

Northwest Atlantic



Fisheries Organization

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SECOND ANNUAL MEETING - SEPTEMBER 1980

Report of the First Special Meeting of the Fisheries Commission of NAFO

Tuesday, 4 March, 1510 hrs

Wednesday, 5 March, 1015 and 1605 hrs

Thursday, 6 March, 1045 and 2010 hrs

Friday, 7 March, 1140 hrs

1. The First Special Meeting of the Fisheries Commission of NAFO was declared open by the Chairman, Captain J. C. E. Cardoso (Portugal). Delegations from all members of the Commission were present, together with Observers from Spain and the United States of America (Appendix I).
2. Under Agenda Item 2, Adoption of Agenda, the provisional agenda, as circulated, was adopted without change (Appendix II).
3. Under Agenda Item 3, Appointment of Rapporteur, Mr. J. S. Beckett (Canada) was appointed rapporteur.
4. Under Agenda Item 4, Review of Commission Membership, the Chairman welcomed, as new members, Poland and Japan.
5. Under Agenda Item 3, Conservation measures for fish stocks outside national fishing limits in Subarea 3.
 - a) Cod in Div. 3M. The Chairman of the Scientific Council, Mr. R. H. Letaconoux (EEC) introduced the report of the Council's recent meeting in Lisbon (NAFO SCS Doc. 80/II/1) and called upon the Chairman of the Standing Committee on Fisheries Science (STACFIS), Dr. G. H. Winters (Canada) to review it. STACFIS had concluded that commercial catch rates could not be used as a measure of abundance for cod in 3M and had utilized data from research surveys. It had been shown that the good 1973 year-class had passed through the fishery and that subsequent year-classes had been weak until that of 1977 which was relatively strong. This year-class would recruit to some extent to the fishery in 1980 but not substantially until 1981, unless fishing patterns, as in 1979, were concentrated on it. The scientific advice based on fishing at the $F_{0.1}$ level was for a TAC of 8,000 tons. This would permit an immediate start to the rebuilding of the stock. The delegate of the Faroe Islands introduced NAFO/FC Doc. 80/III/1 which illustrated that, while the cod stock on the Flemish Cap was depressed severely, higher TACs than that recommended by the scientists would not depress unduly the biomass at age 3+ as of 1 January 1981. The document noted the dependence of the Faroese fishing fleet upon fishing for this stock, particularly since the advent of 200-mile coastal state jurisdictions, and noted that these developments were forcing a painful readjustment on the Faroese fleet. The fleet was having to withdraw from distant-water fishing, a process which took time and would be aggravated by sudden reductions in available quotas. The delegate pointed out that fishing by longline, because it takes mainly larger fish, permits a more optimal exploitation of the resource than do other fisheries that take smaller fish. The delegate of Canada asked that the Scientific Council provide comment on the stock analysis contained in NAFO/FC Doc. 80/III/1, that it comment on the likely age composition of catches in 1980, and that it expand its comments in the report of the Lisbon Meeting with respect to the implications of changes in the age composition of the catches upon spawning stock size. Further discussion was deferred pending a reply from the Scientific Council.
6. Under Agenda Item 6, Conservation measures for fish stocks partly inside and partly outside national fishing limits in Subareas 3 and 4.
 - a) Capelin in Div. 3LNO. The Chairman of STACFIS reviewed the status of the stock as presented in NAFO SCS Doc. 80/II/1. Recent year-classes have been very weak and yet these form the bulk of the spawning biomass. The scientific advice was that there be no fishing in Div. 3NO but that 16,000 tons might be taken in Div. 3L. The delegate of Canada noted that this was the same scientific advice as had been given for the 1979 fishing year and recalled that the Commission had decided that there would be no offshore fishery for capelin in 1979, and that fishing would be limited to small Canadian inshore vessels. He proposed that the same decision be repeated for 1980 with a TAC of 16,000 tons being reserved for inshore fisheries.

The Commission noted that the TAC in 1979 had been established at 10,000 tons although the scientific advice allowed 16,000 tons and agreed that the TAC for 1980 should be 16,000 tons reserved for Canadian inshore small boat fisheries (Table 1).

