC would support the implementation of a Landing Declaration scheme designed not only to supplement NAFO statistics on non-Contracting Party catches, but also to assist these countries in complying with their obligations in international law to provide statistical data on the catches of their fishing vessels. He stressed that it would not be the intent of the EEC that the Landing Declaration be used as a trade measure, and that trade measures should only be considered when all other options had been exhausted.
- 8.10 The Japanese representative noted the discussions at the past STACFAC meetings and stated that Japan's understanding of the objectives was (i) of the Chairman's summary above in paragraph 8.7. He then supported the statement made by the EEC.
- 8.11 With respect to the compulsory nature of the scheme, the Chairman identified two proposals for a Landing Declaration; one which would envisage the implementation by Contracting Parties of a scheme with mandatory obligations for non-Contracting Parties; the other, which would involve an offer of assistance by Contracting Parties to non-Contracting Parties in the collection of catch data, through voluntary participation by non-Contracting Parties in the Landing Declaration scheme. He suggested that the NAFO Landing Declaration would probably fall somewhere between these extremes, noting that in a more compulsory scheme the role of Contracting Party authorities would be greater and more complicated.
- 8.12 The representatives from Denmark and the EEC stated that only non-Contracting Parties can make compliance by their vessels compulsory. Contracting Parties can only make obligatory the collection of Landing Declarations by domestic customs officials.
-

- 8.13 The Canadian representative stated that a system in which compliance by vessel masters was strictly voluntary would be less effective, and that some mechanism would be required to ensure compliance. Non-Contracting Parties have a duty to report their catches. Some countries, particularly flags of convenience have attempted to provide the information but have had difficulty monitoring the activities of their fishing vessels. The Canadian representative also pointed out a possible loophole in the system which could arise if one country decided not to participate in the scheme. It is conceivable that non-Contracting Party vessels would then seek registry in the country which has opted out, to avoid the application of the Landing Declaration.
- 8.14 The representatives from the EEC and Japan stated most non-Contracting Party governments have expressed their willingness to cooperate with NAFO to address the problem of non-member fishing. On the basis of the positive response received to date in diplomatic demarches, it would be reasonable to presume that non-Contracting Parties would agree to participate in the scheme, and to take domestic measures to promote compliance by their vessel masters. The Canadian representative expressed doubt on this point.
- 8.15 The Chairman pointed out that the implementation of the Landing Declaration scheme in Contracting Parties and the role of Contracting Party customs officials would be greatly simplified in a scheme which places primary responsibility for ensuring compliance by vessel masters upon the relevant non-Contracting Party authorities.
- 8.16 With respect to the role of customs authorities in the implementation of the scheme, the Danish representative commented that much of the information in the Landing Declaration will be required by customs authorities in ordinary customs declarations. Only the information on the area of harvest would not ordinarily be requested.
- 8.17 The Chairman added that with the exception of the information on area of harvest, all elements of the Landing Declaration would be subject to verification under ordinary customs inspection procedures. As the Committee has agreed that verification of area of harvest by customs officials is not feasible, the additional responsibilities of customs officials in the administration of the scheme would be minimal. Contracting Party authorities would collect the completed Landing Declaration form and forward this to the appropriate non-Contracting Party, and the NAFO Secretariat. They would also notify non-Contracting Parties of failure to complete the Landing Declaration form, and would provide the information on the nature and quantity of the catch as contained in the customs declaration.
- 8.18 The Committee agreed that while the declaration of area of harvest would not be verified by customs officials, NAFO Contracting Parties would receive the Landing Declaration information from the NAFO Secretariat, and could compare this aspect of the form with surveillance reports of the fishing activity of the vessels in the NAFO Area and estimated catches by these vessels.
- 8.19 With respect to the implementation of the scheme and the possible trade implications, the Danish representative suggested that it would be useful for the Committee to consider the deliberations of the ICCAT Working Group and other international organizations which have implemented similar schemes. He also inquired how the prohibition on landings of salmon in EEC ports had been implemented.

- 8.20 The Executive Secretary brought to the attention of the Committee documents submitted to the NAFO Secretariat by ICCAT and NASCO relating to the activities of non-Contracting Party vessels in the NAFO Area, and the reflagging of fishing vessels. He noted that the paper had been circulated pursuant to an EEC proposal, for discussion under Agenda item 9.
- 8.21 The Chairman pointed out that the situation covered by the ICCATT Scheme was exceptional in that the product covered was limited to one species, bluefin tuna, and that there is only one world market for this product, Japan. For these reasons the implementation of a Landing Declaration scheme was simplified and the information collected could be more comprehensive. The Japanese representative pointed out that the ICATT scheme was a purely statistical scheme that was not trade restrictive.
- 8.22 The EEC representative stated that the implementation by Contracting Parties of NASCO of a landing prohibition for salmon caught on the high seas was also different in that the fishing of salmon on the high seas is expressly prohibited by UNCLOS. While solutions in other fora can be useful to consider, and in some respects the initiatives in NAFO can build on the experience of other regional organizations, it is not possible to transfer all aspects of these initiatives.
- 8.23 The Committee agreed that the customs and trade officials of Contracting Parties would have to be consulted before a decision could be made on the implementation of the Landing Proposal.
- 8.24 The Committee also agreed that the final proposal for a Landing Declaration would have to reflect the results of discussions in other international fora which are considering this problem, particularly the UN Conference on Straddling Stocks and Highly Migratory Fish Stocks, and the work on the flagging of fishing vessels undertaken in the FAO. The representative of Denmark expressed the view that in light of the ongoing international initiatives in this area, consideration of the details of a Landing Declaration before the NAFO Annual Meeting in September would be premature.
- 8.25 The Chairman agreed that while the work of the UN and FAO on high seas fisheries conservation would have to be considered before the Landing Declaration scheme could be implemented, setting down the elements of the scheme would be useful at this stage so that progress can be made when it is revisited in September. The Committee agreed with the Chairman's suggestion to review the Canadian proposal in detail to identify problematic areas and to develop a STACFAC proposal which could form the basis of a recommendation to the General Council.
- 8.26 Consensus was reached on Landing Declaration as follows:
- The Landing Declaration would require the following information:
    - name of vessel and master;
    - nature and quantity of product;
    - area of harvest - days fished in NAFO divisions

- Product coverage should be as comprehensive as possible, including fresh, frozen and salted product to the level of processing capacity on non-Contracting Party vessel capacity before landing.

- While it was recognized that report of catch weight would be more useful to NAFO, in a case where there has been some processing of the catch, it was agreed that it would be best to require a report of the product weight, as required in an ordinary customs declaration, which would then be converted to roundweight.

- Participation in the scheme by non-Contracting Parties would be voluntary. Non-Contracting Parties which do participate would take measures to ensure compliance by their vessels. Contracting Parties will implement the scheme through domestic law, as appropriate.

- Only those vessels from non-Contracting Parties which do not report catches to NAFO, and have accepted to participate in the scheme would be required to complete a Landing Declaration.

While the EEC and Japan expressed the view that the Landing Declaration should apply to transhipped products, Danish representative said that the scheme should be kept as simple as possible and that the requirement should apply only to non-Contracting Party fishing vessels. This issue remains to be resolved.

- Forms should be widely available. While forms could be obtained in Contracting Party ports, it was agreed that notwithstanding the often tenuous link between non-Contracting Parties and their flag vessels, non-Contracting Party authorities should also be responsible for distributing these forms to their flag vessels. In this way the scheme would reinforce, not replace, the responsibility of non-Contracting Parties to provide catch information, and would engage non-Contracting Parties in the implementation of the scheme.

- Failure to submit a *Landing Declaration* would not result in denial of entry, or an administrative penalty, but would be reported to the appropriate non-Contracting Party authorities, with the information in the regular customs declaration relating to the nature and quantity of catch. This would provide a basis for follow up by non-Contracting Party authorities, and for Contracting Parties in subsequent contacts with these countries.

- Contracting Party officials would not be responsible for verification of the *Landing Declaration*. They would collect completed *Landing Declaration* forms and forward this information to the non-Contracting Parties in which the vessels are flagged. The information would also be provided to NAFO. Contracting Party officials would also notify non-Contracting Parties of failure to complete the *Landing Declaration*, and would provide information on the nature and quantity of the catch as provided in the customs declaration.

- The NAFO Secretariat would receive the information in the *Landing Declaration* and would summarize the information. The NAFO Secretariat would circulate the information to Contracting Parties for comparison with vessel sighting reports and catch estimates.



- 8.27 The Committee agreed that non-Contracting Parties should be notified of the implementation of the Landing Declaration by Contracting Parties through a NAFO joint diplomatic Demarche. The Chairman stated that the text for the demarche would be worded carefully so that refusal to participate in the scheme would constitute an open admission of unwillingness to cooperate. Non-Contracting Parties would be encouraged to make completion of Landing Declaration obligatory for the masters of their vessels which fish in the NAFO Area. The wording of the coordination of the demarche and the wording of the Aide-Memoire will be considered at the next meeting of STACFAC during the NAFO Annual Meeting in 6-10 September 1993.

#### **9. Consideration of Steps to Deter Re-Flagging of Contracting Party Vessels for the Purpose of Fishing Contrary to NAFO Conservation and Management Decisions**

- 9.1 The Chairman noted that the problem of the use of flags of convenience by fishing vessels to circumvent international conservation measures, is being addressed by the FAO, which is currently considering the rights and obligations of flag states, and has begun to develop a Convention on the flagging of fishing vessels. He stated that the issue would also be addressed in the UN Conference and that the work in the two fora may be merged. He sought the advice of Contracting Parties on how STACFAC should proceed with this agenda item.
- 9.2 The representative of Denmark expressed the view that as the item is being dealt with extensively in the FAO, and will be addressed in the UN process, substantial discussion of the issue in STACFAC should be delayed until the work in these other fora has been finalized. The Canadian representative agreed that discussion of the issue in STACFAC should be postponed, pending the outcome of the FAO discussions. The Chairman concurred with the approach recommended by the representatives from Denmark and Canada.

#### **10. Report and Recommendations to the General Council**

- 10.1 The Committee agreed that, besides the present report, further discussions will be pursued at the 15th Annual Meeting for the purpose of elaboration of practical recommendations to the General Council.

#### **11. Other Matters and Adjournment**

- 11.1 The Committee decided that a joint NAFO diplomatic demarche with Belize should be conducted in the near future, to seek the cooperation of the Government of Belize to ensure that Belize in ensuring that its fishing vessels respect NAFO conservation decisions. It was agreed that the Aide-Memoire which was prepared for the joint Diplomatic demarche with Honduras in 1992 was an appropriate model as it provided background material on NAFO, and was suitable for a country which had not previously been involved in NAFO fishing. The Japanese representative suggested that the list of depleted stocks in the demarche should include 3M redfish. It was agreed that the details of the text could be adapted to Belize and that no other substantive changes would be

required. The representative from the EEC undertook to coordinate the diplomatic demarche and to prepare a draft Aide-Memoire for the demarche which would be circulated to Contracting Parties through the NAFO Secretariat for a mail vote.

11.2 The meeting was adjourned at 1115 hours Friday, 30 April 1993.

## Annex 1. List of Participants

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**RUSSIA**

**Head of Delegation**

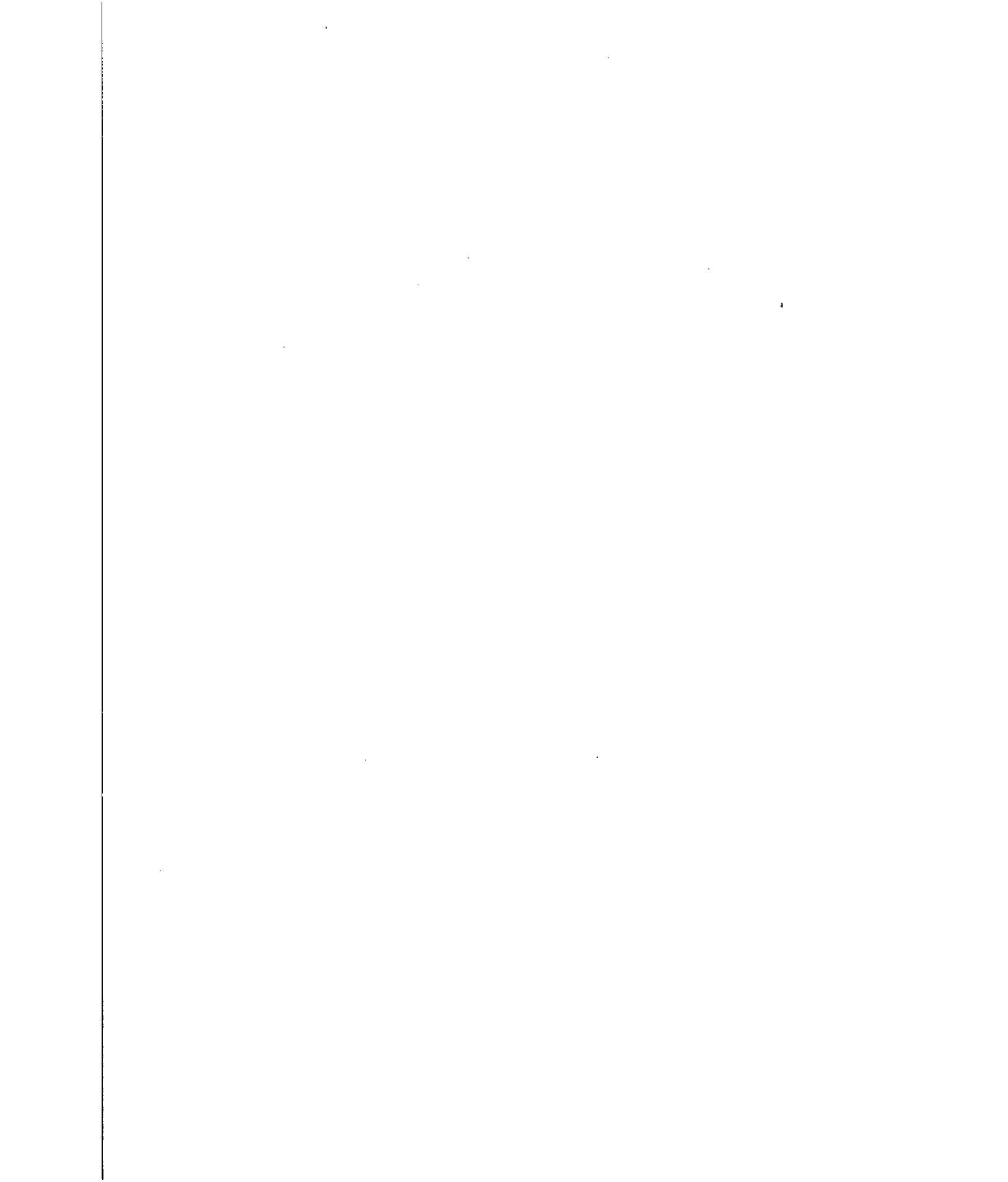
A. Mikhailov, Representative of the Russian Federation on Fisheries in Canada, 2074 Robie St., Apt. 2202, Halifax, Nova Scotia, Canada B3K 5L3

**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. Review of 1992 Information and Available 1993 Information on Activities of Non-Contracting Party Vessels in the Regulatory Area
5. Review of 1992 Information and Available 1993 Information on Landings and Transshipment of Fish Caught in the Regulatory Area by Non-Contracting Party vessels
6. Review of Information on Imports by Contracting Parties of Groundfish Species Regulated by NAFO from Non-Contracting Parties Whose Vessels have Fished in the Regulatory Area
7. Reports by Contracting Parties on Diplomatic Contacts with Non-Contracting Party Governments Concerning Fishing by Their Vessels in the Regulatory Area
8. Consideration of Statistical Measures to Document Catches, Transshipments and Landings of Groundfish Caught in the Regulatory Area by Non-Contracting Party Vessels
9. Consideration of Steps to Deter Re-flagging of Contracting Parties Vessels for the Purpose of Fishing Contrary to NAFO Conservation and Management Decisions
10. Report and Recommendations to the General Council
11. Other Matters
12. Adjournment



## SECTION II

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## PART I

### Report of the Meeting of the General Council

15th Annual Meeting, 6-10 September 1993  
Dartmouth, Nova Scotia, Canada

Tuesday, 7 September - 1020-1130 hours  
Friday, 10 September - 1020-1120 hours

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

- 1.1 The meeting was opened by the Chairman of the General Council, K. Yonezawa (Japan) at 1020 hours on 7 September 1993.
- 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), Iceland, Japan, Latvia, Lithuania, Norway, Poland, and Russia (Annex 1). Two Contracting Parties, Bulgaria and Romania, were absent.
- 1.3 In the opening address the Chairman welcomed all delegations emphasizing on important issues which NAFO is now facing (Annex 2).
- The Chairman stated that the quorum of nine (9) Contracting Parties for decision making was available as twelve (12) Contracting Parties were present.
- 1.4 The meeting **endorsed** the proposal by the Chairman to designate the Executive Secretary as Rapporteur of this Meeting.
- 1.5 The Provisional Agenda was **adopted** without amendments (Annex 3).
- 1.6 Under item 4 of the Agenda "Admission of Observers" the Chairman welcomed the observers from the United States of America and North Atlantic Marine Mammal Commission (NAMMCO) (E. Lemche-Denmark). The observers from the Republic of Korea were admitted to the Meeting following the approval of the Republic of Korea's request for observer status.
- The Meeting considered an application from Greenpeace International for observer status in the Organization and **decided not to grant** the requested status. The Executive Secretary was instructed to deliver this decision of the General Council to the Greenpeace International. This instruction was dispatched by the Executive Secretary by telefax to the Greenpeace Headquarters on the same day, September 7, 1993.
- 1.7 It was **decided** that Publicity (item 5 of the Agenda) is to be handled through a Press Release, which should be prepared and presented to the Heads of Delegations for approval at the final session of the Meeting. The Press Release was **dispatched** as agreed on 10 September 1993 at 1600 hours by the NAFO Secretariat. (Annex 4)

## 2. Supervision and Coordination of the Organizational, Administrative and Other Internal Affairs (items 6 to 10 of the Agenda)

- 2.1 The Report of the 14th Annual Meeting, September 1992 (GC Doc. 92/3 was **adopted as circulated** (item 6 of Agenda).
- 2.2 The Meeting unanimously **agreed** on the following procedure regarding the dispatch of General Council Reports:
- the Meeting will formally agree that all current decisions (substantive issues) should be in force according to their legal disposition, which should not be limited by the condition of formal adoption of the Report as a whole;
  - a draft Report shall be dispatched to the Contracting Parties for their review and comments within 10 working days, after the Annual Meeting;
  - the comments of the Heads of Delegation not contradictory to the positions recorded at the meeting should reach the Executive Secretary within one (1) month from the date of dispatch of the report from the NAFO Secretariat;
  - the final report classified as NAFO General Council Document (NAFO GC/Doc...) incorporating all above-noted comments of the Contracting Parties should be dispatched by the Executive Secretary to all Contracting Parties asking them to formally adopt the Report. As the result, this item should not be on the agenda of the following meetings of the General Council.
- 2.3 The Meeting **noted** with regard to "Review of Membership" (item 7) that:
- a) the membership of the General Council remained unchanged, consisting of 14 Contracting Parties.
- The membership of the Fisheries Commission was **determined** as increased to 13 Contracting Parties as the representative of Iceland notified in accordance with the provisions of Article XIII of the NAFO Convention the following:
- "Iceland has over the years not participated actively in the work of NAFO except that Icelandic scientists have been working together with their NAFO colleagues during these years. As Icelandic vessels have been fishing for shrimp in the Regulatory Area this year and expect to continue for the coming years, Iceland now wishes to participate more actively in NAFO's work and, therefore, Iceland wishes to become a member of the Fisheries Commission."
- 2.4 Item 8, References from the Scientific Council concerning presentations of the fishery statistics to the Scientific Council from the Contracting Parties in accordance with provisions of Article VI of the NAFO Convention was postponed for later discussions. At the closing session the Chairman referred to the information by the Executive Secretary and stated that the situation with reporting of catches has been approved for 1992-1993. The Chairman noted that **the Contracting Parties should do their best** to meet deadlines for statistical presentations to the NAFO Secretariat.