- b) Cod in Div. 3NO. The Chairman of STACFIS indicated that the recent assessment of this stock (NAFO SCS Doc. 80/II/1) was more optimistic than a year earlier. Many papers had been reviewed but those involving general production models had been discarded since they assumed that the stock was in an equilibrium condition, which was judged not to be the case. It was concluded that the biomass, which had declined to a level of 100,000 tons in 1976, was now increasing and would be approximately 223,000 tons in 1980. Fishing at the $F_{0.1}$ effort level would produce a catch of 26,000 tons but it was cautioned that there was uncertainty about the actual level of fishing mortality in 1979 and furthermore that the spawning biomass depended in large measure on only two year-classes with the two year-classes following both weak. The observer from Spain noted with satisfaction that the recent review of the status of the stock, which he had proposed, had shown that the stock was in better condition than had been believed earlier. He stated that the assessment was based on the most pessimistic analysis and that no attention had been paid to changes in environmental factors which were resulting in changes in the stock size independent of the effects of fishing. Consideration of these effects showed that the TAC could be as high as 65,000 tons. The delegate of Canada observed that the Div. 3NO cod stock was the worst example of international fisheries management since catches had once been 227,000 tons, a figure in excess of the present biomass. He stated that he could accept the scientific advice and noted that debate on scientific matters should be limited to the Scientific Council. In referring to the scientific conclusions, he concluded that the best conservation measure would be to prevent any directed fishery and thus allow rapid rebuilding of the stock. He recognized, however, the difficulties that this would create for national fisheries and could thus accept the recommendation of a TAC of 26,000 tons subject to consideration of allocations. The Canadian requirement from this stock was 10,000 tons. The observer from Spain noted dissatisfaction that Spanish scientists attending the meeting of the Scientific Council as observers had not been permitted to participate in the drafting of the Council's report. He proposed that the Council should reconsider its findings since consideration of a TAC could start at 65,000 tons.
- c) Squid (*Illex*) in Subareas 3 and 4. The Chairman of STACFIS drew attention to NAFO SCS Doc. 80/II/1 and noted that the Committee had been unable to determine with certainty the level of the biomass of squid in Subareas 3 and 4 in 1979, but that the estimates were 500,000-3,000,000 tons. It had proved impossible to predict the abundance for 1980 and as a result the scientific advice was based on an assessment of the average biomass levels in the previous 10 years. It was considered that inshore fisheries were unlikely to affect seriously the stock due to the restricted area fished, and thus could vary as abundance varied, while by contrast offshore fisheries might exploit areas of concentration in years of low squid abundance, and hence generate excessive mortality levels. It had been concluded that a TAC of 150,000 tons, would not, in years of average abundance, imply excessive removals from the stock, particularly if effort restrictions were implemented in the offshore fishery based on 1978 fishing experience. The inshore catch under conditions of average abundance might be in the order of 50,000 tons. The Chairman of the Scientific Council in responding to a question from the chair noted that concentration of squid in offshore areas during periods of low abundance could be the result of environmental factors, particularly water currents and temperature. He was also asked by the delegate of the EEC whether, in the light of uncertainties about the biomass levels in 1979, there was any biological basis for setting a TAC. In response, Mr. Letaconnoux noted that the advice for a TAC of 150,000 tons was more in the nature of advice for management of the fishery rather than advice on what would be an appropriate catch level in 1980.
7. Under Agenda Item 8, Reporting of national catches separately by EEC to NAFO, the delegate of the EEC stated that the EEC would report catches to NAFO broken down by flag state since this was of benefit to the Scientific Council. He requested, however, that tables showing nominal catches and allocations should show only the total EEC catches and allocations, by stock. The Commission agreed to the request.
8. The Commission recessed at 1735 hrs and reconvened at 1015 hrs on Wednesday, 5 March.
9. Under Agenda Item 7, Adaptation of ICNAF conservation and enforcement measures for NAFO, the Chairman of the Working Group on Conservation and Enforcement Measures for NAFO, Captain J. C. E. Cardoso (Portugal), introduced the report of the Working Group (NAFO FC 80/III/6) and explained elements of the proposed regulations that required consideration of the Commission, perhaps through referral to the Standing Committee on International Control (STACTIC). The Commission agreed to defer consideration of the report in order to provide time for it to be read. The Commission would then review the proposed regulations and make decisions where appropriate while, if necessary, referring any problems to a meeting of STACTIC prior to the Annual Meeting of the Commission.

10. Further consideration of Agenda Item 5, Conservation measures for fish stocks outside national fishing limits in Subarea 3,
 - a) Cod in Div. 3M. The delegate of Romania noted that his country was expanding its fleet in order to provide food for its people, and that due to limited resources in the Black Sea, the fleet was forced to fish elsewhere. He therefore requested allocations to Romania in all divisions available of 1,000 tons cod, 2,000 tons capelin, and 1,000 tons squid. The delegate of Portugal, emphasized the importance of cod in Div. 3M to his country which had received 25% of the TAC in recent years. He agreed that the stock was in a depressed condition and that measures to rebuild it were called for. He stated, however, that such drastic measures as reducing the TAC to 8,000 tons for 1980 would have serious social and economic consequences for Portugal and he, therefore, proposed that the TAC be set at 18,000 tons, representing a 20% reduction in the level of fishing mortality from 1979. The delegate of the EEC noted that the Community was very interested in this cod stock but recognized the need for restoration. He considered, however, that it might be difficult to reduce the TAC for the year below the amount of 10,280 tons already established for the first four months of the year. The delegate of Norway referred to the long history of Norwegian vessels fishing this stock by longline. He stated that such vessels, which salted their catch and did not take smaller cod, permitted more rational use of the stock than other fisheries. He reminded the Commission that at the 1975 Annual Meeting of ICNAF, Norway and the United Kingdom had suffered proportionally much more severe reductions in their cod allocations than had other countries. Norway had been assured that this reduction would not prejudice allocations in future years, but, this had not proved to be the case. He stated further, that a Norwegian allocation for 1980 of less than 1,300 tons would be unacceptable. The Chairman of the Commission noted that the history of fisheries showed that the introduction of trawling was the element that led to overfishing but that the effects were felt in all fisheries. Other gears such as longlines and gillnets were disrupted by trawling both due to gear interference and to stock declines resulting from high catches of small fish. The Chairman of STACFIS introduced information requested by Canada on the age composition of the Div. 3M cod catch in 1980 and the effects of various management options on stock biomass. He noted, however, that the analysis, which showed no biomass decline as a result of the options considered, might not be valid if, as in 1979, the fishing pattern was concentrated on smaller fish rather than following the historical size composition. The delegate of Canada drew attention to the fact that when stocks were depressed, the fishing fleets were forced to concentrate on small fish as soon as they entered the fishery. This reduces the yield per recruit and has severe implications for the stability of the stock. He noted that the projections presented by the Scientific Council made assumptions about the strength of year-classes not yet spawned and he observed that the estimated size of the spawning biomass in 1980 was only slightly larger than the level of the TAC in recent years. The delegate of the Faroe Islands pointed out that the Div. 3M stock was unusual for cod stocks, in that year-class strength was very variable. He suggested that management should be designed to control the exploitation pattern in order to maximize the yield and to protect the contribution to the spawning stock.
11. The Commission recessed at 1130 hrs and reconvened at 1605 hrs.
12. Under Agenda Item 10, Other Matters. The delegate of Canada introduced a Canadian request for action by Members to improve enforcement operations in Div. 3M (Appendix III), which calls for a program of increased surveillance activities on the Flemish Cap (Div. 3M) in order to improve enforcement of the Commission's regulations in the area. He noted that instances indicating a disregard of regulations had been documented in the past and observed that the best regulations were only as effective as their implementation. Stating that Canada would continue its commitment to the Scheme of Joint International Enforcement, the delegate called for participation by other countries in the Scheme, not only by deploying vessels, but also by placing inspectors on enforcement vessels of other countries. He stated that Contracting Parties should consider the expenditure on surveillance as an investment in the future. Following a proposal by Canada, the Commission agreed that a Working Group consisting of representatives from Canada, Faroe Islands, EEC, Portugal, Norway and USSR be established and that a meeting be convened by the representative of Canada to plan a program of mutual participation in the Scheme of Joint International Enforcement as one step towards restoration of the stocks in Div. 3M.
13. Further consideration of Agenda Item 5, Conservation measures for fish stocks outside national fishing limits in Subarea 3,
 - a) Cod in Div. 3M. The delegate of the Faroe Islands proposed that the TAC for cod in Div. 3M during 1980 should be set at 18,000 tons with 5,000 tons of this reserved for passive gears. He stated that a TAC at this level responded to the need to conserve the stock by reducing the fishing mortality rate by 20% below that in 1979, and by restricting part of the TAC to gears that avoided small fish. He presented a set of proposed national allocations based on prorating, with the 5,000 tons fixed gear category available on an "Others" basis. The delegate