- 2.5 Item 9, Administrative Report, was referred to STACFAD and **was adopted** by the Meeting following presentation by the Chairperson of STACFAD, D. Gill (Canada) at the closing session.
- 2.6 Item 10, Election of Officers, was postponed to the final session of the General Council. At the conclusion of the Meeting on September 10, E. Lemche (Denmark) was **elected** the Chairman to serve for a term of two (2) years (1994-1995), and the representative of Russia, A. Rodin, was **elected** as Vice-Chairman.

### 3. Coordination of the External Relations

- 3.1 For the United Nations request (on large-scale pelagic driftnet fishing, item 11), the Chairman emphasized that such fishery has not been conducted in the NAFO Convention Area and noted that the appropriate letter was dispatched to the UN Headquarters, by the Executive Secretary on behalf of NAFO. The Executive Secretary was instructed that if and when same request was received from the UN, he should respond in the same manner as in the past with inquiry on the definition of "Large Scale Pelagic Drift Nets".
- 3.2 NAFO Observership at Other International Bodies (item 12) was acknowledged for the two following Organizations:
- a) NAMMCO, which was attended by the Delegate of Norway, and a brief report presented by the representative to NAFO (Annex 5), and
  - b) UN Conference on Straddling Stocks, which was covered by the Delegation of Denmark (Annex 6).

### 4. Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention (Article XIX of the Convention) (items 13 and 14 of the Agenda)

- 4.1 The Report of STACFAC Meeting held on 28-30 April 1993 at NAFO Headquarters (GC Doc. 93/1) **was adopted** by the Meeting.
- 4.2 Item 14, Report of STACFAC at the current Annual Meeting was dealt with at the closing session.
- 4.3 The Chairman of STACFAC, C. C. Southgate (EEC), presented the final report (see Part III) on September 10 emphasizing the following findings and recommendations:
- a) the non-Contracting Party activities in the Regulatory Area showed a continuing threat to the conservation and rational management of the stocks;
  - b) the diplomatic activities by Contracting Parties (joint demarches-Aide Memoire, bi-lateral contacts) have been positive resulting in withdrawal of the Republic of Korea's vessels from the Regulatory Area (in April 1993) and some other countries - Venezuela, Morocco. However, the major activities by Panama have continued regardless of the acknowledgement by this country to cooperate.

- c) Considering the threat to the objectives of NAFO with respect of conservation and rational management of the fishery resources of the Convention Area, STACFAC recommends the following measures:
- to adopt a Resolution for implementation of a landing declaration scheme and proposed means for this purpose (Annex 7);
  - to adopt a basic text of Aide-Memoire (for joint diplomatic demarche) to non-Contracting Parties which do (will) not cooperate with NAFO and would not withdraw their vessels from the Regulatory Area to the end of 1993 (Annex 8);
  - to adopt the Aide-Memoire to Panama, which constitute a major threat to the stocks in the Regulatory Area by its vessels activities;
  - to authorize an intersessional STACFAC meeting to be held some time in 1994 (would be considered between the STACFAC Chairman, Contracting Parties and Executive Secretary), if non-Contracting Parties would not withdraw their vessels from the Regulatory Area.

4.4 The representatives of Canada and the European Economic Community welcomed and supported the recommendations of STACFAC as major important steps to curtail the unregulated activity in the NAFO Regulatory Area noting with appreciation [of] the positive decision of the Republic of Korea, which removed its vessels from the Regulatory Area. They also noted that Korea had indicated its interest in joining NAFO.

4.5 The Chairman acknowledged with satisfaction the cooperative spirit of the Republic of Korea and proposed to adopt the recommendations presented by the Chairman of STACFAC, as well as the Report of STACFAC as a whole. **This proposal was adopted** by the Meeting.

#### 5. Finance (items 15 to 19 of the Agenda)

5.1 Items 15 to 19 were referred to STACFAD for discussion in the Committee and presentation of recommendations to the General Council.

5.2 The Chairperson of STACFAD, D. Gill (Canada), presented the Report (see Part II) on 10 September and emphasized the following issues:

- a) Auditors Report (item 15) was provided to the Contracting Parties in February 1993 and there were no comments to the report received. STACFAD recommended the Report for adoption.
- b) Meeting of the Pension Society (item 16) was held in May 1993 (in Ottawa). There would be no increase of costs for Contracting Parties with respect of pension coverage for the NAFO employees.
- c) Meeting dates for the Annual Meeting (item 17) in 1994-1996 were recommended as follows:

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
1996	- Scientific Council	4-13 September
	- Fisheries Commission	9-13 September
	- General Council	9-13 September

- d) On the basis of establishment of contributions due from Contracting Parties (item 18), STACFAD recommended that Denmark (in respect of the Faroe Islands and Greenland) should present its concrete proposal for the next Annual Meeting.

- 5.3 The Chairman of the General Council asked the Meeting for comments proposing the adoption of all above recommendations.

The STACFAD recommendations were adopted by consensus.

- 5.4 The Chairperson presented a brief summary of the STACFAD Report with main emphasis on the budget issues recommending that:

the budget for 1994 would be in the amount of \$ 968 000 Cdn which includes \$10 000 Cdn for the June Scientific Council Meeting (if no other alternatives available) and \$10 000 for termination benefits; the outstanding amounts owing from Romania, \$17 473, be deducted from the Accumulated Surplus Account for 1994; the Accumulated Surplus Account should be maintained at \$75 000 and the balance be used to reduce contributions of Contracting Parties for 1994.

- 5.5 The Chairperson noted that STACFAD recommends to Contracting Parties in question to resolve their discrepancies of the nominal catches for calculation of the billing before the end of 1993.
- 5.6 The Chairperson informed the General Council that a new Chairperson was elected for STACFAD - J. Quintal-McGrath (Canada), and E. Penas (EEC) was elected as Vice-Chairman to serve for the term of two (2) years, 1994-1995.
- 5.7 The Chairman of the General Council proposed the adoption of the budget and STACFAD Report (Part II) and that was agreed by consensus.

#### 6. Closing of the Meeting (items 20 to 23 of the Agenda)

- 6.1 The General Council agreed to hold the next Annual Meeting at Dartmouth, Nova Scotia (Canada) through 19-23 September 1994.
- 6.2 There was no other business to discuss under agenda item 21.

- 6.3 The Chairman **ruled** that the Executive Secretary would prepare and release the Press Statement after conclusion of the scheduled Fisheries Commission deliberations.
- 6.4 The Chairman thanked the Contracting Parties for their cooperation during the last two years and this meeting, and extended his appreciation on behalf of the Meeting to the NAFO Secretariat. The representative of Canada on behalf of all Contracting Parties thanked K. Yonezawa for his able and wise chairmanship, which was accepted by the Meeting by acclamation.
- 6.5 The Chairman closed the 15th Annual Meeting of the General Council at 1100 hours on 10 September 1993.

#### **7. Adoption of the Report**

The Report of the General Council including proceedings of its Committees - STACFAD and STACFAC - was finalized and adopted in accordance with the procedure agreed by the General Council (please see item 2.2 of the Report).

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**Annex 2. Opening Statement by K. Yonezawa (Japan),  
Chairman of the General Council**

Distinguished Commissioners, Delegates, Guests, Ladies and Gentlemen:

I wish, first of all, extend my warmest welcome to you all. After a refreshing summer vacation perhaps, you all look, at least from this far, in good spirit, fit and ready to start negotiating the usual heavy agenda items before us.

In starting our deliberations this morning, I think I hardly need to *remind* you of the particular importance of this meeting at this juncture, as we all recognize that this Organization is now going through a very critical stage of life. In fact, even the credibility of this Organization as an effective international resource management has come to be called in question from certain quarters both within and outside. One may argue of course that much of such criticism is disproportionate and unfair in the light of the circumstances we have been in and track records of other major fisheries, both international and within the exclusive jurisdiction of coastal states. In our case, nature too was not so kind to us.

Such being the case, it is obvious that we could not possibly exonerate ourselves from our past failure and responsibility in meeting the pledges we made at the inception of this Organization, 14 years ago. NAFO being one of the world's oldest international fisheries organizations counting from the days of its predecessor ICNAF, we also need to recognize that our performance here is bound to affect future regime of international cooperation in fisheries as a whole, as the world forum is now closely looking into this question.

Fortunately in this context, I happily note a rather remarkable progress in our efforts towards solution of a number of key issues. There are positive signs of further progress in sight at the start of this Annual Meeting. With your wisdom and indulgence, I shall do my best to make this Conference as fruitful as it can be.

Thank you very much.

### Annex 3. Agenda

#### Opening Procedure

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 14th Annual Meeting, September 1992 (NAFO GC Doc. 92/3)
7. Review of Membership
  - a) General Council
  - b) Fisheries Commission
8. References from the Scientific Council
9. Administrative Report
10. Election of Officers - Chairman and Vice-Chairman

#### Coordination of the External Relations

11. Request from the United Nations for information on the large-scale pelagic driftnet fishing
12. NAFO Observership at Other International Bodies
  - a) Report of the NAFO Observer at the Second and Third NAMMCO Meetings (delegate of Norway)
  - b) Report of the NAFO Observer at the UN Conference on straddling fish stocks and highly migratory fish stocks (delegate of Denmark)

**Fishing Activities in the Regulatory Area Adverse to the Objectives of the NAFO Convention**

13. Approval of the Report of the STACFAC Meeting (28-30 April 1993, GC Doc. 93/1)
14. Report of STACFAC at the Annual Meeting

**Finance**

15. Auditors Report
16. Meeting of the Pension Society
17. Review of Meeting Dates and Dates of Annual Meeting
18. Discussion of the basis of establishment of contributions due from each Contracting Party under the annual budget
19. Report of STACFAD and Adoption of Budget for 1994

**Closing Procedure**

20. Time and Place of Next Annual Meeting
21. Other Business
22. Press Statement
23. Adjournment

#### Annex 4. Press Release

1. The Fifteenth Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Dartmouth, Nova Scotia, Canada through 6-10 September 1993, under the chairmanship of K. Yonezawa (Japan), President of NAFO. All sessions of the constituent bodies of NAFO - the General Council, Scientific Council, Fisheries Commission, and subsidiary bodies, Standing Committees, for finance (STACFAD), for non-Contracting Parties activities (STACFAC), for international control (STACTIC) convened at the Holiday Inn.
2. The Contracting Parties were represented at the Meeting by delegations from: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Iceland, Japan, Latvia, Lithuania, Norway, Poland, and Russia. Observers were admitted from the United States of America and the Republic of Korea.
3. The Annual Meeting was preceded by the meeting of the Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (NAFO Headquarters, April, 1993) and the Regular Meeting of the Scientific Council (NAFO Headquarters, June 1993).
4. The Scientific Council, under the chairmanship of H. Lassen (EEC), considered the state of stocks and scientific basis for the management and conservation of fishery resources in the NAFO Convention Area. The scientific advice was reported to the Fisheries Commission indicating the decrease of stock sizes for all groundfish stocks in the Regulatory Area and continuing decline for all cod stocks and flounders.
5. The Fisheries Commission, under the chairmanship of E. Wiseman (Canada), undertook serious discussions on particular substantial issues pertaining to the management and conservation of the fisheries resources in the Regulatory Area and agreed on a number of important new measures pursuing the prime objective of rebuilding depleted fish stocks.

Against this background, Total Allowable Catches and allocations to Contracting Parties in 1994 for all groundfish stocks which are either entirely in the Regulatory Area or associated with the stocks within the 200-mile fishing zones were decreased (attached in the Quota Table).

The following new proposals for international measures of control and enforcement within the Regulatory Area were introduced: no directed fishery for the stocks of American plaice in Divisions 3LNO and 3M, Witch flounder in Divisions 3LNO, and for Yellowtail flounder in Divisions 3LNO as those stocks should be utilized only as by-catch; special measures to prevent the taking of undersize fish in the fishing for Cod in Divisions 3NO were agreed such as a ban on shrimp trawling in this area. Furthermore, the Parties concerned agreed on 50% observer coverage and 100% inspection monitoring. As regards shrimp trawling in Division 3M, a minimum net mesh size of 40mm, sorting grids for fish escapement and deployment of observers on board of fishing vessels were agreed. These conservation measures are directed at drastic reduction of the mortality of juvenile fish and, as the result, a gradual revival of fish stocks.



6. The Fisheries Commission unanimously agreed with a Canadian proposal that taking into account the available scientific advice, directed fisheries for Cod in Division 3L in the Regulatory Area shall not be permitted in 1994, which is consistent with the current moratorium that is being applied by Canada to the fishery of this stock.
7. Following the presentation of the Standing Committee on Finance and Administration (STACFAD), the General Council adopted the Organization's budget and accounts for 1994.
8. The General Council adopted the report of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC), presented by the Chairman C. C. Southgate (EEC), and endorsed the recommendations directed to curtail unregulated fishing activities by non-Contracting Parties vessels in the NAFO Regulatory Area. The General Council strongly emphasized that such activity would be very harmful for depleted resources and against the provisions of the NAFO Convention and the Law of the Sea. In view of the real threat to the major stocks of fish in this area, the General Council adopted Resolution to collect statistics of catches by vessels of non-Contracting Parties for implementation of a Landing Declaration. The Council decided to make further diplomatic demarches to non-Contracting Parties urging them to withdraw their vessels before the beginning of the 1994 fishing season.
9. The General Council considering the UN Resolution 47/443 of 22 December 1992 on large-scale pelagic driftnet fishing confirmed that such fishing is not presently practised by NAFO Contracting Parties in the Convention Area.
10. The following elections took place for the constituent and subsidiary bodies of NAFO:
 

Chairman of the General Council, President of the Organization	- E. Lemche (Denmark in respect of the Faroe Islands and Greenland)
Vice-Chairman of the General Council	- A. Rodin (Russian Federation)
Chairman of the Fisheries Commission	- H. Koster (EEC)
Vice-Chairman of the Fisheries Commission	- P. Gullestad (Norway)
Chairman of the Scientific Council	- H. Lassen (EEC)
Vice-Chairman of the Scientific Council	- W. R. Bowering (Canada)
Chairperson of the Standing Committee on Finance and Administration (STACFAD)	- J. Quintal-McGrath (Canada)
Vice-Chairman of the Standing Committee on Finance and Administration (STACFAD)	- E. Penas (EEC)
Chairman of the Standing Committee on International Control (STACTIC)	- D. N. Brock (Canada)

General Council  
NAFO  
Canada  
10 September 1993

NAFO Secretariat  
Dartmouth, N.S.,

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 1994 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> ) <sup>2,3</sup>
	Div. 3M	Div. 3NO	Div. 3M	Div. 3LN	Div. 3M*	Div. 3LNO*	Div. 3M	Div. 3LN	Div. 3LNO*	Div. 3LNO*	Div. 3NO*	Div. 3NO	Subareas 3+4
1. Bulgaria	-	-	390	-	-	-	-	-	-	-	-	-	500
2. Canada	85	2 861	650	5 964	75	4 730	5 964	1 372	6 825	1 800	0	0	N.S. <sup>4</sup>
3. Cuba	407	-	2 275	1 372	-	-	-	-	-	-	-	0	2 250
4. Denmark (Faroe Islands and Greenland)	2 461	-	-	-	-	-	-	-	-	-	-	-	-
5. European Economic Community	5 485	2 213	4 030	476	175	61	476	-	140	-	-	0	N.S. <sup>4</sup>
6. Japan	-	-	520	-	-	-	-	-	-	-	-	0	2 250
7. Norway	1 018	-	-	-	-	-	-	-	-	-	-	0	-
8. Poland	424	-	-	-	-	-	-	-	-	-	-	0	-
9. Estonia	-	-	-	-	-	-	-	-	-	-	-	0	1 000
10. Latvia	1 078 <sup>1</sup>	716 <sup>1</sup>	18 005 <sup>1</sup>	6 104 <sup>1</sup>	500 <sup>1</sup>	-	6 104 <sup>1</sup>	-	-	1 170 <sup>1</sup>	0	0	5 000 <sup>1</sup>
11. Lithuania	-	-	-	-	-	-	-	-	-	-	-	-	-
12. Russia	-	-	-	-	-	-	-	-	-	-	-	-	-
13. Others	42	210	130	84	250	9	84	-	35	30	-	-	5 000
Total Allowable Catch	11 000	6 000	26 000	14 000	1 000*	4 800*	14 000	-	7 000*	3 000*	no fishing	no fishing	150 000 <sup>5</sup>

<sup>1</sup> 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.

<sup>2</sup> The opening date for the Squid (*Illex*) fishery is 1 July.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> The TAC would remain at 150 000 tonnes subject to adjustment where warranted by scientific advice.

\*Considering the advice contained in the Report of the Scientific Council and having regard to the poor state of the stock of American plaice in Divisions 3LNO and 3M; Witch flounder in Division 3NO and Yellowtail flounder in 3LNO, no directed fishery shall be carried out under the TACs agreed for each of these stocks in 1994, which are suspended. The provisions of Part I, Section A.4b) of NAFO Conservation and Enforcement Measures shall apply.

## **Annex 5. Report of the Second and Third Meeting of the Council of the North Atlantic Marine Mammal Commission (NAMMCO)**

(by the Delegate of Norway)

NAFO was represented by Hallstein Rasmussen, Norway as observer at the second and third meeting of NAMMCO. Copies of the official proceedings from the two meetings will be available at the NAFO Secretariat. In this presentation the focus will be on the proceedings from the most recent NAMMCO meeting.

The third meeting of the Council of NAMMCO was held in Reykjavik on July 1 and 2, 1993. The meeting which was chaired by Kjarten Hoydal, Chairman of the Council, was attended by delegations from the member countries: the Faroe Islands, Greenland, Iceland and Norway. Observers were present from the Governments of Canada, Denmark, Japan and the Russian Federation. Observers from the International Whaling Commission (IWC), the International Council for the Exploration of the Sea (ICES), and the Northwest Atlantic Fisheries Organization (NAFO) attending the meeting, as well as observers from a number of non-governmental organizations.

The Council established the NAMMCO Fund, the aim of which is to support projects which will contribute to the increase of knowledge and understanding of rational and sustainable utilization of marine mammals.

The Council asked its Scientific Committee to co-ordinate a North Atlantic Sighting Survey of marine mammals in 1994 or 1995. The survey will provide valuable data on the status of a number of marine mammal species and stocks in the North Atlantic area. The survey will furthermore provide an update of information derived from the North Atlantic Sighting Survey in 1987 and 1989.

The Council reaffirmed the view that the concept of sustainable use should provide the basis of its future work related to the management of marine mammals and agreed to participate in the elaboration of this concept in other international fora.

The Council established a working group to consider inspection and observation schemes, in order to harmonize national regulations and thereby inter alia ensure compatibility of the data collected.

The Council agreed to convene an international conference on the impact of marine pollution on marine mammals in the North Atlantic. The conference is to be held in 1994, and experts on the topic will be invited to address the conference.

A meeting of the Scientific Committee will be held in November 1993. The next meeting of NAMMCO will be held in January or February 1994.

## **Annex 6. Executive Summary of the First Session of the UN Conference on Straddling Stocks and Highly Migratory Fish Stocks in 1993**

(by the Delegation of Denmark)

The Resolution (No. 47/192) establishing the Conference on Straddling and Highly Migratory Fish Stocks was adopted by the UN General Assembly on 22 December 1992. The Resolution mandates the Conference, drawing on scientific and technical studies by FAO, to identify and assess existing problems relating to the conservation and management of highly migratory and straddling fish stocks, to consider means of improving fisheries cooperation among States and to formulate appropriate recommendations.