of Canada stated his concern over the proposed TAC of 18,000 tons since it implied a fishing mortality of 90% above F_{max} and 250% above $F_{0.1}$. He also wondered whether countries, which could qualify for the proposed passive gear allocation, should also receive their prorated allocations. The delegate of Portugal agreed with the concept of a passive gear category but stated that since his country operated both gillnets and trawlers, a direct national allocation as well as access to the passive gear allocation would be necessary. He noted, however, that the proposal would need refinement to prevent the passive gear allocation being utilized fully before all interested countries could participate. The delegate of Norway stated that national allocations should be made to protect future options of countries at present only using passive gear and suggested that countries that would qualify for the passive gear allocation might agree among themselves on partitioning it between them. The observer from Spain expressed interest in the concept of a passive gear allocation, but only after countries had sufficient warning to prepare their fleets. He noted that gear that takes larger fish was in fact concentrating on the spawning stock, and then stated that the Faroe Islands proposal was unacceptable as the TAC was not prorated fully. The delegate of the USSR stated his objection to quota discrimination between gears, while the delegate of the EEC stated that allocations to different gears should only be considered if scientific advice indicated a basis for it, such as a reduction in fishing mortality through use of a particular gear type. He proposed that a TAC should be established, perhaps at the F_{max} level (13,000 tons), that it be allocated on a prorated basis, and that countries then consider transfer of portions of their allocations to meet the specific needs of Norway and the Faroe Islands. The delegate of Poland stated that a figure of 18,000 tons was too high and that there should be no allocation between gear types. The delegate of Portugal proposed a TAC of 18,000 tons, with 17,000 tons allocated on a prorated basis and with 1,000 tons allocated additionally to countries utilizing passive gears. The delegate of Canada reiterated his concern over the implications of any TAC above 8,000 tons, while the delegate of the Faroe Islands stated that he could not accept the Portuguese proposal since it would not reduce fishing mortality as much as his own proposal. The Faroe Islands proposal sought to improve the situation of the stock by eliminating catches of the vulnerable 1977 year-class from part of the TAC since this year-class would not recruit to the fixed gear fisheries in 1980. He noted further, that prorating implied a greater proportional reduction in catch for those countries such as the Faroe Islands who had been utilizing fully their allocations, when compared to those countries who had not done so. He continued by stating his support for the Canadian proposal to improve enforcement of Commission regulations, since the minimum mesh size would be most important in 1980 with respect to the 1977 year-class. In conclusion, he reiterated that any reduction in the Faroe Islands cod allocation in the Northwest Atlantic below 7,200 tons would create major problems in the Faroe Islands, but that he could accept some reduction provided it was spread over a period of years. The delegate of Norway stated that the various proposed allocations if adopted would result in the elimination of Norwegian fishing in the Northwest Atlantic. He recalled that ICNAF had once had a principle of allocating 10% of TACs on the basis of special needs. Norway had never made a claim against that principle, but was forced to do so now. He emphasized his country's needs and stated that if an adequate quota was not established, Norway would have no fishery to justify remaining a member of the Commission.

14. The Commission recessed at 1835 hrs, 5 March and reconvened at 1045 hrs, 6 March.

15. Further consideration of Agenda Item 5, Conservation measures for fish stocks outside national fishing limits in Subarea 3.

- a) Cod in Div. 3M. The observer from Spain distributed information presented to the Meeting of the Scientific Council in Lisbon, 5-13 February 1980, on the status of the cod stock in Div. 3M, based on an alternative hypothesis to that adopted by the Scientific Council. On this analysis, fishing at the F_{max} level would produce a catch of 17,000 tons in 1980 rather than the 13,000 tons indicated by the Council. The delegate of the EEC repeated his preference for a TAC at the level adopted for the January to April period, but in recognition of the particular needs of the Faroe Islands, Norway, and Portugal, he proposed that the TAC be increased from 10,280 tons to 12,900 tons, that implied by fishing at F_{max} , with the increase being divided to give an additional 1,220 tons to the Faroe Islands, and 700 tons each to Norway and Portugal. He stressed that the proposal was based on special needs rather than on any recognition of the principle of allocation to different gear types, and emphasized that this proposal should not be used as a basis for proration in future years. The delegate of Canada noted that the alternative hypothesis advanced by the Observer from Spain postulated a change in the ecological balance on the Flemish Cap for which there was no physical evidence. Furthermore, he said that the analysis was based on a General Production model and such models might not be appropriate for declining stocks. He welcomed, however, the Spanish interpretation as an indication of increased scientific investigation and analysis, and added that any judgement between the alternatives was the business of the Scientific Council. Referring to the EEC proposal, he reiterated his reservations about a TAC for 1980 that would imply a lower TAC in 1981, but did not reject the proposal. The delegate of Cuba noted that the depressed status of the stock was generating such low catch rates that Cuba

was unable to catch its quota. He expressed a preference for optimal utilization and a rapid rebuilding of the stocks so that Cuba could fulfill its aspirations in this area, but he stated that he could accept the EEC proposal. The delegate of Norway expressed his gratitude for the proposal of the EEC which would provide his country with a sufficient quota to maintain the economic viability of the Norwegian vessels fishing in the Northwest Atlantic and hence avoid the situation whereby Norway would have to consider the implications of being restricted to membership in the General Council. The delegate of the Faroe Islands expressed his reluctant acceptance of the EEC proposal, although it would result in severe problems for the Faroese administration. The delegate of Portugal stated that the proposal did not reflect adequately the special needs of his country. The additional allocation of 2,620 tons should, at least, be divided equally (870 tons) among the three recipients. He noted that Portugal had average landings over the previous 10 years that were approximately double those of the Faroe Islands and yet the present proposal would give the two Parties similar allocations. He reiterated his own earlier proposal for a TAC of 18,000 tons. The delegate of the USSR stated that, in this case, in view of the special needs of other countries, and in a spirit of compromise, he could agree to the EEC proposal provided it was not used as a basis for future allocations. The delegate of the GDR stated his belief in equal treatment for all, but said that he could accept the proposal as he was aware fully of the special needs of some countries. The delegate of Portugal recalled that ICNAF had often set TACs higher than those advised by the scientists where economic and social factors demanded. He stated that he could agree reluctantly to a TAC of 13,000 tons since he believed a higher level was possible and proposed a modification of the EEC proposal with the TAC at that level and the allocation for Portugal increased to 3,500 tons by reducing the "Others" and "Faroese" proposed allocations. The delegate of Romania indicated his acceptance of the Portuguese proposal provided the principle of special needs was remembered in his country's search for allocations from other stocks. The observer from Spain stated that the Portuguese proposal was preferable to the EEC one since it gave recognition to the history of catches by the various nations. He noted that the allocations, if adopted, would create difficulties for the Spanish fleet, but that in the circumstances he could accept them.

The Commission then agreed to the Portuguese proposal for a TAC of 13,000 tons and allocations for cod in Div. 3M as set out in Table 1, with the specific understanding that the allocations would not be used as a basis for allocation in future years.