The Conference should take into account relevant activities at the subregional, regional and global levels with a view to promoting effective implementation of the provisions of the UN Convention on the Law of the Sea on straddling and highly migratory fish stocks. The Conference should complete its work as early as possible in advance of the 49th session (in 1994) of the General Assembly.

**The organizational session** of the Conference was held in New York 19-23 April 1993. The conference adopted the Rules of Procedure and the Agenda, elected all but one officer, and agreed how its substantive work would be carried out. Ambassador Nandan of Fiji was elected Chairman. He was asked to prepare a paper containing a list of substantive issues as a Guide for the Conference, and delegations were asked to submit proposals to the Secretariat.

**The first substantive session** in New York 12-30 July 1993 addressed itself to the Guide of Issues prepared by the Chairman.

These issues included:

- the nature of conservation and management measures to be established through cooperation;
- the mechanisms for cooperation, responsibilities for regional fisheries organizations or arrangements;
- compliance with conservation and management measures;
- enforcement of high seas fisheries, conservation and management measures;
- non-parties to a regional agreement or arrangement;
- settlement of disputes on matters of a technical nature; and
- compatibility and coherence between national and international conservation measures for the same stocks.

After the opening statements and plenary discussions, the Chairman drafted working papers on each issue, which were discussed in informal sessions.

On the basis of these discussions, the Chairman distributed a "**Negotiating Text**" which was presented on the last day of the session. To the issues mentioned in the Guide was added:

- flag state responsibilities;
- port states;
- special requirements of developing countries; and
- review of the implementation of conservation and management measures.

The Chairman made it clear that this text was neither a negotiated text or a consensus document, but that he hoped that this text could serve as a basis for negotiations at the next session of the Conference.

The FAO was asked to prepare two technical papers in advance of the next session, one dealing with the "Precautionary approach principle", the other with Maximum sustainable yield (MSY) and other reference points for conservation and management of marine living resources.

It was hoped, that FAO would progress quickly with its work on a "Code of Conduct on Responsible Fishing", which should apply to all fisheries around the World, and which could be an important point of reference for the Conference. In this context, the Conference was informed, that great progress had been made during informal consultations towards a consensus-text of a FAO draft agreement to "Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas."

It is for the 48th UN General Assembly to decide, if and when the next session of the Conference is to take place, but the Chairman indicated March and August 1994 as probable meeting dates.

## Annex 7. General Council Resolution 93/1

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15th Annual NAFO Meeting  
6-10 September 1993

Resolution adopted by the General Council (on the report of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area, STACFAC)

### 93/1. Non-Contracting Parties Fishing Activities in the NAFO Regulatory Area

The General Council,

- Recalling the Resolution on Non-NAFO Fishing activities adopted by the General Council at the 12th Annual Meeting of the Northwest Atlantic Fisheries Organization, resolving i.a. that
  - in full respect of the international obligations of Contracting Parties, further measures should be developed for consideration by the General Council at its 1991 annual meeting;
- Recalling the Terms of Reference for the Standing Committee, established by the General Council, resolving i.a. that 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 monitor landings of fish caught by non-Contracting Party vessels in the Regulatory Area;
- Recalling that with respect to the relevant provision of the United Nations Convention on the Law of the Sea, available catch and fishing effort statistics, and other data relevant to the conservation of fish stocks shall be contributed by flag states and exchanged on a regular basis through competent international organizations, whether subregional, regional or global, where appropriate and with participation of all States concerned;

- Considering that the Northwest Atlantic Fisheries Organization is the competent regional fisheries organization for the conservation and rational management of fish resources in the NAFO Regulatory Area,
- Considering the need for all states exploiting these living marine resources to cooperate fully in conservation and management,
- Recalling that in conformity with Article XIX of the Convention States party to the NAFO Convention have drawn the attention of states not party to the NAFO Convention of their fishing activities undermining the effectiveness of NAFO conservation and management measures and that some of these states have withdrawn their vessels from the NAFO Regulatory Area, while vessels from other such States remain,
- Bearing in mind the statistical reports on catches of fish stocks in the NAFO Regulatory Area which are currently provided to NAFO by the Contracting Parties,
- Considering that certain states not party to the NAFO Convention have not provided statistical reports on catches by their vessels in the Regulatory Area,
- Having regard also to the adverse implications of high levels of unreported catches by non-Contracting Parties for the assessment of management advice and the critical state of many of the NAFO-regulated stocks, especially bearing in mind the substantial proportion of the total catches taken by vessels of states not party to the NAFO Convention,
- Considering the desirability of providing administrative arrangements to facilitate in an interim period the gathering of statistical information on landings by vessels flying the flag of these states and therefore Contracting Parties undertake to collect landing declarations,
- Recalling the GATT principles of non-discrimination, transparency and proportionality,

herewith, therefore, the General Council adopts, in principle, the proposed landing declaration scheme and notes the proposed means of implementation (Addendum) which will also take into account specific national legislation of the Contracting Parties to NAFO and the precise assistance required by the non-Contracting Parties.

The General Council requests that STACFAC review and monitor the implementation of this programme and if appropriate consider further means to achieve the withdrawal of all Non-Contracting Party vessels from the NAFO Regulatory Area at the earliest possible date.

The General Council decided to make further diplomatic demarches to Non-Contracting Parties urging them to withdraw their vessels from the NAFO Regulatory Area and to this end the General Council authorizes Canada, the EEC, Japan and Russia to represent NAFO in a coordinated delegation, which where possible should include senior fisheries officials, to visit the capitals of the non-Contracting Parties concerned. This joint demarche should take place as soon as possible in order to effect the withdrawal of these vessels before the beginning of the 1994 fishing season.

## Implementation of the Landing Declaration Scheme

1. The Landing Declaration is an interim measure pending withdrawal of non-Contracting Party vessels, designed to help non-Contracting Parties collect statistics of catches by their vessels in the NAFO Regulatory Area.
2. The Landing Declaration records catches of NAFO-regulated groundfish in the NAFO Regulatory Area and, when a non-Contracting Party vessel lands such species into a Contracting Party port, records whether and what quantity was caught in the NAFO Regulatory Area. The Landing Declarations are collected by the Contracting Party authorities on behalf of the non-Contracting Party in accordance with international obligations on the collection of statistics. In the event of non-delivery of a Landing Declaration, the non-Contracting Party is informed of such non-delivery and of the quantities of groundfish products landed by the vessel.
3. The Landing Declaration records the weight of each product landed as in the example attached. One copy is forwarded to the non-Contracting Party and one to the NAFO Secretariat. The main additional information provided by the Declaration is the area of harvest (NAFO Regulatory Area or not).
4. The non-Contracting Party is periodically informed of the results of NAFO surveillance of its vessels. If it appears that a vessel has been fishing in the Regulatory Area but has recorded its landings into a Contracting Party as not having originated in the Regulatory Area, the non-Contracting Party is informed of the apparent discrepancy with a view to investigation by the non-Contracting Party.
5. Landing Declaration forms are in principle made available to vessels by the non-Contracting Party but are freely available at Contracting Party ports.



## Landing Declaration/Declaration de Debarquement(1)

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 Morue (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-DESCRIPTION DÉTAILLÉE DES MARCHANDISES (3)	8. Quantity in tonnes Quantité en tonnes			
	Total	From NAFO Reg. Area		
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 <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td>Yes</td><td>No</td></tr></table>  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)			Yes	No
Yes	No			
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 statisque doit être 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 8. Aide Memoire (for Joint Diplomatic Demarche)

The Northwest Atlantic Fisheries Organization (NAFO) was established in 1979 *inter alia* to implement the obligations of states 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.

Eleven states and regional economic integration organizations with long histories of fishing in the Regulatory Area are currently Contracting Parties to NAFO and exercise their duties under the relevant provisions of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) to co-operate with each other in the conservation and management of living resources in the areas of the high seas.

The Contracting Parties of NAFO have made very substantial reductions in their permitted catches and are deeply concerned at the fact that vessels flying the flags of states which do not comply with their obligations to cooperate with other states in conservation and management are taking a substantial share of the living marine resources of the NAFO Regulatory Area when those resources are at historically depleted levels. The Government of \_\_\_\_\_ has stated that it does not wish to join NAFO nor to undermine the effectiveness of NAFO's conservation and management regime. The Contracting Parties of NAFO have collectively and individually taken diplomatic initiatives to urge states which do not cooperate with NAFO to withdraw their vessels from the Regulatory Area. Several states have already complied. NAFO again urges the Government of \_\_\_\_\_ to withdraw its vessels forthwith. There is now a real urgency for the immediate withdrawal of these vessels given the critical state of many of the NAFO-managed fish stocks.

The Contracting Parties of NAFO are prepared to offer any assistance needed by the Government of \_\_\_\_\_ to effect the withdrawal of its vessels from the NAFO Regulatory Area and in the interim meeting its other obligations of cooperation with NAFO. In particular NAFO is convinced that a minimum degree of interim cooperation is the provision of statistical data concerning catches of fish in the Regulatory Area, since such data are essential to rational decision-taking on conservation and management measures.

The Government of \_\_\_\_\_ has not responded to previous NAFO requests to provide statistical data. The Contracting Parties to NAFO have, however, agreed in the attached Resolution that for fish landed directly by \_\_\_\_\_ vessels into their ports, they are prepared on an interim basis to assist the Government of \_\_\_\_\_ by collecting landing declaration forms and forwarding them to the Government of \_\_\_\_\_ for verification and discharge of all relevant obligations. These statistical data are essential for the NAFO Scientific Council to give appropriate advice on the conservation and management of the living marine resources of the NAFO Regulatory Area. Such willingness by the Contracting Parties to assist in the collection of statistics does not, however, supercede the urgent request of NAFO that the Government of \_\_\_\_\_ withdraw its vessels from the Regulatory Area forthwith.

**Annex 9. List of Decisions and Actions by the General Council  
(15th Annual Meeting, 6-10 September 1993)**

Substantive issue (propositions/motions)	Decision/Action (GC Doc. 93/8; item)
1. Report of the 14th Annual Meeting, GC Doc. 92/3	adopted (item 2.1)
2. New procedure for adoption of General Council Reports	agreed (item 2.2)
3. A new member of the Fisheries Commission - Iceland	determined (item 2.3)
4. Report of STACFAC Meeting held 28-30 April, 1993 (GC Doc. 93/1)	adopted
5. Report of STACFAC at the 15th Annual Meeting	adopted (item 4)
- basic text of Aide-Memoire to non- Contracting Parties	adopted
- Aide-Memoire to Panama	adopted/signed
- Resolution for implementation of a landing declaration scheme	adopted
- interim STACFAC meeting in 1994	agreed in principle
6. Report of STACFAD at the 15th Annual Meeting	adopted (item 5)
- Auditors Report	adopted
- Accumulated Surplus Account	\$75 000
- Romania's uncollectible debt for 1994	\$17 473 to write-off
7. Budget for 1994	\$968 000 Cdn.-adopted (item 5.4)
8. Meeting dates in 1994-1996	adopted (item 5.2c)

## PART II

### Report of the Standing Committee on Finance and Administration (STACFAD)

Monday, 6 September 1993 (1300-1400 hours)  
Tuesday, 7 September 1993 (0900-1000 hours)  
Tuesday, 7 September 1993 (1700-1800 hours)  
Wednesday, 8 September 1993 (0900-1000 hours)  
Wednesday, 8 September 1993 (1500-1630 hours)  
Thursday, 9 September 1993 (0900-1000 hours)  
Thursday, 9 September 1993 (1500-1600 hours)

#### 1. Opening

The Chairperson, D. Gill (Canada), opened the meeting and welcomed the participants (Annex 1).

#### 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 1992

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 1992 be adopted.

#### 5. Meeting of the Pension Society

The Chairperson provided a brief summary of the role of the International Fisheries Commission Pension Society.

The Executive Secretary presented STACFAD Working Paper 93/3 and explained the Actuarial Evaluation of the Pension Plan showing the Unfunded Accrued Liability prepared by Sun Life Assurance Company of Canada covering the period 1 October 1989 to 1 January 1993 and noted that there would be no increase in costs to fund the liability for Contracting Parties in 1994.

#### 6. Review of Accumulated Surplus Account

The Executive Secretary advised STACFAD that the estimated Accumulated Surplus at the end of 1993 would be \$298 536 (NAFO/GC Doc. 93/4, Statement IV, page 8). The Executive Secretary pointed out that a more detailed analysis of the Accumulated Surplus was presented in STACFAD Working Paper 93/5.

The representative of Russia requested an explanation of the Province of Nova Scotia *ex gratia* grant and why this amount (\$87 394) was for the 1991 and 1992 taxation years.

The Executive Secretary explained that employees encountered difficulties in finalizing their Income Tax with Revenue Canada during the 1991 taxation year. These difficulties were not resolved until early in 1993.

The Executive Secretary cautioned STACFAD that this amount (\$87 394) may not be refunded to NAFO.

The representative of Canada agreed to contact appropriate authorities in the Nova Scotia government to ascertain whether this money would be refunded to NAFO during 1993.

The representative of Japan reported that the President of NAFO had advised Romania of their outstanding debt to NAFO but no response has been received.

In the absence of any solution to the outstanding amounts owing from Romania STACFAD **recommended** that the Romanian contribution (\$17 473) be deducted from the Accumulated Surplus Account as has been the past practice.

STACFAD **recommended** that the Accumulated Surplus should be maintained at \$ 75 000 and the balance used to reduce contributions of Contracting Parties for 1994.

#### **7. Review of Cost Implications for the NAFO Secretariat of New Measures for International Control and the Hail System in the Regulatory Area**

The Chairperson referred to Note 1 of the STACFAD Agenda (Circular Letter 93/64, p. 11) and also to STACFAD Working Paper 93/1 prepared by the Executive Secretary. The Executive Secretary explained that Note 1 and STACFAD Working Paper 93/1 were prepared to advise STACFAD of what the estimated cost was for the administration of the Hail System in 1993 and that this was not a budget item.

The Executive Secretary also drew the attention of STACFAD to a decision endorsed by the Fisheries Commission regarding the dispatch of Hail System Reports to and from the Secretariat.

Fisheries Commission Report of the 15th Annual Meeting, item 3.2

"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".

Although this will not have an immediate impact on the 1994 budget the Executive Secretary pointed out that it could have a substantial impact on the workload of the Secretariat and could result in the need for larger appropriations in the future. The representative from Norway stated that he did not expect Norway would alter its method of reporting to its competent authority and that, in the short term, there would not likely be a substantial increase in direct hails to the NAFO Secretariat.

## 8. Administrative Report and Financial Statements for 1993 (to July)

The Chairperson reviewed the Administrative Report (GC Doc. 93/4) and drew attention to the amount of unpaid member contributions (Statement III, p. 7). The Executive Secretary pointed out that the amount shown of \$122 332 had been reduced to \$99 110 as one Contracting Party's contribution was received after the Statement was prepared by the Secretariat. He also advised STACFAD that the figure (\$15 524.23) shown for the EEC under the heading Amount Billed on Statement V was an error and should be changed to \$48 298.98. All other figures on Statement V were correct and a revised statement was circulated to STACFAD.

The representative of EEC stated that the outstanding amount of \$ 2 378.24, shown in the footnote to Statement III for EEC, will be forwarded in the near future and also requested an explanation of the amount (\$5 000) for External Expertise (Statement I) estimated to be dispersed before the end of 1993.

The Executive Secretary explained that the \$5 000 would be used to finance the pilot project for the NAFO Hail System as endorsed by the General Council (1992).

The representative of Russia questioned the nominal catches used by the Secretariat when calculating the preliminary billing (Statement V).

The representative of Cuba expressed the same concern about the nominal catches shown for Cuba.

The Executive Secretary explained that the figures used are the figures reported to the Secretariat by Contracting Parties in official STATLANT statistical forms.

The Chairperson stated that it was not possible to resolve this problem without further consultations between the Contracting Parties and requested that this matter be reviewed after the meeting and that the adjusted figures be presented to the Secretariat before the end of 1993.

## 9. Termination Benefits

The Chairperson reviewed this item and referred to Statements V and VI of the Administrative Report (GC Doc. 93/4). It was pointed out that no amount for termination benefits had been allocated from the Accumulated Surplus in Statement V. Statement VI showed an amount of \$120 000 allocated from the Accumulated Surplus for the termination benefits.

The representative of Canada suggested that the liability for termination benefits (\$120 000) be paid over a period of years, thus reducing the liability for Contracting Parties.

STACFAD reviewed revised calculations provided by the Executive Secretary and **recommended** that an amount of \$10 000 be allocated from the Accumulated Surplus Account in 1994 to reduce the unfunded liability for termination benefits to approximately \$110 000.

## 10. Preliminary Budget Estimate for the Fiscal Year Ending 31 December 1994

The Chairperson introduced a revised Preliminary Budget Estimate submitted by the Executive Secretary and advised STACFAD that the budget estimate had been reduced by \$10 000 to \$948 000 an increase of 0.54% over the 1993 budget. However, this figure does not include possible expenses for the June Meeting of the Scientific Council or for any other Meetings that might be required during 1994.

Representatives expressed concern about the amount being spent for Communications. It was suggested that the mailing list for NAFO documents, Circular Letters, etc., be reviewed in an attempt to reduce the number of copies mailed.

The Executive Secretary explained that attempts were made during 1993 to obtain official mailing lists from Contracting Parties and he will continue his work to rationalize mailing lists.

The Executive Secretary also explained that the Hail System has added significantly to the Communications account and pointed out that fax transmissions to one inspection vessel "Ernst Haeckel" totalled approximately \$4 500.00 so far in 1993.

The representative of Russia pointed out that Russia does not participate in the Hail System at this time. If funding for the Hail System keeps increasing, Russia reserves the right of participation in any future funding for the Hail System.

The Chairperson welcomed the Vice-Chairman of the Scientific Council, and asked him to elaborate on a paper he had prepared regarding Space and Computer Requirements for the Scientific Council June Meetings (Annex 3).

The Vice-Chairman of the Scientific Council pointed out that the meeting space available at the NAFO Secretariat is not adequate to accommodate the Scientific Council, Committee and Working Group meetings. He asked that STACFAD consider the Scientific Council request for additional space in a hotel and the appropriate funding.

The Chairperson referred to STACFAD Working Paper 93/4 that detailed the costs for holding the meeting in a university, pointing out the disadvantages outlined in the paper.

The Vice-Chairman of the Scientific Council stated that the Scientific Council had reviewed the Working Paper but that he had considerable difficulties with holding the meeting in a university considering the costs and facilities provided.

The representative of Canada pointed out that the lease for the space presently occupied by the NAFO Secretariat expires in January 1994 and at this time it is uncertain whether any new accommodations could contain meeting space to accommodate Scientific Council Meetings.

Following an exchange of ideas STACFAD agreed that the Scientific Council Meeting must be held in one building and requested the Executive Secretary to investigate the costs and availability of adequate space in other hotels.

The Executive Secretary reported that adequate space was available in the Holiday Inn, Dartmouth from 15 to 30 June but not for the 8 to 22 June period as requested by the Scientific Council.

The Vice-Chairman of the Scientific Council stated that he would discuss the dates with the Scientific Council, however, at this time he did not see this as a problem.

STACFAD requested the Executive Secretary provide costs associated with holding the Scientific Council June meeting in the Holiday Inn.

The Executive Secretary reported that an additional amount of \$12 000 added to the Annual and Mid-Year Meetings in the budget estimate would be sufficient to cover the cost of the Scientific Council June Meeting in the Holiday Inn.

The representative of the EEC supported the additional amount of \$12 000 requested by the Executive Secretary and added that the EEC feels that the work of the Scientific Council is vital to this Organization and this additional amount would insure that the work of the Scientific Council is carried out in facilities adequate to their needs.

Following further discussions STACFAD **recommends** to the General Council that an additional amount of \$10 000 be provided for annual and mid-year meetings in the event that additional adequate space is not available at NAFO headquarters.

STACFAD **recommended** to the General Council that a budget of \$968 000 be adopted as presented in Annex 4.

Preliminary calculations of the 1994 billing for Contracting Parties is provided in Annex 5.

#### **11. Preliminary Budget Forecast for the Fiscal Year Ending 31 December 1995**

STACFAD noted the preliminary budget forecast of \$958 000 for 1995 (Annex 6) would be reviewed in detail during the 16th Annual Meeting.

#### **12. Election of Officers - Chairman and Vice-Chairman**

It was anticipated that a representative of EEC as Vice-Chairperson of STACFAD would assume the position of Chairperson.

The EEC representative explained that due to the EEC assuming the role of Chairperson in other NAFO Committees, the EEC did not feel that it was appropriate to take on the responsibility of the Chairperson of STACFAD.

The EEC representative **recommended** that Canada should continue to provide a Chairperson and EEC should continue to provide a Vice-Chairperson for STACFAD. This recommendation **was supported** by the Meeting.

J. Quintal-McGrath of Canada **was elected** as Chairperson of STACFAD the next 2 years, 1994-1995. (Vice-Chairperson, E. Penas, EEC, was nominated/elected at the General Council session.)



### 13. Time and Place of 1994, 1995 and 1996 Annual Meetings

The Executive Secretary explained that it is very difficult to reserve hotel space for the Annual Meeting because of the uncertainty associated with the dates the meetings are to be held each year. He also stated that approved dates for 5 years in advance of an Annual Meeting would be more advantageous than the 3 years used in past years.

The Chairperson stated that it is her understanding that the dates for the Annual Meeting were confirmed by the General Council each year and therefore were official dates for 3 years in advance of annual meetings.

The location of the 1994, 1995, and 1996 Annual Meetings is 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.

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
1996	- Scientific Council	4-13 September
	- Fisheries Commission	9-13 September
	- General Council	9-13 September

### 14. Other Business

- a) The Chairperson introduced STACFAD Working Paper 93/2 (a letter from Dr. Ralph Halliday of the Bedford Institute of Oceanography) and explained that this was a request for funds to support a video to honour a Canadian scientist, Dr. W. E. Ricker.

Following a discussion of the Working Paper STACFAD **recommended** to the General Council that the NAFO budget would not be able to accommodate this request. STACFAD **recommended** that the Executive Secretary respond to the request indicating that the Organization regrets it is unable to financially support the production of this video.

- b) The Chairperson advised STACFAD that item 18 of the General Council Agenda - Discussion of the basis of establishment of contributions due from each Contracting Party under the annual budget - had been referred to STACFAD by the General Council.

The representative of Denmark (in respect of the Faroe Islands and Greenland) felt that catches in the Regulatory Area should have a larger factor than catches in the Convention Area for the purposes of calculating the financial assessments for the Contracting Parties.

STACFAD **recommended** that Denmark (in respect of the Faroe Islands and Greenland) submit a concrete proposal for consideration at the next Annual Meeting.

### 15. Adjournment

The Chairperson thanked all participants for their contribution to STACFAD and the NAFO Secretariat for their support during her term as Chairperson. All STACFAD representatives expressed sincere thanks to D. Gill for her excellent work during her term as Chairperson.

The meeting adjourned at 2045 hours.

## Annex 1. List of Participants

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Name	Contracting Party
D. Gill	Canada
J. Quintal-McGrath	Canada
B. Garcia Moreno	Cuba
R. Dominguez	Cuba
H. Leth	Denmark (in respect of Faroe Islands and Greenland)
R. Aps	Estonia
G. F. Kingston	EEC
A. Umezawa	Japan
N. Riekstins	Latvia
A. Rusakevicius	Lithuania
A. Parochka	Lithuania
P. Gullestad	Norway
V. Solodovnik	Russia
I. Shestakova	Russia
L. Chepel	NAFO Secretariat
H. Champion	NAFO Secretariat
F. Keating	NAFO Secretariat

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## 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 New Measures for International Control and the Hail System in the Regulatory Area
8. Administrative and Financial Statements for 1993 (to July)
9. Termination Benefits
10. Preliminary Budget Estimates for the Fiscal Year Ending 31 December 1994
11. Preliminary Budget Forecast for the Fiscal Year Ending 31 December 1995
12. Election of Officers - Chairman and Vice-Chairman
13. Time and Place of 1994, 1995 and 1996 Annual Meetings
14. Other Business
15. Adjournment

### **Annex 3. Space and Computer Requirements for the Scientific Council June Meetings** (Hans Lassen, Vice-Chairman of the Scientific Council)

The STACFIS work is at present organized in a set of informal subgroups and discussions in plenum. The subgroups are:

1. Cod (Div. 3M, Div. 3NO, 2J3KL)
2. Flounders (A. plaice, Yellowtail, Witch)
3. Greenland halibut SA 0+1, 2+3, Grenadiers
4. Capelin (3L + 3NO)
5. Silver hake (Div. 4VWX)
6. Redfish (Div. 3M and 3LN)
7. Shrimp in SA 0+1 and Denmark Strait (Flemish Cap ?)

Special requests from either the Fisheries Commission or Coastal States are delegated to the relevant subgroup or dealt with in plenum as deemed appropriate on a case by case basis.

#### **Space Requirements for June Scientific Council Meeting**

It has for some time been realized within the Scientific Council that the present space available at NAFO Headquarters at Wyse Road is cramped for a Scientific Council June Meeting, to the point where the meeting is less effective than desirable e.g. by having groups working at hotel rooms separate from the main meeting room. It was stated in the 1992 Scientific Council Report that more space would be desirable and this Working Paper attempts to be more specific.

The total Scientific Council consists at present of 50-60 scientists and the work is split into about 7 assessment subgroups (see above) and a few other groups (e.g. STACPUB). Not all of these subgroups meet simultaneously and there is an overlap between scientists participating, but it would be practical for about 5 subgroups to be able to meet simultaneously. This would then lead to meeting room requirements as follows:

- 1 meeting room for up to 75 people
- 5 meeting rooms for 10-15 people
- 1 coffee/luncheon room

#### **Computer Room**

The present situation with scientists each bringing their portable PC/Macintosh puts a strain on the Secretariat for use of printers particularly. It should be considered to establish a room with a PC and a Macintosh each connected to a high quality/fast Laser printer to avoid the need for disturbing the Secretariat staff for use of their printers.

- 1 computer room (same size as a small meeting room)

## Annex 4. Preliminary Budget Estimate for 1994

	Approved budget for 1993	Preliminary budget forecast for 1994	Preliminary budget estimate for 1994	% (+ or -) compared to approved 1993 budget
I. Personal Services				
a) Salaries	\$ 596 000	\$ 630 000	\$ 597 000	
b) Superannuation and Annuities	74 000	75 000	74 000	
c) Additional Help	1 000	1 000	1 000	
d) Group Medical and Insurance Plans	32 000	34 000	34 000	
e) Termination Benefits	20 000	22 000	21 000 <sup>a</sup>	
f) Accrued Vacation Pay	8 000	10 000	2 000	
g) Termination Benefits Liability	-	-	10 000 <sup>b</sup>	
2. Travel	8 000	23 000	23 000 <sup>c</sup>	
3. Transportation	1 000	1 000	1 000	
4. Communications	51 000	55 000	53 000	
5. Publications	22 000	25 000	22 000	
6. Other Contractual Services	45 000	47 000	42 000	
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	50 000	40 000 <sup>d</sup>	
10. Computer Services	15 000	17 000	15 000	
	\$ 938 000	\$1 027 000	\$ 968 000	
11. External Expertise	5 000	-	-	
Total	\$ 943 000	\$1 027 000	\$ 968 000	+2.65

<sup>a</sup> This figure is for 1994 credits and conforms with NAFO Staff Rule 10.4(a) (see Note 8 to General Council Agenda and Note 2 to the STACFAD Agenda).

<sup>b</sup> Amount recommended by STACFAD for reducing unfunded liability for Termination Benefits.

<sup>c</sup> Includes home leave to Russia for Executive Secretary and his family; two persons to meeting of Directors and Executive Secretaries of the seven International Commissions located in North America re discussion of pension scheme for employees, May 1994, Ann Arbor, Michigan, USA; Assistant Executive Secretary attendance at the 16th Session of the CWP, Madrid, Spain, July 1994.

<sup>d</sup> Increased by \$10 000 to accommodate 1994 June Meeting of Scientific Council as recommended by STACFAD.

## Annex 5. Preliminary Calculation of Billing for 1994

Preliminary calculation of billing for Contracting Parties  
against the proposed estimate of \$968 000.00 for the 1994  
financial year (based on 14 Contracting Parties to NAFO).

Budget Estimate.....	\$968 000.00
Deduct: Amount from Accumulated Surplus Account.....	<u>223 536.00</u>
Funds required to meet 1993 Budget.....	<u>\$744 464.00</u>

60% of funds required = \$ 446 678.40

10% of funds required = 74 446.40

30% of funds required = 223 339.20

Contracting Parties	Nominal Catches for 1991	% of Total Catch in the Convention Area	10%	30%	60%	Amount billed
Bulgaria	-	-	-	15 952.80	-	15 952.80
Canada	856 565	66.55	65 840.40	15 952.80	297 264.47	379 057.67
Cuba	31 922	2.48	-	15 952.80	11 077.63	27 030.43
Denmark (Faroes and Greenland) <sup>1</sup>	111 916	8.70	8 606.00	15 952.80	38 861.02	63 419.82
Estonia	-	-	-	15 952.80	-	15 952.80
European Economic Community <sup>2</sup>	97 041	7.54	-	15 952.80	33 679.55	49 632.35
Iceland	-	-	-	15 952.80	-	15 952.80
Japan	8 218	0.64	-	15 952.80	2 858.74	18 811.54
Latvia	-	-	-	15 952.80	-	15 952.80
Lithuania	-	-	-	15 952.80	-	15 952.80
Norway <sup>2</sup>	7 458	0.58	-	15 952.80	2 590.74	18 543.54
Poland	-	-	-	15 952.80	-	15 952.80
Romania	-	-	-	15 952.80	-	15 952.80
Russia	173 877	13.51	-	15 952.80	60 346.25	76 299.05
	1 286 997	100.00	74 446.40	223 339.20	446 678.40	<u>\$744 464.00</u>
Funds required to meet 1 January - 31 December 1994 Administrative Budget						<u>\$744 464.00</u>

<sup>1</sup> Faroes = 12 012; Greenland = 99 904

<sup>2</sup> Provisional Statistics used when calculating 1991 nominal catches.

<sup>3</sup> Deduct overpayment: Latvia (\$109.20), Russia (\$10 358.65)

### Annex 6. Preliminary Budget Forecast 1995

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1.	Personal Services	
	a) Salaries	\$ 608 000
	b) Superannuation and Annuities	75 000
	c) Additional Help	1 000
	d) Group Medical and Insurance Plans	36 000
	e) Termination Benefits	15 000 <sup>a</sup>
	f) Accrued Vacation Pay	2 000
2.	Travel	6 000 <sup>b</sup>
3.	Transportation	1 000
4.	Communications	55 000
5.	Publications	25 000
6.	Other Contractual Services	48 000
7.	Materials and Supplies	34 000
8.	Equipment	5 000
9.	Annual and Mid-Year Meetings	30 000 <sup>c</sup>
10.	Computer Services	<u>17 000</u>
		\$ 958 000

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<sup>a</sup> This figure is for 1995 credits and conforms with NAFO Staff Rule 10.4(a).

<sup>b</sup> Assistant Executive Secretary attendance at the *ad hoc* Interagency Consultations of the CWP to be held in Copenhagen, Denmark.

<sup>c</sup> This figure does not include additional costs for the June Meeting of the Scientific Council and is based on the Annual Meeting being held in the Halifax-Dartmouth area.



## PART III

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

#### 1. Opening of the Meeting

- 1.1 The Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) met in Dartmouth, N.S., Canada, 6-10 September 1993 under the chairmanship of C.C. Southgate (EEC).
- 1.2 The following Contracting Parties were represented: Canada, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway and Russia. (Annex 1)
- 1.3 The Republic of Korea and the United States of America were present as Observers.
- 1.4 N. P. Katsopontes (Canada) was appointed Rapporteur.
- 1.5 The agenda was adopted as previously circulated. (Annex 2)

#### 2. Fishing Activities of Non-Contracting Parties in the Regulatory Area and Actions by Contracting Parties (items 4 to 7 of the Agenda)

- 2.1 The representative of Canada tabled a paper on the fishing activity of non-Contracting Party vessels in the NAFO Regulatory Area and the use of flags of convenience to avoid compliance with NAFO conservation and management measures. The paper included a report on sightings of non-Contracting Party vessels and diplomatic efforts to date to address the problem (GC Doc. 93/7). The Canadian paper indicated that in 1992-93 the number of non-Contracting Party vessels fishing in the NAFO Area declined as compared to the previous period. The Canadian representative provided a country by country assessment of non-Contracting Parties and their vessel activity in the NAFO Area which can be summarized as follows:

(i) Panama had the largest number of vessels in the NAFO Area with 8 vessels sighted in the Area in 1992-93. Canada and Panama reached agreement whereby Panama undertook: (1) to require a commitment not to fish in the NAFO Area as a condition of registration; (2) to fine vessels which are proven to have fished in the NAFO Area; and, (3) to where possible, de-register repeat offender vessels. Panama expressed concern that its present legislative regime would not allow de-registration of vessels on the basis of fishing in the NAFO Area. Nevertheless, Panama proceeded to de-register 5 vessels and to date 19 vessels have been fined. Canada expressed concern as to the quantum of the fines imposed by Panama in that the maximum fine to date has been \$7 500.00 (US). Question was posed by the Chair as to what conditions must exist for Panama to de-register its vessels. The Canadian representative indicated that a general breach of Panamanian law and upon passing of the United Nations Convention a breach of the Convention.

(ii) Belize had two vessels fishing the NAFO Area in 1992-93. Repeated diplomatic demarches resulted in Belize investigating the matter and agreeing to enter into an agreement with Canada similar to that agreed to between Panama and Canada.

(iii) Honduras had 4 vessels fishing in the NAFO Area in 1992-93. Diplomatic demarches resulted in Honduras confirming the de-registration of 3 of the four vessels and the fining of the fourth which appears to be a Korean interest vessel.

(iv) Sierra Leone had 2 vessels in the NAFO Area in 1992-93. Diplomatic demarches resulted in the prompt de-registration by Sierra Leone of one of the vessels with further investigation and diplomatic representations concerning the second vessel.

(v) Venezuela had 2 vessels in the NAFO Area in 1992-93. A NAFO diplomatic demarche resulted in a Venezuelan commitment to respect NAFO conservation measures and to not renew the licenses of the subject vessels upon expiry. The Chair enquired as to what happened to these vessels. Canadian representative responded that the subject vessels would appear not to have a flag. The Chair indicated that it would be appropriate to add in future to the agenda the item of dealing with vessels that do not appear to have a flag (to be added after Item 9).

(vi) Morocco had 1 vessel in the NAFO Area which was partly Korean crewed. Diplomatic demarches resulted in the withdrawal of the Korean crew and the request by Morocco of the vessel's owners that the vessel be withdrawn from the NAFO Area.

(vii) The Republic of Korea had 7 vessels in which it had an interest in the NAFO Area in 1992-93. High level diplomatic demarches resulted in Korean agreement to withdraw all Korean interest vessels from the Area.

(viii) Vanuatu had 2 vessels in the NAFO Area, one of which was a bunkering vessel. Vanuatu and Canada are presently involved in negotiations which may lead to an exchange of diplomatic notes whereby Vanuatu agrees not to allow its shipping registry to be used to undermine international fisheries and conservation measures.

2.2 The Chairman indicated that there was another possible point to be added to the agenda in terms of dealing with supply vessels as a means of applying pressure to non-Contracting Parties. The Canadian representative indicated he wished to know the views of the other NAFO members concerning this issue.

2.3 The representative of the EEC reported on sightings of non-Contracting Party vessels in the NAFO Area by the EEC (GC Doc. 93/7) and concurred with Canada that there was general reduction in the number of non-Contracting Party vessels in the NAFO Area. He indicated the reasons for the reduction in the number of vessels includes non-Contracting Parties such as Korea leaving the NAFO Area, and other non-Contracting Parties better understanding the problem. He stated that those vessels from non-Contracting Parties still fishing in the NAFO Regulatory Area were fishing intensively, with the number of vessels about 12-15.

- 2.4 The representative of the EEC was especially concerned with the sighting of 4 American vessels in the NAFO Area and raised the question if the United States does join NAFO as a Contracting Party. The American observer **noted for the record** that the relevant legislation allowing the United States to join NAFO was presently before Congress and that the United States is committed to joining NAFO. The representative of the EEC noted it would welcome the United States as a Contracting Party to NAFO.
- 2.5 The representative of the EEC expressed concern with the continued presence of the Panamanian vessels in the NAFO Area and suggested that fines imposed by Panama upon its vessels were insufficient. He suggested that NAFO must undertake new joint initiatives to deal with the situation and compel Panama to withdraw its vessels from the NAFO Area.
- 2.6 The representative of the EEC highlighted the diplomatic efforts it made to address the issue of non-Contracting Party vessels in the NAFO Area. With regard to Panama, diplomatic representations at the highest level were made in Brussels to the effect that the fines imposed by Panama were too low and that de-registration of vessels was more appropriate. Five vessels were de-registered as a result of such diplomatic efforts. The EEC views the situation with Panama as having improved to that of two years ago. The EEC participated in joint diplomatic demarches to Venezuela concerning the two vessels sighted in the NAFO Area. Venezuela indicated that the licenses issued to these vessels were only for fishing in Venezuelan waters and not NAFO waters. When the second offenses occurred, the vessels licenses were withdrawn by Venezuela. The EEC confirmed that it also participated in the diplomatic representations made to the Republic of Korea with regards to the successful withdrawal of that country's vessels from the NAFO Area. The EEC confirmed it would *continue* to be active with regards to diplomatic efforts to deal with non-Contracting Party vessels.
- 2.7 The representative of Norway indicated that it was encouraging to see some success in dealing with non-Contracting Party vessels however, there is a correlation in the depletion of fish stocks and the reduction in the number of non-Contracting Party vessels. Norway also noted with concern the presence in the "Loophole" (of the Barents Sea) of 4 Canadian owned vessels on a bareboat charter to a Faroe Island Company which are posing a problem for their fishery.
- 2.8 The representative of Canada concurred with the position of Norway that per unit catches have supported the proposition that the economics of the fishery do not justify increased but decreased fishing activity. The EEC supported the conclusion of Norway and Canada as to the economics of the fishery and that new ways must be found to deal with non-Contracting Parties. Such efforts must occur on a global level.
- 2.9 The representative of Canada made the suggestion that consideration should be given to the full range of diplomatic instruments available to address the non-Contracting party issue. The representative of the EEC viewed the problem as having its roots in international law which provides for a nation's right to fish on the high seas and referred to the Draft FAO Agreement as a step in the right direction with the continued diplomatic demarches as the course to follow.

- 2.10 The Chairman noted that it may be useful to consider a compilation of a list of instruments reflecting on the national and international law regarding nations right to fish on the high seas.
- 2.11 The representative of the EEC proposed a new diplomatic demarche to Panama within the context of the Landing Declaration as the continued presence of the Panamanian vessels was unacceptable and required follow up.
- 2.12 The representative of Canada reported on recent diplomatic efforts concerning 4 American vessels sighted in the NAFO Area. indicating that Canadian Fisheries Minister Reid wrote to the U. S. Secretary of Commerce expressing concern over this matter stating that the American vessels should be immediately withdrawn from the NAFO Area. The representative of the EEC indicated that it had also written to the United States and was aware that Russia had done the same. The Chair enquired of Canada as to whether the U. S. history of fishing in the area would pose a problem for Canada. Canada indicated that the Canada-American relationship was a good one and that there are areas of cooperation but the failure of the U.S. government to stop vessels from fishing in the NAFO Regulatory Area is a source of friction. This does not however diminish the fact that American vessels in the NAFO Area are unacceptable as would be any non-Contracting party vessels. Membership in NAFO by the U.S.A. should not be a pre-condition to dealing with the current problem of American vessels in the NAFO Area.
- 2.13 The Meeting **decided** to hold an informal session ("off the record") to discuss new ideas and arrange a working group to prepare a joint demarche.

**3. Measures to Document Catches and Other Fishing Activities in the Regulatory Area (Landing Declaration) and Options to Discourage Non-Contracting Parties Fishing Activities (items 8 and 9 of the Agenda)**

- 3.1 The Chairman prepared draft papers based on the recommendation of the working group and explained that the intention of the landing declaration is to cover all the products which would be found aboard a fishing vessel; non-Contracting Parties participation is voluntary and each non-Contracting Party would be responsible for their ships to report, to supply forms and impose a monitoring scheme; when a vessel did not supply a completed form to a Contracting Party, the recourse is for the Contracting Party to report the deficiency to the flag state; with a completed form, authorities are able to undertake research to determine how the estimates of catch correspond to the catch information a contracting Party such as Canada has on hand.
- 3.2 The representative of Canada commented that the Aide Memoire and Landing Declaration should be advanced by NAFO in the form of a resolution within the context of addressing the concern with non-Contracting Party vessels continuing to fish in the NAFO Area. Further, that the resolution should clearly set forth that it is part of an ongoing process intended to address the continued presence of the non-Contracting Parties in the NAFO Area. NAFO should make it clear by way of the resolution that failure to address the issue could lead to more serious measures being imposed by NAFO.

- 3.3 The representative of the EEC commented that NAFO has a commitment to adopt a landing declaration either by way of resolution or other means. The EEC has undertaken discussions with customs officials on implementation.
- 3.4 The representative of Japan indicated his support for the Chair's presentation and Canada's position of formulating the landing declaration within the context of a resolution and noted the landing declaration would require a definitive form.
- 3.5 The representatives at the Meeting ensued with debates on the Landing Declaration Scheme as follows:

The representative of Canada noted that it would be inconsistent with intention of NAFO if no penalty were imposed and suggested that if a non-Contracting Party vessel does not or refuses to complete the landing declaration, then greater recourse than reporting this to the flag state must be available. Canada proposed an amendment to paragraph 2 whereby a Contracting Party has a right to impose a penalty in accordance with and consistent with international law.

The representative of the EEC noted that if a non-Contracting Party did not wish to participate in the landing declaration system, then they could be deemed an uncooperative state pursuant to the Law of the Sea Convention for failing to cooperate with a regional organization; and the representative of Canada reserved the right for the imposition of penalties consistent with international law.

- 3.6 Considering the obtaining of information for the landing declaration, the Chair indicated that the declaration was to apply only to fishing vessels and not to transport or mother ships as the rationale for this is that the Master of a vessel will know where all the fish aboard his vessel was caught and the Master of a mother ship or transport vessel will not have the same knowledge.

The representative of the EEC noted that it may be the case that non-Contracting Parties may be prepared to supply information concerning all vessels. This would be a matter of exchange of views as between the relevant Contracting Party and the non-Contracting Party.

The United States observer observed the anomaly of statistical information from import data which appears to reflect extremely large quantities of fish when non-Contracting Party vessels were not even fishing in the regulated area.

Canada suggested a more practical way to get information would be to have NAFO help target countries who would be approached in terms of providing landing declaration information.

The Chair noted that it would appear necessary that a central body would have to inform as to which countries will be required to supply landing declarations.

The EEC representative noted that fishing inspections do occur but not in all ports. For example, no inspections occur in Rotterdam as it is not traditionally a port of landing. Further, it was noted that no consideration has been given as to how forms are to be collected.

- 3.7 Concerning the vessels and species that should be covered by the landing declaration, the representatives discussed the following:

The EEC suggested that the coverage of the fleet must be as comprehensive as possible with the matter to be determined in negotiations with non-Contracting Parties.

Canada expressed concern that the impression should not be given that there is a discretion on the part of the non-Contracting Parties as to what vessels will be covered by the landing scheme. It is therefore important to define or encompass fishing and processing vessels.

The United States observer noted that the resolution specifies that all groundfish are to be covered by the landing declaration scheme while the form itself does not.

The EEC noted that some fish such as squid are not covered and it is important to focus upon these species as well.

- 3.8 The Committee considered the implementation of the landing declaration and **decided to proceed** with the Resolution of the General Council for this issue.

- 3.9 The draft text of a Resolution (presented by Canada) was considered by representatives with emphasis on the urgent withdrawal of the non-Contracting Party vessels given the depleted state of stocks in the NAFO Regulatory Area and the unacceptability of the continued presence of the non-Contracting Parties.

- 3.10 At the closing session, on 10 September, **the Committee agreed** on the texts of the Resolution and the format/text of the Landing Declaration for presentation to the General Council (GC Doc. 93/5-please see Annex 7 of Part I).

- 3.11 The Committee considered new diplomatic initiatives and debated the following ideas concerning diplomatic demarches:

The representative of Canada reiterated its request that the reference in the Aide Memoire to co-operation with non-Contracting Parties with regard to negotiations concerning their membership to NAFO should be removed; the main theme of the Aide Memoire must be the removal of the non-Contracting Party vessels from the NAFO Area.

The representative of the EEC proposed that the Aide-Memoire should be re-formulated or modified with regard to each non-Contracting Party given their particular interest in joining NAFO. He indicated its preference for a two version Aide Memoire, one for Panama, given the urgency of the situation in dealing with Panama and one for other non-Contracting Parties. The prompt preparation of the Panamanian document was urged in order to have the signature of the document accomplished during the present NAFO meetings by the presiding Chair of the General Council.

The representative of Canada noted that it may be necessary to consider a demarche to non-Contracting Parties who are co-operating with NAFO such as the United States who is collecting statistics and expressed a concern with regard to the absence of any concrete effort on the part of the United States to consider and implement regulations to stop U.S. vessels from fishing in the NAFO Regulatory Area.

The representative of the EEC indicated that the United States is in the process of becoming a Contracting Party to NAFO and therefore there would appear to be no benefit in having a demarche to the United States.

The observers of the Republic of Korea brought to the attention of the Committee that Korea is aware of the serious problem in the NAFO Area in relation to the depletion of the fish stocks. Korea **noted for the record** that it has withdrawn all of its vessels from the NAFO Area and that Korea has provided all catch information to the NAFO Secretariat. Also, that Korea will explore other ways in which to cooperate with NAFO member states. The EEC enquired of Korea as to whether Korea is considering becoming a member of NAFO. Korea responded that it is taking the necessary steps to **join NAFO** in terms of passing the appropriate domestic legislation.

- 3.12 The final decision of the Committee was to **adopt** the two texts of Aide-Memoire - to Panama and a basic text for non-Contracting Parties which would not comply with the NAFO Resolution and its decisions to stop the fishery in the NAFO Regulatory Area (see Part I, Annexes 7 and 8).

The meeting **agreed** that the Aide-Memoire to Panama should be dispatched without delay.

**Note** (by the Executive Secretary)

The Aide-Memoire to Panama was signed by the Chairman of the General Council, K. Yonezawa, at the Meeting (10 September) and then handed over to the Representative of the EEC for further dispatch to Panama.

The Chairman clarified the discussions on the Aide-Memoire informing that Belize, Honduras, Panama, Sierra Leone, USA and Vanuatu would be the potential recipients of future demarches.

- 3.13 The Chairman commented upon the urgency of the non-Contracting Party issue and that monitoring of the situation will automatically necessitate an intersessional meeting. The Committee **agreed** to address this request to the General Council.
- 3.14 The Meeting **agreed** that Canada, EEC, Japan, and Russia will participate in joint demarches to non-Contracting Parties.

**4. Consideration of Steps to Deter Reflagging of Contracting Parties Vessels  
for the Purpose of Fishing Contrary to NAFO Conservation and  
Enforcement Decisions (item 10 of the Agenda)**

- 4.1 This item was referred to a future meeting while awaiting the outcome of the United Nations Conference deliberations on this issue.

**5. Report and Recommendations to the General Council  
(item 11 of the Agenda)**

- 5.1 The recommendations to the General Council are listed in the items presented above.
- 5.2 The Chairman of the Committee delivered the comprehensive Report of STACFAC to the General Council at the closing plenary session on 10 September and asked the Council for adoption of the Report and recommendations (Part I, item 4.3).

**6. Other Matters (item 12 of the Agenda)**

- 6.1 There was no other business for this item.

**7. Adjournment**

- 7.1 The meeting was adjourned at 0950 hours on 10 September 1993.



**Annex 1. STACFAC Heads of Delegations**

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Contracting Party	Name
Canada	D. C. Rideout
EEC	H. Koster
Japan	K. Hanafusa
Norway	P. Gullestad
Russia	V. Tsoukalov
<b>Observers</b>	
Republic of Korea	J. K. Yoon
United States of America	D. Swanson

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## Annex 2. Agenda

1. Opening by the Chairman, C. C. Southgate (EEC)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of 1993 information on activities of non-Contracting Parties' vessels in the Regulatory Area
5. Review of 1993 information on landings and transshipments of fish caught in the Regulatory Area by non-Contracting Party vessels
6. Review of information on imports by Contracting Parties of groundfish species regulated by NAFO from non-Contracting Parties whose vessels have fished in the Regulatory Area
7. Reports by Contracting Parties on diplomatic contacts with non-Contracting Party governments concerning fishing by their vessels in the Regulatory Area
8. Consideration of statistical measures to document catches, transshipments and landings of groundfish caught in the Regulatory Area by non-Contracting Party vessels
9. Examination of options open to Contracting Parties and the General Council to discourage activities by non-Contracting Parties in the Regulatory Area
10. Consideration of Steps to Deter Reflagging of Contracting Party Vessels for the Purpose of Fishing Contrary to NAFO Conservation and Management Decisions
11. Report and Recommendations to the General Council
12. Other Matters
13. Adjournment

## SECTION III

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## PART I

### Report of the Meeting of the Fisheries Commission

15th Annual Meeting, 6-10 September 1993  
Dartmouth, Nova Scotia, Canada

Tuesday, 7 September 1993 - 1120-1645  
Wednesday, 8 September 1993 - 1040-1710  
Thursday, 9 September 1993 - 1300-2315  
Friday, 10 September 1993 - 1230-1400

#### 1. Opening Procedures (items 1 to 5 of the Agenda)

- 1.1 The meeting was called to order by the Chairman, E. Wiseman (Canada) on 7 September 1993 at 1120 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), Iceland, Japan, Latvia, Lithuania, Norway, Poland and the Russian Federation. (Annex 1)
- 1.2 L. Teixeira da Costa (EEC) was appointed Rapporteur.
- 1.3 The provisional agenda was adopted with the following amendment (Annex 2):  
- to agenda item 21 would be added a point 4: "Shrimp in Div. 3M".
- 1.4 Representatives of the Republic of Korea and the United States of America were welcomed to the Meeting as observers.
- 1.5 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. (Annex 3)
- 1.6 The representative of Canada made an opening statement. (Annex 4)

#### 2. Administrative (items 6 to 8 of the Agenda)

- 2.1 The report of the 14th Annual Meeting, September 1992 (NAFO/FC Doc. 92/19) was adopted.
- 2.2 Iceland was welcomed as a Member of the Fisheries Commission pursuant to the decision of the General Council under provisions of Article XIII of the Convention.

- 2.3 Election of officers (item 8) **was deferred** until a later stage of the meeting, and at the closing session, on 10 September, H. Koster (EEC) was elected Chairman of the Commission and P. Gullestad (Norway), Vice-Chairman.

3. Conservation and Enforcement Measures (items 9 to 18 of the Agenda)

- 3.1 It **was decided** to postpone agenda items 9, Incorporation of a Catch Reporting System into the Hail System, and 10, Effort Plans for the Vessels of Contracting Parties Operating in the Regulatory Area, to be discussed at a later stage of this meeting.

At the closing session, the Canadian representative proposed, due to lack of time, that those items be referred to the 16th Annual Meeting. This **was agreed** by the Commission.

- 3.2 On item 11, Operation of the Hail System, the Meeting **agreed** to adopt the following amendment (in bold) for Operation of 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**".

The Chairman of STACTIC reported that the Executive Secretary indicated that the Pilot Project Team for the Hail System contained in STACTIC Working Paper 93/4 has the computer system in place but will need additional software. The Executive Secretary declared himself prepared to proceed with this project.

The Meeting **endorsed** this project and recommends that the Executive Secretary continue with the project and to expend funds already assigned within the budget (subject to General Council approval).

- 3.3 Item 12, Operation of the NAFO Observer Scheme Pilot Project, **was referred** to STACTIC.

The Chairman of STACTIC informed the Commission that after discussion it was agreed that the Scientific Council request could be accommodated by amending paragraphs in Part VI-Pilot Project for NAFO Observer Scheme of the NAFO Conservation and Enforcement Measures.

The proposed amendment **was adopted**. (Annex 5-FC Doc. 93/7)

- 3.4 Item 13 **was postponed** to a later stage of this meeting. At the closing session the advice of the Scientific Council to the request by the Commission on financing of NAFO scientific work in the Regulatory Area **was accepted** (in the Scientific Council Report for 1993).

- 3.5 Item 14, Nominal Catches by Contracting Parties Exceeding 1992 Quotas, was referred to STACTIC.

The Chairman of STACTIC reported that it was agreed to modify table "Selective Comparative Quotas/Catches in the Regulatory Area for 1992" (see Annex 11 of Part II) incorporating all comments made by Contracting Parties.

The representative of Canada stated that this table was not understandable and should be referred to a future Meeting. This proposal was **accepted** by the Commission.

- 3.6 Item 15, Review of NAFO Rules Regarding Incidental Catches which involved a proposal to count discards of fish against the incidental catch limit percentages, was discussed by STACTIC and then **referred by the Commission to the next annual meeting**.
- 3.7 Item 16, Annual Return of Infringements, Surveillance and Inspection Reports, was reviewed by STACTIC and reported to the Commission. The report was **adopted**.
- 3.8 Item 17, Fishing Vessels Registration, was referred to STACTIC.

The Chairman of STACTIC reported that the Committee agreed the form of "Notification of Fishing Vessels/Hail Reports" by the NAFO Secretariat should be modified in 3 columns for each Contracting Party - Vessel Name/Notification Received by the Secretariat, Hail Reports Received by the Secretariat and Sightings of Vessels. The report for the 1994 Annual Meeting should cover all of 1993 and up to 30 June 1994.

- 3.9 Item 18, Report of STACTIC at the Annual Meeting, was presented by the Chairman of STACTIC (E. Lemche - Denmark) at the closing session on 10 September 1993, and the report was **adopted** by the Commission (see Part II of the Fisheries Commission Report).

The major issues emphasized by the Chairman of STACTIC and the **Fisheries Commission decisions** were as follows:

- a) The Russian project for redfish in the Regulatory Area:
- minimum mesh size 90 mm;
  - maximum 5 vessels;
  - maximum 250 fishing days in total;
  - a team of scientists will monitor the project, circulating among the 5 vessels;
  - only pelagic trawls will be used in the project;
  - the scientific team will ensure that the trawls are set in such a way that catch of other groundfish is avoided;
  - to be reviewed at the Special Scientific Council Meeting in November 1993 and considered at the Special Fisheries Commission Meeting in 1994.
- b) A NAFO Inspection Manual to be produced by the Executive Secretary along the lines recommended by STACTIC.

- c) Amendment to Part I.D. of the Conservation and Enforcement Measures "Minimum Fish Size" (proposed by Canada) regarding round length, head off and gutted, split length for Cod, A. plaice, Yellowtail, Witch, Redfish, and G. halibut to proceed with the following request to the Scientific Council:
- Feasibility and necessity of determining minimum fish size for the following species: witch, redfish, Greenland halibut.
  - To advise on the minimum fish size to be used when processed length equivalent is used for witch, redfish, Greenland halibut, cod, American plaice and yellowtail.

The Fisheries Commission **adopted** this recommendation and requested the Scientific Council to consider the request at its Special Session in **November 1993**. The Commission will further consider this issue at its Special Meeting in 1994.

- d) Amendment to Part I.D. "Minimum Fish Size Measure" (by Canada) of the Conservation and Enforcement Measures regarding discards was discussed at STACTIC without resolution. The Commission decided that this issue is fundamental for the Conservation and Enforcement measures and cannot be changed at this stage as the Contracting Parties have their own regulations. However, the Commission **agreed** that Canada could follow its own equivalent system of regulations with respect of Part I.D. of the Measures.
- e) Amendment to Part IV.5(ii) of the Conservation and Enforcement Measures to add a new paragraph (c) for inspection procedure as in the STACTIC Report, Part II, item 8.4 was **adopted** by the Commission.
- f) On the report of the Shrimp Working Group, the Commission **decided** to incorporate into the Measures a ban on direct fishery of shrimp in Divisions 3LNO in 1994.

#### 4. Conservation of Fish Stocks in the Regulatory Area (items 19 and 20 of the Agenda)

- 4.1 Item 19, Transfer of Quotas between Contracting Parties, was postponed to a later stage of the meeting, and at the closing session was **deferred** to the 16th Annual Meeting.
- 4.2 The acting Chairman of the Scientific Council, H. Lassen (EEC), (the Chair), gave a Summary of Scientific Advice by the Scientific Council and referred to the summary sheets, resulting in the following management advice for 1994 and TAC(s) for the regulated species:

- Cod 3M	no directed fishery
- Redfish 3M	20 000 tons
- American plaice 3M	not exceeding 1 000 tons
- Cod 3NO	not exceeding 6 000 tons



- Redfish 3LN	not exceeding 14 000 tons
- American plaice 3LNO	not exceeding 4 800 tons
- Yellowtail flounder 3LNO	7 000 tons
- Witch flounder 3NO	not exceeding 3 000 tons
- Capelin 3NO	no directed fishery

4.3 This presentation was followed by a stock-by-stock discussion as follows:

#### **Cod 3M**

The representative of Canada said that despite occasional good recruitment the year-classes did not contribute to the spawning stock biomass (SSB). This indicates the ineffectiveness of the management and technical measures taken by NAFO.

The Chairman of the Scientific Council considered this to be the reason why no direct fishery should be conducted in 1994 to allow stock recovery.

#### **Shrimp 3M**

The representative of Canada reported that the by-catch of redfish was very high and climbing.

The representative of Norway said that when the Norwegian fleet used "the grid" in trawls, the problem of redfish by-catches disappeared.

The Chairman of the Scientific Council refrained from comment at this stage as the data relating to this fishery was only recently made available to the Scientific Council.

#### **American plaice 3M**

The representative of Canada asked if 1 000 tons (just for by-catch) would help stop the decline of this stock.

The Chairman of the Scientific Council answered yes and referred to page 71 of NAFO SCS Doc. 93/17.

#### **Cod 3NO**

The representative of Canada stated that every effort should be made to allow young fish to survive to spawn.

#### **Redfish 3LN**

The representative of Canada asked if any positive effect was visible from the introduction of the 130 mm mesh size and if a 14 000 ton TAC was a safe figure for this stock.

The Chairman of the Scientific Council considered that the introduction of the large mesh size had been too recent to show any effect, but stated that 14 000 tons were more to the low side of the advice (page 66 of NAFO SCS Doc. 93/17).

**American plaice 3LNO**

The representative of Canada asked if a 4 800 ton TAC would by itself stop the decline of this stock.

The Chairman of the Scientific Council answered negatively indicating that environmental conditions also play a role.

**Yellowtail flounder 3LNO**

The representative of Canada wondered if a 7 000 ton TAC was not detrimental to the rebuilding of this stock.

The Chairman of the Scientific Council stated that the important feature was to give to the stock concerned an appropriate fishing mortality level.

**Witch flounder 3NO**

The representative of Canada inquired if a 3 000 tons TAC would stop the decline of the stock.

The Chairman of the Scientific Council stated that the TAC in question might contribute to reverse the downward trend.

**Cod 2J3KL**

On questions relating to Cod 2J3KL, the Chairman of the Scientific Council considered that the situation was still grim and unpredictable.

**5. Management and Technical Measures for Fish Stocks in the  
Regulatory Area (items 21.1 to 21.4 of the Agenda)**

**5.1 Cod 3M**

The representative of Denmark (in respect of the Faroe Islands and Greenland) considered that the main problem to be tackled was the effective protection of the small-sized fish and informed that NAFO has already some technical measures that could protect juvenile fish. He stressed that the situation was worse in 1992 because the exploitation of the 1990 year-class started earlier than that of the 1986 year class in 1989 and noted that a rationally exploited cod fishery on Flemish Cap requires first to impede catches on immature fish, and second to control the exploitation rate through fishing effort or catch. He expressed concern about by-catches of cod in the newly developed shrimp fishery on Flemish Cap informing that contacts were being developed among Contracting Parties to find a satisfactory solution for this stock which would include the reduction of TAC and the reduction of incidental by-catch limit. He also referred to the search for a practical arrangement for the 41 cm size limit for cod.

The representative of the European Community wondered if conversion factors would not facilitate controlling the harvest of under-sized fish.

**A TAC of 11 000 tons (proposed by EEC) was adopted with 6 abstentions (Canada, Cuba, Iceland, Japan, Norway, the Russian Federation).**

#### 5.2 Redfish 3M

The representative of Canada supported the scientific advice and warned about the danger of overfishing. He drew the attention of representatives to the large amount of redfish by-catch in the shrimp fishery.

The representative of the European Community stated that the TAC had to be reduced, but refrained from tabling any concrete proposals at this stage. He considered it important to avoid the catch of juvenile fish in the shrimp fishery. Further he stated that the reduction of this fishery should be gradual and declared that the EEC was prepared to accept a reduction of the TAC in relation to 1993 but reserved his position on the exact level of that reduction. The EEC considered that some technical measures for the newly developed shrimp fishery should be introduced to avoid catches of juvenile fish.

The representative of the Russian Federation said that as this stock was stabilized the decrease should be gradual, and proposed a TAC of 26 000 tons.

The representative of the European Community, Cuba and Lithuania supported the Russian proposal.

**A TAC of 26 000 tons was adopted with 3 abstentions (Canada, Iceland, Japan).**

#### 5.3 American plaice 3M

The representative of Canada confirmed his acceptance of the scientific advice, and proposed a TAC of 1 000 tons should be established for by-catches only.

The representative of Cuba supported the Canadian proposal.

The representative of the European Community reserved his view on this stock.

The final decision **was adopted** by consensus that **no directed fishery** shall be carried out under the TAC for this stock in 1994.

#### 5.4 Shrimp 3M

The acting Chairman of the Scientific Council, H. Lassen (EEC), presented the advice from the Scientific Council underlining the uncertainty element and the absence of long-standing research on this stock. He pointed out that the by-catch of small redfish was considered a potential for significantly impacting the redfish resource in this area. He stated that effective immediately, sorting grates should be mandatory in shrimp fishing operations in this area as a means of minimizing the by-catch of redfish and other fish species. In reply to the representative of Denmark (in respect of the Faroe Islands and Greenland), Mr. Lassen said that the overwhelming problem was indeed the by-catch of redfish and this had been checked against logbook entries of four different Contracting Parties. He also referred to a groundfish survey conducted in the area by the European Community.

The representative of the Russian Federation proposed the creation of a Working Group with interested parties and including experienced people to study in-depth the matter under consideration. He suggested the name of F. Troyanovsky as the convener of this Working Group.

This proposal was endorsed by the Meeting.

The Convener of the Working Group presented the Report of the Working Group, which proposed the following regulatory features for shrimp fishery:

- minimum mesh size of nets - 40 mm;
- mandatory sorting grids or gratés with maximum spacing between the bars of 28 mm;
- maximum by-catch of 10% by weight in any one haul;
- minimum of 10% observer coverage.

These regulations would be mandatory as from 1 January 1994, as well, the Contracting Parties could apply it without delay.

The representative of Canada indicated that he would like to see a 15% or 20% observer coverage.

The proposal by the Working Group on Shrimp 3M was adopted as a management measure to be incorporated in the NAFO Conservation and Enforcement Measures.

## **6. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits (items 22.1 to 22.9 of the Agenda)**

### **6.1 Cod 3NO**

The representative of Canada proposed that a moratorium would be the best way to protect the 1989 year class in order to help rebuilding the stock.

The representative of the European Community indicated that he was prepared to consider seriously the proposed reductions on the TAC (to 6 000 tons) in conformity with the scientific advice and stressed that there was a certain element of flexibility, and stated that NAFO had an International Observer Scheme and the rules thereby established should be respected. He proposed up to 50% observer coverage and strict inspection control.

The representative of the European Community, stressing the concern of all Contracting Parties regarding this stock, proposed to follow the scientific advice and set a TAC of 6 000 tons plus observer coverage of 50%, an enhanced co-operation between the European Community and Canada to ensure 100% inspection presence in the area and 100% dock side control.

The representative of Canada, noting that a moratorium would be more advantageous for the stocks, characterized the proposal as "a poor second choice". He considered that the scientific advice with the reduced TAC of 6 000 tons was being respected and the proposed additional measures were a clear improvement.

A TAC of 6 000 tons and regulations respecting 50% observer coverage, 100% inspection presence in the NAFO Regulatory Area and 100% dock side control were adopted by consensus.

## 6.2 Redfish 3LN

The representative of the Russian Federation proposed to follow the scientific advice, i.e. a TAC of 14 000 tons.

The representative of Cuba supported this proposal.

A TAC Of 14 000 tons was adopted by consensus.

## 6.3 American plaice 3LNO (Yellowtail flounder 3LNO and Witch flounder 3NO)

The representative of Canada stated that the spawning stock has declined precipitously since 1985 to only 15-20% of its earlier level. There is a definite need to protect the 1985 and 1986 year-classes to allow growth of the spawning stock biomass. A moratorium on this fishery would be appropriate. This stock is extremely important to Canada with 98.8% of the TAC allocated to it.

The representative of the European Community stated that the Scientific Council advised a substantial reduction of the fishing mortality (page 82 of NAFO SCS Doc. 93/17).

The representative of Canada considered that the three flatfish stocks were in bad shape. He took the view that no directed fishery should be conducted on the three stocks.

The representative of the European Community said that the three stocks were not in a good condition. However, acknowledging that these stocks should be protected in conformity with the scientific advice, he noted that there were differences between the stocks in question.

The representative of Canada stated that the scientific advice did not take into account the fact that the present conditions were not normal.

It was agreed that the scientific advice should be followed for setting TAC(s) for these stocks (and American plaice 3M), but the following footnote be introduced for the four stocks:

"Considering the advice contained in the Report of the Scientific Council and having regard to the poor state of the stock of American plaice in Divisions 3LNO and 3M; Witch flounder in Division 3NO and Yellowtail flounder in 3LNO, no directed fishery shall be carried out under the TACs agreed for each of these stocks in 1994, which are suspended. The provisions of Part I, Section A.4b) of NAFO Conservation and Enforcement Measures shall apply."

The final decision was taken by the Meeting that **no directed fishery** shall be carried out under the TAC agreed - 4 800 tons for this stock.

#### 6.4 Yellowtail flounder 3LNO

The representative of Canada recalled that this stock was of crucial importance to Canada (97.5%). However, in the period 1985 to 1992, it had suffered a very dramatic decline which justified a moratorium for 1994 on this stock.

The representative of the European Community pointed out that the current TAC was not detrimental to the stock. He added that the mesh size would contribute to a better exploitation pattern.

The representative of Canada, whilst recognising the importance of the mesh size as a management tool, indicated that the results from an increased mesh size were at the present stage negligible due to the extreme fragility of this stock.

The final **decision was taken** by the Meeting that **no directed fishery** shall be carried out under the TAC agreed - 7 000 tons for this stock.

#### 6.5 Witch flounder 3NO

The representative of Canada proposed a moratorium on this species considering that the 3 000 tons figure was arbitrary due to the lack of knowledge about this stock.

The representative of the European Community noted that the assessment was not made on average recruitment but on the most recent one.

The final **decision was taken** by the Meeting that **no directed fishery** shall be carried out under the TAC agreed - 3 000 tons for this stock.

#### 6.6 Capelin 3NO

The representative of Norway proposed to follow the scientific advice, i.e. no directed fishery for this species, which was supported by the representative of Canada.

A TAC of "zero" was agreed by consensus.

#### 6.7 Squid Subareas 3 and 4

The representative of Japan proposed to maintain the same TAC as last year, namely, 150 000 tons.

The representative of Canada supported this proposal.

A TAC of 150 000 tons was adopted by consensus.

#### 6.8 Shrimp 3LNO

Following discussion and scientific advice, an amendment to the Conservation and Enforcement Measures **was adopted** as follows:

"Part I- Management (add new paragraph)

- G. Due to biological considerations, all Contracting Parties shall ensure that their vessels shall not conduct a directed fishery for shrimp in Divisions 3LNO in 1994."

#### 6.9 Cod 3L

The representative of Canada recalled the 2-year moratorium on cod 2J3KL as from July 1992 in order to help the rebuilding of this stock. However, the stock continues to decline and the SSB is at its lowest. The causes for this decline remain not clearly defined. No major impact was felt in this stock resulting from the existing moratorium. The representative proposed that the moratorium should continue. And, as it will be the case inside the Canadian 200 mile zone, it is expected that NAFO will follow suit.

The representative of the European Community agreed with the assessment made by the previous representative. He underlined that as a matter of consistency, the moratorium should remain in force inside and outside the 200 mile zone.

The representative of Canada assured representatives that no commercial fishing would take place in 1994 inside the Canadian 200 mile zone and proposed the same resolution as adopted last year that no directed fishery for this stock in 3L be permitted.

The representatives of the European Community and the Russian Federation endorsed this proposal.

The representative of Cuba reminded representatives that the population of seals (around 3 million) had gone completely out of control and for this reason considered that the Scientific Council should make a more thorough analysis on the interaction between seals and cod.

The representatives of Denmark (in respect of the Faroe Islands and Greenland), Norway, the European Community, Canada, Iceland and Japan supported the view expressed by the previous representative.

The proposal concerning Cod 3L (FC Doc. 93/8) **was adopted.**

#### **Note by the Executive Secretary:**

The proposals regarding the NAFO Conservation and Enforcement Measures adopted by the Fisheries Commission during its discussions under items 3 to 6 of this report were incorporated in the official Fisheries Commission documents and distributed to all Contracting Parties for the final decision (according to provisions of para 6 of Article XI and para 1 Article XII of the NAFO Convention). These documents are: NAFO/FC Doc(s). 93/6,7,8,9,10,11,12 and "Quota Table for 1994". All proposals became measures binding on 15 December 1993.

- 6.10 On the allocation of the quota of former USSR to Estonia, Latvia, Lithuania and Russia, K. Hoydal (Denmark), NAFO mediator on this issue, reported that he and V. Rabinovitch (Canada) had developed a series of contacts among the parties concerned and presented several proposals, but the parties involved were unable to come to an unanimous solution.

The representative of Estonia thanked the NAFO mediators and presented facts on high unemployment in Estonia's fishing industry. He emphasized Estonia's commitment to the principles of NAFO and welcomed the decision for "block quota" allocation as an adequate temporary solution, prior to the allocation of national quotas and suggested to divide the collective quota between the four Contracting Parties on the basis of the actual catch in 1993.

The representative of the Russian Federation made a statement on this issue noting that there is no legal basis for claim of national allocations from the quota of the former USSR for the three Baltic independent states. He stated that the decision of the Fisheries Commission for "block quota" allocations at the 14th Annual Meeting was unprecedented in the NAFO practice to which Russia had objected setting its autonomous quotas and developing measures for its fleet to prevent overfishing. Further, the Russian representative informed that due to impasse in this problem, Russia was forced to depart from some compromises back to Russia's previous position - to share the former USSR's quotas with the three Baltic Countries on the "tonnage/population" principle proposed by Russian delegation at the 14th Annual Meeting (1992) and its objection to the "block-quota" allocation. However, he stated that Russia is ready to continue further negotiations on the subject with the interested Parties.

The representative of Lithuania stated Lithuania's observance of all NAFO regulations, decisions and requirements and reiterated his support for effective conservation measures in the Regulatory Area. He objected to the Russian proposal on "tonnage-population" principle and supported the "block quota" allocation suggesting the national allocations for the four countries based on the 1993 catches of Contracting Parties involved.

The Latvian statement on this issue distributed to the Meeting supported the "block quota" allocation as a temporary solution for 1993 and proposed to allocate national quota for Latvia based on 1993 catches. It was suggested that those catches of Latvia were not completely fished yet in 1993 be considered as a sufficient basis for the national allocation for 1994, and this procedure should not harm the interests of any other Contracting Party.

The representative of the European Community expressed his disappointment with the lack of satisfactory results and urged the parties to continue their efforts towards a long-lasting solution. He suggested that, in the meantime, the scheme applicable to 1993 should apply to 1994.

The Meeting agreed to apply the existing traditional distribution key to the agreed TACs as outlined in the "Quota Table" in Schedule I of the NAFO Conservation and Enforcement Measures. The former USSR share was allocated to Estonia, Latvia, Lithuania and Russia as a "block quota" on the same conditions as last year (this noted in footnote 1 to the Quota Table).



The representative of the Russian Federation introduced a formal objection to the "block quota" allocation.

#### **7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 1995**

- 7.1 The Canadian proposed draft of the Fisheries Commission's request for scientific advice on management in 1995 of certain stocks in Subareas 3 and 4 was adopted (Annex 6).
- 7.2 The representative of Canada especially emphasized in paragraph 6 of the request regarding G. halibut which is a very important stock for Canada and which should be studied in a comprehensive way as soon as next year. He called on Parties having the appropriate data (Murmansk fleet, European Community and others) to provide those for the Scientific Council deliberations.

#### **8. Closing Procedure (items 24 to 26 of the Agenda)**

- 8.1 Agenda item 24, Time and Place of the Next Meeting, was referred to the General Council. The 16th Annual Meeting will be held on 19-23 September 1994 in the Halifax/Dartmouth area subject to the decision of the General Council.
- 8.2 Under Other Business, the representative of Canada took the view that a mechanism to settle disputes between Contracting Parties within NAFO should be found. To that end, Canada would be inviting representatives to participate in a Working Group to consider all aspects of this issue.
- 8.3 Before the adjournment of the meeting, the representative of the European Community thanked the Chairman of the Fisheries Commission on behalf of the Meeting for his hard work, objectivity and impartiality in conducting the meetings of the Fisheries Commission.
- 8.4 The Annual Meeting of the Fisheries Commission was adjourned at 1400 hrs on 10 September 1993.

#### **9. Adoption of the Report**

The Report of the Fisheries Commission was reviewed and adopted by unanimous consent by the Fisheries Commission on 15 December 1993 (according to GF/93-411 of 05 November 1993).

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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 14th Annual Meeting, September 1992 (FC Doc. 92/19)
7. Review of Commission Membership
8. Election of Officers - Chairman and Vice-Chairman

### Conservation and Enforcement Measures

9. Incorporation of a Catch Reporting System into the Hail System
10. Effort Plans for the Vessels of the Contracting Parties Operating in the Regulatory Area
11. Operation of the Hail System
12. Operation of the NAFO Observer Scheme Pilot Project
13. Financing of NAFO's Scientific Work in the Regulatory Area
14. Nominal Catches by Contracting Parties Exceeding 1992 Quotas
15. Review of NAFO Rules Regarding Incidental Catches
16. Annual Return of Infringements, Surveillance and Inspection Reports
17. Fishing Vessel Registrations
18. Report of STACTIC at the Annual Meeting

### Conservation of Fish Stocks in the Regulatory Area

19. Transfer of Quotas Between Contracting Parties
20. Summary of Scientific Advice by the Scientific Council
21. Management and Technical Measures for Fish Stocks in the Regulatory Area
  - 21.1 Cod in Div. 3M
  - 21.2 Redfish in Div. 3M
  - 21.3 American plaice in Div. 3M
  - 21.4 Shrimp in Div. 3M
22. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits
  - 22.1 Cod in Div. 3NO
  - 22.2 Redfish in Div. 3LN
  - 22.3 American plaice in Div. 3LNO
  - 22.4 Yellowtail flounder in Div. 3LNO
  - 22.5 Witch flounder in Div. 3NO
  - 22.6 Capelin in Div. 3NO
  - 22.7 Squid (*Illex*) in Subareas 3 and 4



- 22.8 Management of Shrimp in the Regulatory Area in 1994
- 22.9 Management and Technical Measures for the following stocks, if available in the Regulatory Area in 1994:

- i) Cod in Div. 3L

- 23. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 1995

**Closing Procedure**

- 24. Time and Place of the Next Meeting
- 25. Other Business
- 26. Adjournment

### Annex 3. Press Release

1. The Fifteenth Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Dartmouth, Nova Scotia, Canada through 6-10 September 1993, under the chairmanship of K. Yonezawa (Japan), President of NAFO. All sessions of the constituent bodies of NAFO - the General Council, Scientific Council, Fisheries Commission, and subsidiary bodies, Standing Committees, for finance (STACFAD), for non-Contracting Parties activities (STACFAC), for international control (STACTIC) convened at the Holiday Inn.
2. The Contracting Parties were represented at the Meeting by delegations from: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Iceland, Japan, Latvia, Lithuania, Norway, Poland, and Russia. Observers were admitted from the United States of America and the Republic of Korea.
3. The Annual Meeting was preceded by the meeting of the Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (NAFO Headquarters, April, 1993) and the Regular Meeting of the Scientific Council (NAFO Headquarters, June 1993).
4. The Scientific Council, under the chairmanship of H. Lassen (EEC), considered the state of stocks and scientific basis for the management and conservation of fishery resources in the NAFO Convention Area. The scientific advice was reported to the Fisheries Commission indicating the decrease of stock sizes for all groundfish stocks in the Regulatory Area and continuing decline for all cod stocks and flounders.
5. The Fisheries Commission, under the chairmanship of E. Wiseman (Canada), undertook serious discussions on particular substantial issues pertaining to the management and conservation of the fisheries resources in the Regulatory Area and agreed on a number of important new measures pursuing the prime objective of rebuilding depleted fish stocks.

Against this background, Total Allowable Catches and allocations to Contracting Parties in 1994 for all groundfish stocks which are either entirely in the Regulatory Area or associated with the stocks within the 200-mile fishing zones were decreased (attached in the Quota Table).

The following new proposals for international measures of control and enforcement within the Regulatory Area were introduced: no directed fishery for the stocks of American plaice in Divisions 3LNO and 3M, Witch flounder in Divisions 3LNO, and for Yellowtail flounder in Divisions 3LNO as those stocks should be utilized only as by-catch; special measures to prevent the taking of undersize fish in the fishing for Cod in Divisions 3NO were agreed such as a ban on shrimp trawling in this area. Furthermore, the Parties concerned agreed on 50% observer coverage and 100% inspection monitoring. As regards shrimp trawling in Division 3M, a minimum net mesh size of 40mm, sorting grids for fish escapement and deployment of observers on board of fishing vessels were agreed. These conservation measures are directed at drastic reduction of the mortality of juvenile fish and, as the result, a gradual revival of fish stocks.

6. The Fisheries Commission unanimously agreed with a Canadian proposal that taking into account the available scientific advice, directed fisheries for Cod in Division 3L in the Regulatory Area shall not be permitted in 1994, which is consistent with the current moratorium that is being applied by Canada to the fishery of this stock.
7. Following the presentation of the Standing Committee on Finance and Administration (STACFAD), the General Council adopted the Organization's budget and accounts for 1994.
8. The General Council adopted the report of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC), presented by the Chairman C. C. Southgate (EEC), and endorsed the recommendations directed to curtail unregulated fishing activities by non-Contracting Parties vessels in the NAFO Regulatory Area. The General Council strongly emphasized that such activity would be very harmful for depleted resources and against the provisions of the NAFO Convention and the Law of the Sea. In view of the real threat to the major stocks of fish in this area, the General Council adopted Resolution to collect statistics of catches by vessels of non-Contracting Parties for implementation of a Landing Declaration. The Council decided to make further diplomatic demarches to non-Contracting Parties urging them to withdraw their vessels before the beginning of the 1994 fishing season.
9. The General Council considering the UN Resolution 47/443 of 22 December 1992 on large-scale pelagic driftnet fishing confirmed that such fishing is not presently practised by NAFO Contracting Parties in the Convention Area.

10. The following elections took place for the constituent and subsidiary bodies of NAFO:

Chairman of the General Council, President of the Organization	- E. Lemche (Denmark in respect of the Faroe Islands and Greenland)
Vice-Chairman of the General Council	- A. Rodin (Russian Federation)
Chairman of the Fisheries Commission	- H. Koster (EEC)
Vice-Chairman of the Fisheries Commission	- P. Gullestad (Norway)
Chairman of the Scientific Council	- H. Lassen (EEC)
Vice-Chairman of the Scientific Council	- W. R. Bowering (Canada)
Chairperson of the Standing Committee on Finance and Administration (STACFAD)	- J. Quintal-McGrath (Canada)
Vice-Chairman of the Standing Committee on Finance and Administration (STACFAD)	- E. Penas (EEC)
Chairman of the Standing Committee on International Control (STACTIC)	- D. N. Brock (Canada)

General Council  
NAFO  
Canada  
10 September 1993

NAFO Secretariat  
Dartmouth, N.S.,

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 1994 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> ) <sup>1,2</sup>	
	Div. 3M	Div. 3NO	Div. 3M	Div. 3LN	Div. 3M*	Div. 3LNO*	Div. 3LNO*	Div. 3LNO*	Div. 3NO*	Div. 3NO*	Div. 3NO	Subareas 3+4	Subareas 3+4	
1. Bulgaria	-	-	390	-	-	-	-	-	-	-	-	-	500	
2. Canada	85	2 861	650	5 964	75	4 730	6 825	1 800	0	0	N.S. <sup>4</sup>	2 250		
3. Cuba	407	-	2 275	1 372	-	-	-	-	-	-	-	-		
4. Denmark (Faroe Islands and Greenland)	2 461	-	-	-	-	-	-	-	-	-	-	-		
5. European Economic Community	5 485	2 213	4 030	476	175	61	140	-	-	0	N.S. <sup>4</sup>	-		
6. Japan	-	-	520	-	-	-	-	-	-	0	2 250	-		
7. Norway	1 018	-	-	-	-	-	-	-	-	0	-	-		
8. Poland	424	-	-	-	-	-	-	-	-	0	1 000	-		
9. Estonia	-	-	-	-	-	-	-	-	-	-	-	-		
10. Latvia	1 078 <sup>1</sup>	716 <sup>1</sup>	18 005 <sup>1</sup>	6 104 <sup>1</sup>	500 <sup>1</sup>	-	-	1 170 <sup>1</sup>	0	0	5 000 <sup>1</sup>	-		
11. Lithuania	-	-	-	-	-	-	-	-	-	-	-	-		
12. Russia	-	-	-	-	-	-	-	-	-	-	-	-		
13. Others	42	210	130	84	250	9	35	30	-	-	5 000	-		
Total Allowable Catch	11 000	6 000	26 000	14 000	1 000*	4 800*	7 000*	3 000*	no fishing	150 000 <sup>5</sup>	-	-		

<sup>1</sup> 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.

<sup>2</sup> The opening date for the Squid (*Illex*) fishery is 1 July.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> The TAC would remain at 150 000 tonnes subject to adjustment where warranted by scientific advice.

\*Considering the advice contained in the Report of the Scientific Council and having regard to the poor state of the stock of American plaice in Divisions 3LNO and 3M; Witch flounder in Division 3NO and Yellowtail flounder in 3LNO, no directed fishery shall be carried out under the TACs agreed for each of these stocks in 1994, which are suspended. The provisions of Part I, Section A.4b) of NAFO Conservation and Enforcement Measures shall apply.

#### Annex 4. Statement by B. Rawson, Representative of Canada

Key groundfish stocks in the Northwest Atlantic, especially of cod and flounder, are in collapse. The most dramatic is 2J3KL cod, where the spawning stock biomass has declined by about 90 per cent in the past two years to an estimated 22 000 tons. Fishing for 2J3KL cod stopped last year, but the stock has continued to decline.

Ecological factors are clearly at work depressing this and other vulnerable groundfish stocks. These ecological factors recognize no national boundaries. Just a week ago Canada imposed moratoria on five cod and flounder stocks and severe quota reductions on other groundfish stocks. These are all stocks in the Canadian zone, in 3Ps off the South Coast of Newfoundland, in 4VWX off the East Coast of Nova Scotia and in the Gulf of St. Lawrence.

Virtually all fisheries for Canadian-managed cod and flounder stocks have been closed. The moratoria and other conservation measures taken in 1992 and 1993 have put almost 40 000 Canadian fishermen and plantworkers out of work.

These are drastic measures, but we are determined to save these resources. We must prevent further declines in spawning stock biomasses. We must protect juvenile fish so they can replenish spawning stocks. This is the most serious crisis ever in the fishery in the Northwest Atlantic.

NAFO-managed straddling stocks of cod and flounder are part of this crisis. Declines in spawning stock biomasses for these have been precipitous. In 1985, the spawning stock biomass of 3LNO American plaice was estimated to be 143 000 tons; if catches in 1994 do not exceed 4 800 tons, the spawning stock biomass predicted for the beginning of 1995 would be 13 500 tons. That would be a decline of more than 90 per cent.

Declines in 3LNO yellowtail flounder and 3NO witch flounder are less dramatic, but also clear. The biomasses for both have declined by more than two-thirds since 1985. As well, given the mixing of the flounder stocks, to be effective a moratorium would have to cover all three.

In 1987, the spawning stock biomass for 3NO cod was estimated to be 200 000 tons; if catches in 1994 do not exceed 6 000 tons, the spawning stock biomass predicted for the beginning of 1995 would be just over 20 000 tons. That would be a decline of almost 90 per cent. The NAFO Scientific Council noted as well,

"All necessary steps should be taken to eliminate the catch of small fish from this stock... The spawning stock biomass may never improve beyond current estimates if fisheries on immature cod continue at current high levels."

We have a choice. If we continue to fish and ecological factors continue to depress these stocks, they would face a collapse from which it would take decades to recover ... in effect, a lengthy period of commercial extinction. If we continue to fish and ecological factors are more neutral, these stocks will simply remain at chronically low levels for the foreseeable future. The first possibility would be catastrophic, the second merely dismal.

There is a third possibility, that is not to fish these stocks for the next year and, thereby, allow them to regenerate at their maximum biological potential. This would protect juvenile fish and, if ecological factors are at least neutral, boost the spawning stock biomass; if ecological factors continue to depress the stocks, this could save them from commercial extinction.

Canada is asking other Contracting Parties to do in international waters no more than what Canada is willing to do in its waters for the same fish stocks. In fact, for NAFO-managed straddling stocks of cod and flounder, Canada would make the lion's share of the sacrifice. For these four stocks ... 3NO cod and witch flounder, and 3LNO American plaice and yellowtail flounder ... the NAFO Scientific Council calculated TAC's as upper limits for harvesting if these resources are to be fished. The total is 20 800 tons.

Of this 20 800 tons, Canada would be allocated 16 200 tons and more than 70 per cent; other Contracting Parties would be allocated 4 600 tons or less than 30 per cent. Canada would be willing to forego its share of these stocks in favour of moratoria to protect them. We call on other NAFO Contracting Parties to do the same.

If these moratoria are adopted, fisheries for other regulated species, as well as unregulated species, would continue throughout the NAFO Regulatory Area. Most important among these is redfish, for which the NAFO Scientific Council recommends quotas totalling 34 000 tons; Canada's share would be less than 6 500 tons.

In other words, while Canada is seeking support for moratoria on stocks where it would receive more than 70 per cent of quotas, Canada supports continuation of those fisheries where other Contracting Parties would receive more than 80 per cent of quotas. Clearly, this is not an effort by Canada to gain an advantage or seek a preference over any other Contracting Party.

Just as clearly, Canada is not seeking to exclude or limit other Contracting Parties from participation in these fisheries in the future. Rather, we are proposing and seeking support for critically needed conservation measures that will benefit all Contracting Parties that share NAFO-managed cod and flounder straddling stocks.

3NO cod is an example. If a TAC of 6 000 tons were set in 1994, other Contracting Parties that share this stock would receive quotas totalling 3 000 tons. Yet, if the 3NO cod stock were fully rebuilt, it might well sustain a fishery of around 60 000 tons. Those higher levels of abundance and catches are what we should be aiming for.

As with every NAFO Annual Meeting, there is a lengthy agenda containing many important items. In my opening remarks today, I have addressed only one item, the need for moratoria to protect and begin re-building straddling stocks of cod and flounder. I have done so because Canada believes that it is the most critical decision to be taken at this Annual Meeting.

If we choose to continue harvesting these stocks, we face chronically low levels of abundance for the foreseeable future or, possibly, their commercial extinction. If we choose instead not to harvest these stocks for the next year, we may break the spiral of decline. Then we will have begun the journey back toward greater security, opportunity and prosperity in the fishery. That is Canada's goal.

## Annex 5. Part VI - 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 January 1, 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 haul reports). **In particular, observers should collect catch and effort data on a set-by-set basis. These data should include location (latitude/ longitude), depth, time net on the bottom, catch composition and discards.**

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.

**The Scientific Council has recommended that length sampling of the main species of the daily catch should be set out accordingly to the NAFO standard procedures actually in use in the national sampling programs. Training should be done on a national basis and in conjunction with research institutes in charge of the sampling at sea, and a manual should be provided.**

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 members 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 percent 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. Fisheries Commission's Request for Scientific Advice on Management in 1995 of Certain Stocks in Subareas 4 and 5

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 1994 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 1995:

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)  
 Shrimp (Div. 3M)

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. As general reference points the implications of fishing at  $F_{0.1}$ ,  $F_{1993}$  and  $F_{max}$  in 1995 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 1995 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. 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 offered that specifically respond to such concerns.
- 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 1995 over a range of fishing mortality rates (F) at least from  $F_{0.1}$  to  $F_{max}$ .
    - a graph showing spawning stock biomass at 1.1.1996 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 stock separation 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.
4. The Scientific Council is asked to review all data available on the implications of using 90 mm minimum mesh size in mid-water trawls when fishing for redfish in Div. 3LN, in comparison to 130 mm. This should include consideration of fish lost during haulbacks.
5. Noting that the Scientific Council has scheduled a Symposium on Seals in the Ecosystem for September 1995, the Fisheries Commission requests a report in 1994 on the nature and extent of analyses that are expected to be tabled at the Symposium with respect to the interrelation between seals and commercial fish stocks.
6. Noting the Scientific Council's recommendations for coordinated research on Greenland halibut, the Fisheries Commission and the two Coastal States emphasize the urgency of acquiring information on the distribution and stock status. The Scientific Council is requested to pursue its coordinated efforts and member countries are urged to commit the necessary resources to the research.

**Annex 7. List of Decisions and Actions by the Fisheries Commission  
(15th Annual Meeting, 6-10 September 1993)**

Substantive Issue (propositions/motions)	Decision/Action (FC Doc. 93/18; item)
1. Report of the 14th Annual Meeting, FC Doc. 92/19	adopted (item 2.1)
2. Incorporation of a Catch Reporting System into the Hail System	deferred to 16th Annual Meeting (item 3.1)
3. Effort Plans for the Vessels of Contracting Parties Operating in the Regulatory Area	deferred to 16th Annual Meeting (item 3.1)
4. Operation of the Hail System (FC Doc. 93/6)	amended (item 3.2)
5. Operation of the NAFO Observer Scheme Pilot Project (FC Doc. 93/7)	amended (item 3.3)
6. Financing of NAFO's Scientific Work in the Regulatory Area	Scientific advice accepted (item 3.4)
7. Nominal Catches by Contracting Parties Exceeding Quotas	accepted/referred to 16th Annual Meeting (item 3.5)
8. NAFO Rules re Incidental Catches	discussed; deferred to 16th Annual Meeting (item 3.6)
9. Annual Return of Infringements, Surveillance and Inspection Reports	reviewed; adopted (item 3.7)
10. Fishing Vessels Registrations	reviewed; modified (item 3.8)
11. Report of STACTIC at the 15th Annual Meeting (Part II, FC Doc. 93/18)	adopted (item 3.9)
12. Russian Project for Experimental Redfish Fishery	referred to the Scientific Council, November 1993 and Special Meeting of Fisheries Commission 1994 (item 3.9a)
13. NAFO Inspection Manual	agreed (item 3.9b)
14. Minimum Fish Size (Part I.D of the Measures)	referred to the Scientific Council (November, 1993) and Special Meeting of the Fisheries Commission (1994) (item 3.9c)
15. Minimum Fish Size Measure (Part I.D of the Measures); FC Doc. 93/12	agreed for Canada to follow its system (item 3.9d)

Substantive Issue (propositions/motions)	Decision/Action (FC Doc. 93/18; item)
16. Inspection Procedure (FC Doc. 93/11)	adopted (item 3.9e)
17. Ban on direct fishery of shrimp in 3LNO, 1994 (FC Doc. 93/10)	adopted (items 3.9f, 6.8)
18. Transfer of Quotas Between Contracting Parties	deferred to the 16th Annual Meeting (item 4.1)
19. Regulatory Measures for shrimp fishery in 3M (FC Doc. 93/10)	adopted (item 5.4)
20. Regulatory Measure for fishery of Cod 3NO (FC Doc. 93/9)	adopted (item 6.1)
21. Regulatory measures for fishery of A. plaice 3M and 3LNO, Yellowtail flounder 3LNO, Witch flounder 3NO - no directed fishery in 1994	adopted (items 5.3, 6.3, 6.4, 6.5)
22. No directed fishery for Cod in Div. 3L of the Regulatory Area in 1994 (FC Doc. 93/8)	adopted (item 6.9)
23. TAC(s) for major species for 1994 in the Regulatory Area:	adopted
Cod in Div. 3M	11 000 tons (item 5.1)
Redfish in Div. 3M	26 000 tons (item 5.2)
A. plaice in Div. 3M	1 000 tons (item 5.3) no directed fishery
Cod in Div. 3NO	6 000 tons (item 6.1)
Redfish in Div. 3LN	14 000 tons (item 6.2)
A. plaice in Div. 3LNO	4 800 tons (item 6.3) no directed fishery
Yellowtail flounder in Div. 3LNO	7 000 tons (item 6.4) no directed fishery
Witch flounder in Div. 3NO	3 000 tons (item 6.5) no directed fishery
Capelin in Div. 3NO	"Zero TAC" (item 6.6)
Squid in Subareas 3+4	150 000 tons (item 6.7)
24. Schedule I-Quota Table for 1994; NAFO Conservation & Enforcement Measures (Part V)	adopted (item 6.10)
25. Distribution of quotas to the Contracting Parties and "block quota" allocation to Estonia, Latvia, Lithuania, Russia	discussed, adopted (item 6.10)
26. Request to the Scientific Council for scientific advice on management of fish stocks in 1995	adopted (item 7)

## PART II

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

15th Annual Meeting, 6-10 September 1993  
Dartmouth, N. S., Canada

The Standing Committee on International Control (STACTIC) met on 8 occasions during the week of 6-10 September 1993. The initial session was convened at 10:15 on 6 September 1993.

#### 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. The STACTIC delegations comprised Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EEC, Estonia, Japan, Latvia, Lithuania, Norway and Russia. (Annex 1)
- 1.2 R. J. Prier (Canada) was appointed Rapporteur.
- 1.3 The Chairman reviewed the Provisional Agenda and outlined the various documents associated with each of the agenda items. Under item Other Matters he indicated it would be useful to discuss the publication of the NAFO Conservation and Enforcement Measures. The representative of Canada stated the Fisheries Commission has a number of items under Conservation and Enforcement Measures that STACTIC could be asked for technical advice and if time is available perhaps we could discuss some of these items. No further comments were forthcoming on the agenda and it was **adopted** as presented. (Annex 2)

#### 2. Review of Annual Return of Infringements (item 4 of the Agenda)

- 2.1 The Chairman summarized the number of inspections, apparent infringements, and the status of their disposition (FC Doc. 93/14) and requested the Executive Secretary to examine ways to combine STACTIC Form A and B with regard to inspections, catch record of discrepancies and/or apparent infringements (Form A) and their disposition form (B) into a form E for distribution to Contracting Parties. With respect to the reporting of a number of dispositions of infringements for 1990-91, the EEC undertook to forward these reports directly to the Executive Secretary.
- 2.2 The Executive Secretary completed this task and **STACTIC agreed** to the paper attached in Annex 3.

#### 3. Review of Surveillance and Inspection Reports (item 5 of the Agenda)

- 3.1 In accordance with Rule 14 of the Scheme of Joint International Inspection and Surveillance, each Contracting Party is required to report each year for the previous year the number of air hours flown on NAFO patrol, the number of sightings and the number

of surveillance reports established with the date, time and position of sightings in respect of these surveillance reports. Reports were received from Canada and the EEC which are summarized in FC Doc. 93/15.

#### 4. Review of Registration of Vessels Fishing in the Regulatory Area (item 6 of the Agenda)

- 4.1 The Executive Secretary reviewed this paper which is a compilation of information received from Contracting Parties as of August 1993 listing the vessels which indicated they may fish in the Regulatory Area in 1993 and those that hailed to the Executive Secretary. The paper indicates 314 intended to fish in the Regulatory Area and the Executive Secretary received hails from 197 of these vessels.
- 4.2 The representative of Denmark (in respect of the Faroe Islands and Greenland), Canada, and the EEC reported that it is normal for more vessels to indicate intent to fish in the area than actually do. The representative of Canada remarked that there is a high compliance rate with the hail requirement.
- 4.3 The Chairman raised the question whether the form should be modified. It was agreed after discussion that the form should be modified and requested that the Executive Secretary look at this and was given the following guidelines. The report should be in 3 columns for each Contracting Party - Vessel Name/Notification Received by NAFO Secretariat, Hail Reports Received by NAFO Secretariat and Vessel Sightings. (FC Doc. 93/16)

The report for the 1994 annual meeting should cover all of 1993 and up to June 30, 1994.

#### 5. Review of Operation of the Hail System (item 7 of the Agenda)

- 5.1 In reference to NAFO/FC Doc. 93/3 Canada reported that this was a first draft and what they would like to see is other Contracting Parties contributing to this draft and eventually submitting it as a STACTIC Report on the Hail System. Some of the questions which require to be answered are: Is the correct format being used?; Are all Contracting Parties hailing?; Are hails sent in a timely manner?; Are the rules for hails being complied with?
- The representative of Canada stated that from their information compliance with the hail requirement was high. (Annex 4)
- 5.2 The Chairman asked Russia to clarify its position on the hail system. Russia indicated they were complying with the hail system on a voluntary basis and will continue on this basis. Russia indicated that they **have not withdrawn their objection** to the hail system.
- 5.3 The Executive Secretary reported on the progress of the Pilot Project Team for the Hail Systems contained in his paper (Annex 5). The Executive Secretary indicated they have the computer system in place but will need additional software. The Executive Secretary is prepared to proceed with this project.

- 5.4 STACTIC endorsed this project and recommends that the Executive Secretary continue with this project and to expend funds already assigned within the budget.

**6. Review of the NAFO Inspection Manual (item 8 of the Agenda)**

- 6.1 The Executive Secretary outlined his idea for the publishing of an Inspection Manual and stated the manual would assist inspectors, and could be produced at minimum cost. He estimates approximately 100 copies would be required. He still requires some Contracting Parties to translate the questionnaire. The manual could be produced by the end of the year if authority to proceed is received at this meeting of NAFO.
- 6.2 The Chairman summarized the following comments of the representatives at the Meeting by noting that STACTIC recommended the publication of a manual and that Contracting Parties should check with the Executive Secretary to see what translations they are required to produce:
- Executive Secretary to ensure manual is flexible;
  - amendments should be inserts;
  - all Contracting Parties to have an opportunity to review the manual before it is published;
  - with respect to Canada's request for an advisory section Contracting Parties should look at accomplishing this on a bilateral basis;
  - Contracting Parties can forward to the Executive Secretary papers they wish to have incorporated in the draft.

**7. Minimum Sizes for Cod, Yellowtail Flounder and American Plaice  
- Possible Alternatives to Current Measures (item 9 of the Agenda)**

- 7.1 The representative of Canada presented proposal for technical discussions on adding 3 new species to the list - Witch, Redfish and Greenland halibut and three addition columns with their length equivalents.
- 7.2 The Chairman indicated the Scientific Council would have to be requested to provide information on round length for the three new species proposed but as indicated by some Contracting Parties it would be difficult for the Scientific Council to provide information on product form. Therefore, it was agreed that a proposal to the Fisheries Commission would be prepared that the Scientific Council be requested to look at the feasibility and desirability of establishing minimum fish size for the three additional species and to advise on the minimum round length for the three new species proposed in the Canadian paper. (Annex 6)
- 7.3 There was continued discussion on the establishment of processed length equivalents.
- The Russian delegation stated it was not reasonable to establish such regulations due to technological difficulties in the procedure of this inspection, as well it would be impossible to implement and to determine conversion factors.

- 7.4 The Chairman of the Scientific Council addressed the questions raised by STACTIC and stated that the Council did not have the information to give definitive answers (Annexes 7 and 8). Since scientific advice was not available, the Committee presented its draft for the request to the Scientific Council by the Fisheries Commission (Annex 9).

**8. Discussion of Other Conservation and Enforcement Measures (task from the Fisheries Commission and by STACTIC initiative)**  
(item 10 of the Agenda)

8.1 **Operation of the NAFO Observer Scheme Pilot Project**

The representatives of the EEC and Canada referred to their documents (FC Doc. 93/4 and 93/5) which describe the participation in the pilot observer project. The general assessment was that the program is developing along the lines of adopted provisions.

The Chairman outlined the advice from the Scientific Council to have NAFO observers collect scientific data, which was clarified by the Scientific Council (Chairman of STACREC) to STACTIC.

The Committee agreed that the Scientific Council advice could be accommodated by amending paragraphs in Part VI-Pilot Project for NAFO Observer Scheme of the NAFO Conservation and Enforcement Measures. (please see Annex 5 of Part I, FC Doc. 93/7)

8.2 **Amendments to the Minimum Fish Size Measure (by Canada)**

Canada tabled their paper FC Working Paper 93/16 which outlined options for Contracting Parties to either choose the present NAFO regulation or the Canadian regulation as they pertain to the retention of small fish on board. The EEC delegate indicated this was a policy change and that we would be reversing our trend with regard to the protection of small fish within the NAFO Regulatory Area. In addition the EEC delegate indicated there may be problems of enforcement when Contracting Parties other than Canada opt for different options. The EEC recommended this proposal be referred to the Fisheries Commission. Canada did not agree with the EEC but agreed to have this proposal referred to the Fisheries Commission for discussion. Russia had a point of view close to the Canadian proposal and it reserved their final position.

The proposal was referred to the Fisheries Commission.

8.3 **Improvements to the Inspection and Control in the NAFO Regulatory Area**

The Chairman asked for discussion on NAFO/FC Doc. 90/8 and NAFO/FC Doc. 90/9. The Chairman went through NAFO/FC Doc. 90/8 and noted that STACTIC had fulfilled its tasks except for 2 items - **Electronic Tracking System and a Licensing System**. The EEC stated they are working on a system for Member States but it is not anticipated it will be ready for two years. STACTIC will await results of the EEC study. The licensing system remains outstanding. STACTIC recommended that outstanding items remain on the STACTIC agenda.



#### 8.4 **Inspection Procedure**

The representative of Canada presented proposal and indicated that discussions had taken place with other delegations and it was agreed that Canada would accept the modification for their proposal. This was accepted by STACTIC to **recommend** to the Fisheries Commission a new proposal for the amendment of the Conservation and Enforcement Measures (Annex 10).

#### 8.5 **Management Measures for 3NO Cod**

The representative of Canada introduced the proposal for observer coverage (100%) of cod fishery in 3NO as new Rule "F" for Part I - Management of the NAFO Measures and for advance notice (48 hours) by the vessels intending to fish in that area as part "G" of the Measures. It was explained that this was proposed to assist in the protection of the catch of small fish.

The representative of the EEC made the following comments regarding section F: questioned what the difference was between this program and the Pilot Observer Program; questioned whether this can be complied with; only 2 Contracting Parties with a quota for 3NO cod are providing observers to the Pilot Project; questions whether the measure is necessary as there are few vessels operating in the area and they can be controlled by other measures.

Section G: we have a hail system and it is working well with a high level of compliance; is it necessary to add on to this measure?; no method of communicating patrol vessel location to fisheries vessels; we are presently awaiting a report from the Shrimp Working Group and we could be facing major increases in enforcement.

Russia indicated because of the lateness in receiving this document they reserved their position.

The Chairman summarized the discussion and indicated he would report to the Fisheries Commission these deliberations as follows: Canada gave the rationale for their paper to STACTIC; the Chairman will relate the concerns voiced by the EEC on Section F and G; Part V not a measure that can be discussed in STACTIC; the Russians indication that the paper was received too late and they reserved their position.

#### 8.6 **Nominal Catches by Contracting Parties Exceeding 1992 Quotas**

This was referred to STACTIC by the Fisheries Commission and discussed at the STACTIC Meeting. The Meeting agreed on modified table "Selective Comparative Quotas and Catches in the Regulatory Area for 1992". (Annex 11)

#### 8.7 **Russian Proposal to Use 90 mm Gear in Their Redfish Fishery in Div. 3N and 3O**

The Russian representative explained the proposal for a scientific/commercial project in 1994 with the following parameters: maximum 5 vessels; maximum 250 fishing days in total; a team of scientists will monitor the project, circulating among the 5 vessels; only pelagic trawls will be used in the project; the scientific team will ensure, that the trawls are set in such a way that catch of other groundfish is avoided.

The Chairman summed up the discussion and recommendation to the Fisheries Commission that:

- a) The project to be reviewed at the Special Scientific Council Meeting in November 1993.
- b) To ensure the success of such a meeting a review of available data and a synthesis of these data is necessary prior to November. Russia should compile and present its data together with such a comprehensive analysis.
- c) Russia is invited to present their research plan for the experiment indicated above. This research plan should include a specification of the objective of the experiment and how this objective would be met.
- d) The project to be decided upon at the Special Fisheries Commission Meeting in 1994.

**8.8 Bottom Trawling for all Species in Division 3L, 3N and 3O (130mm) (by Canada) to Reflect the Recommendations of the Shrimp Working Group**

The meeting agreed on the following:

- there be no directed fishery for shrimp in 3LNO in 1994.
- incorporate these measures in Part I, Management of NAFO/FC Doc. 92/21 in a new section under Other Measures.

The representative of the EEC noted that he withdrew the request for clarification (Note 2) of this proposal and would not pursue this matter at this meeting.

**9. Election of Officers**

D. Brock (Canada) was nominated by the representative of the EEC for Chairman of STACTIC and this nomination was unanimously accepted by the Committee.

The representatives expressed their gratitude to the outgoing Chairman, E. Lemche, and wished him success in his future work within NAFO.

**10. Time and Place of Next Meeting**

The next meeting of STACTIC should take place simultaneously with the next Fisheries Commission Meeting.

**11. Other Matters**

The Chairman deferred, because of the lateness of the meeting, his proposal to look at amending the Conservation and Enforcement Measures (FC Doc. 92/21) to make them more readable.

**12. Adjournment**

The meeting adjourned at 1100 hours on 10 September 1993.

## Annex 1. STACTIC Heads of Delegation

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Chairman: E. Lemche, Denmark (in respect of the Faroe Islands and Greenland)

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Canada	C. J. Allen
Cuba	B. Garcia Moreno
Denmark (in respect of Faroe Islands and Greenland)	K. P. Mortensen
Estonia	L. Vaarja
European Economic Community	P. Curran
Japan	H. Inoue
Latvia	A. Ukis
Lithuania	A. Rusakevicius
Norway	P. Gullestad
Russia	V. Tsukalov

### Observers

Republic of Korea  
United States of America

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## 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. Review of Operation of the Hail System
8. Review of the NAFO Inspection Manual
9. Minimum Sizes for Cod, Yellowtail Flounder and American Plaice - Possible Alternatives to Current Measure
10. Discussion of Other Conservation and Enforcement Measures (Request from the Fisheries Commission)
11. Election of Chairman
12. Time and Place of the Next Meeting
13. Other Matters
14. Adoption of Report
15. Adjournment



## **Annex 4. Canadian Report on Operation of the NAFO Hail System**

### **1.0 Introduction**

On 27 July 1991 the NAFO Hail System became binding on all Contracting Parties, exclusive of the USSR which lodged an objection.

Subsequent amendments respecting buffer zones for 3LN and 3NO transboundary fisheries and the recognition of air surveillance became binding on 26 November 1991 and 06 January 1992 respectively.

### **2.0 Hail System**

The NAFO hail system requires fishing vessels to report, to competent authorities of their respective Contracting Parties, six (6) hours in advance of entry to or exit from the Regulatory Area and prior to each movement between NAFO Divisions while operating in the Regulatory Area. Additional reporting requirements are necessary for "transzonal" fisheries in Divisions 3LN and 3NO. All hail reports are, within 24 hours of receipt by competent authorities, forwarded to other Contracting Parties with an inspection presence in the Regulatory Area.

### **3.0 Assessment**

Compliance with the NAFO Hail System by all Contracting Party fishing vessels is high. During 1992, Contracting Party vessels operated in the NAFO Regulatory Area for approximately 22 000 days, submitted approximately 1 700 hail reports, and were issued only 12 citations of apparent infringements (hail requirements) by Canadian inspectors. A post analysis of aerial sightings and hail reports also confirmed the high level of compliance observed during at sea inspections.

During the 01 January - 30 June, 1993 period, Contracting Party vessels operated in the NAFO Regulatory Area for approximately 10 000 days, submitted approximately 900 hail reports, and were not issued any citations of apparent infringements by Canadian inspectors. Again, post analysis of aerial sightings and hail reports confirmed the high level of compliance observed during at sea inspections. Notwithstanding this, a small number of vessels (<5) appeared to be operating in contravention of the measures, however, as Canadian air surveillance did not photograph the vessels at the time of sighting, follow-up action could not be pursued.

**Annex 5. Report to the Executive Secretary of NAFO  
by the Pilot Project Team for the NAFO Hail System  
(30 August 1993)**

**1. Background**

- 1.1 In 1992, STACTIC established a Working Group to study the automation of the NAFO Hail System.
- 1.2 The reason for developing an automated Hail System is to permit the rapid and accurate communication of positional hails from fishing vessels of Contracting Parties operating in the NAFO Regulatory Area to the NAFO Secretariat, for onward transmission to Contracting Parties with an inspection presence in the Area, in compliance with the NAFO Hail Regulations.
- 1.3 The Working Group recommended to STACTIC in April 1992 the implementation of a pilot project to test data exchange capability between Contracting Parties and the NAFO Secretariat. This recommendation was accepted, and the Pilot Project Team was instructed on 22 September, 1992 by the Executive Secretary to proceed with the pilot.

**2. Status**

- 2.1 The first step of the project consisted of the execution of file transfer tests between DFO in Ottawa and the Directorate General for Fisheries in Brussels using simple dial-up. This was initially believed to be a straight-forward exercise, however, the tests between Ottawa and Brussels did not achieve satisfactory results, despite considerable effort on both sides. Files could only be transferred when the communication was initiated in Canada. While this proved that files could be transferred, it did not meet the requirement for the Contracting Party (the EEC in the case of the test) to initiate the communication. It was then decided to try X-25 mode.
- 2.2 Tests involving X-25 connections have demonstrated that files can be transferred from Brussels to Ottawa, with the connection being initiated by the EEC in Brussels. However, this does not complete all the requirements of the Pilot Project.

**3. Proposed Plan**

Requirements for completion of the Pilot Project include:

- 3.1 Purchase of a PC for the NAFO Secretariat (donated by Canada)
  - 3.2 Purchase of communications software (PROCOMM+ for Windows) (donated by Canada)
  - 3.3 Purchase of a modem (US Robotics) (already donated by Canada)
-

- 3.4 Establish a 2400 baud X-25 connection at the NAFO Secretariat office:
  - 3.4.1 Purchase and install an X-25 PAD card for the NAFO PC (approximately Cdn \$2,500)
  - 3.4.2 Perform the initial X-25 connection (approximately Cdn \$300)
  - 3.4.3 Pay the cost for two months use of the X-25 connection (approximately Cdn \$350 per month for access and traffic)
- 3.5 Test X-25 communications between the EEC in Brussels and the NAFO Secretariat.
- 3.6 Test X-25 communications between the NAFO Secretariat and the Department of Fisheries and Oceans, Canada.

#### 4. Recommendation

- 4.1 In order to fulfil the agreed mandate of the pilot project, the Pilot Project Team recommends that:
  - 4.1.1 The Proposed Plan be accepted,
  - 4.1.2 The X-25 connection for the NAFO Secretariat be funded.

J. P. L. Verborgh  
C.E.C.  
Brussels

R. A. Cosh  
Department of Fisheries & Oceans  
Canada



## Annex 6. Request to the Scientific Council on Minimum Fish Sizes

### Background

At the 14th Annual Meeting, the Fisheries Commission adopted minimum fish size measures in an attempt to reduce or eliminate juvenile fish mortality in the Regulatory Area.

However, as currently written, the minimum fish sizes apply only to fish in the whole round state. As such, this measure can only be applied by inspectors to fish observed on the trawl deck or in the factory area.

Given that this fish represents a very small percentage on the total fish on board any vessel, STACTIC would like to consider the establishment of processed **length** equivalents for three of the major product types found in the Regulatory Area. These three product types are gutted, head-off/ gutted, head-off, tail-off/split fish.

### Request

STACTIC recommends that the Fisheries Commission request the Scientific Council to consider and provide advice on the following questions:

1. With reasonable levels of variance, are there specific numeric values that can be established for processed fish that would be the equivalent of the current minimum fish sizes (round length).
2. Is there a reasonably consistent relationship between total body length and head and tail length that could be used by inspectors to establish if vessels are processing fish below current minimum fish sizes. If so, what would these lengths be for gutted, head-off/ gutted, head-off, tail-off and split product forms for cod, redfish, American plaice, yellowtail, witch and Greenland halibut.

The Fisheries Commission refers the Scientific Council to NAFO SCR Doc. 82/VI/45 titled "The Shape of Cod on the Flemish Cap".

## **Annex 7. Response from Scientific Council to STACTIC With Respect to Minimum Landing Size**

The following is the response from the Scientific Council to STACTIC with respect to Minimum Landing Size.

1. **Minimum landing size (whole fish)**

Greenland halibut and flatfishes. STACFIS did not have data readily available to provide STACTIC with appropriate values. Data exist in laboratories, but such data need to be reviewed and the Scientific Council will put this item on the agenda of the June 1994 Meeting.

2. **Minimum landing size (products)**

STACFIS realized that for cod some data are available, however, these data could not be produced at this meeting. These data will provide estimates of head-off and head-off/tail-off length corresponding to 41 cm standard length.

The Greenland halibut and flatfishes data are not available and need to be collected. The Scientific Council will review data in June 1994 should the Fisheries Commission so wish.

## Annex 8. Response From STACFIS on Minimum Mesh Size for Groundfish

The following is the response from the STACFIS with respect to Fisheries Commission request.

### **Minimum mesh size for groundfish**

STACFIS noted that no new information was available at present to change the views presented by the Scientific Council in June 1992 (*NAFO Sci. Coun. Rep.*, p. 141-143). If new information were available at the June 1994 Meeting, STACFIS would agreed to consider them at that time. STACFIS agreed there was no basis at present for a derogation of the 130 mm mesh size Conservation and Enforcement Measures for groundfish fisheries in the Regulatory Area.

## **Annex 9. Request to the Fisheries Commission on Minimum Fish Sizes**

STACTIC recommends that the Fisheries Commission request the Scientific Council to consider and provide advice on the following questions:

1. Feasibility and necessity of determining minimum fish size for the following species: witch, redfish, Greenland halibut.
2. To advise on the minimum fish size to be used when round length is used for witch, redfish, and Greenland halibut.

## Annex 10. STACTIC Proposal re Inspection Procedures

Part IV.5.ii - add new paragraph

- (c) Where an inspection vessel has signalled that an inspection party is about to commence boarding a fishing vessel which has begun or is about to begin hauling its nets, the master of that fishing vessel shall ensure that the net is not retrieved for a period of 30 minutes after receiving the signal.

### Annex 11. Selective Comparative Quotas and Catches in the Regulatory Area for 1992

<u>Area/Species</u>	<u>Country</u>	<u>NAFO Quotas including transfers</u>	<u>Autonomous Quotas</u>	<u>Catch</u>
3NO Cod	Canada	7 984 <sup>3</sup>		7 688
	Cuba	-		53
	Denmark (Faroe Islands)	-		11
3M Redfish	Denmark (Faroe Islands)	-		16
	Denmark (Greenland)	-		1
	EEC	6 665	-	6 814 <sup>7</sup>
	Japan	1 360 <sup>4</sup>		1 353
	Larvia	-		7 441
	Others	216		8 350 <sup>2</sup>
3LN Redfish	Denmark (Greenland)	-		6
	EEC	476	6 000	3 572 <sup>7</sup>
	Japan	-		63 <sup>6</sup>
	Others	84		4 930 <sup>2</sup>
3M A. plaice	Denmark (Greenland)	-		1
	EEC	350	-	429 <sup>7</sup>
	Japan	-		47 <sup>6</sup>
3LNO A. plaice	Cuba	-		4
	Denmark (Greenland)	-		2
	EEC	328	-	510 <sup>7</sup>
	Japan	-		23 <sup>6</sup>
	Russia	-		46
	Others	47		518 <sup>2</sup>
3NO Witch Flounder	Canada	4 950 <sup>5</sup>		4 317
	EEC	-	1 000	572 <sup>7</sup>
	Japan	-		1 <sup>6</sup>
3LNO Yellowtail	Others	35		3 825 <sup>2</sup>

<sup>1</sup>Source: FC Working Paper 93/4

<sup>2</sup>Including-non-Contracting Parties

<sup>3</sup>Including quota transfer of 1 500 tons from Russia

<sup>4</sup>Including quota transfer of 500 tons from Canada

<sup>5</sup>Including quota transfer of 1 950 tons from Russia

<sup>6</sup>Quota for Others

<sup>7</sup>Revised by EEC at the Meeting