16. The Commission recessed at 1255 hrs and reconvened at 1445 hrs.
17. Further consideration of Agenda Item 6, Conservation measures for fish stocks partly inside and partly outside national fishing limits in Subareas 3 and 4.
 - a) Cod in Div. 3NO. The delegate of Portugal noted that this stock varied in abundance due to ecological factors as much as to fishing pressure and that, as had been shown by Spanish scientists, could at present stand a TAC of 65,000 tons. He stated that the TAC should be set at a level to allow rebuilding, but at a moderate rate, and that a figure of 30,000-35,000 tons would appear appropriate. The delegate of Canada noted his country's great interest in this stock despite low catch rates. He stated that the change in scientific advice was not as great as might seem at first glance and that the stock was still depressed severely so that the TAC should be set at the $F_{0.1}$ level to yield 26,000 tons. The delegate of the EEC questioned the general acceptance of the $F_{0.1}$ management strategy and asked that, in future, the Scientific Council present advice on the implications for several years of various alternative management strategies. He did, however, agree that 26,000 tons was appropriate in this case and suggested allocation by proration. The observer from Spain requested a minimum of 10,000 tons to maintain the existence of the Spanish fleet. The delegate of Portugal suggested transferring 1,000 tons from the "Others" quota to Spain. The delegates of Romania and the GDR noted their interest in the "Others" allocation and the delegate of the Faroe Islands indicated a possible interest in light of the reduced allocation in Div. 3M cod. The delegate of the EEC stated that vessels of the Community had intended to fish from the "Others" quota in 1979 but had been unable to do so because of the small allocation made specifically to St. Pierre and Miquelon vessels. He reserved the EEC's right to claim a general allocation when the stock was rebuilt. The delegate of Portugal noted that the "Others" catch in 1979 had been only 5 tons so that a large "Others" quota implied new fishing opportunities at a time when countries traditionally fishing this stock were suffering serious difficulties with the size of their allocations. The delegate of Canada stated that, as with the decision on Div. 3M cod, the Portuguese proposal had the attraction of not reducing any national allocations and yet responded to special needs. The delegate of Japan suggested that allocations should remain as in 1979 but with a TAC of 26,000 tons and the 1,000-ton increase being given to Spain. The matter was deferred until the next day.
 - b) Squid (*Illex*) in Subareas 3 and 4. The delegate of Canada noted that the scientific advice for

a 150,000-ton TAC was not based on a forecast of abundance but rather on the average level of abundance in previous years. He stated that the expansion of squid fisheries throughout the world and, in particular, the success of the greatly expanded Canadian fishery, had resulted in a danger of oversupply in the markets of the world. He suggested that the TAC should be set at a level that would prevent an oversupply which would result in reduced prices and hence hardship to fishermen who would not be able to fish on an economically viable basis. He noted that the NAFO Convention referred to such optimum utilization of the resources and that there were numerous precedents for adopting TACs at levels different to those advised by scientists, on the basis of economic and social factors. He proposed a TAC of 135,000 tons. The delegate of Japan rejected the concept of reducing the TAC on economic grounds since fishermen could decide whether to fish or not to do so and hence control the price through controlling the supply. He noted that, in any case, it would be impossible to quantify the market factors since squid was taken in many areas and there were various markets. The Canadian interpretation of "optimum utilization" was then discussed in the light of the texts under discussion in the Third UN Conference on the Law of the Sea, the world reaction to the use of economic factors to reduce TACs below biologically justifiable levels, and the needs of many countries for food. After a lengthy debate, the delegate of Canada expressed disappointment that no delegation had been prepared to consider the use of economic factors in reducing rather than increasing TACs and stated that the concept should be discussed further at a future date. On the request of the delegate of Canada to the Chair, all delegates indicated unanimous support for a TAC of 150,000 tons and subsequently rejected a proposal by the delegate of Canada that the TAC be set at 135,000 tons subject to review at the Annual Meeting in September. The delegate of Canada drew attention to the fact that the squid fishery occurred almost entirely within the Canadian fishery zone and stated that allocations should reflect this. He noted that the Government of Canada was prepared to agree to a substantial portion of the TAC being allocated within NAFO and would be prepared to license fishing within the 200-mile zone for as much of these allocations as the recipients wished. He noted that the Canadian catch in 1979 had been over 100,000 tons and proposed that NAFO allocate half the amount allocated in 1979, i.e., 16,750 tons, which on a prorated basis would give each Contracting Party one half of their 1979 allocations. The delegate of the EEC stated that the Community had rights as a coastal state in the area due to the Islands of St. Pierre and Miquelon. He stated a 5,000-ton claim for the EEC in addition to the prorated allocation proposed by Canada. The delegate of Canada stated that 5,000 tons was too large a reserve for the limited size of the area under EEC fisheries jurisdiction around St. Pierre and Miquelon which, in his view, was limited to territorial waters. He reiterated his proposal that 16,750 tons be allocated to NAFO members including the EEC. The delegate of the EEC stated that, while the area of EEC jurisdiction had not been agreed, the level of the biomass on the slope of St. Pierre Bank had been estimated to be 70,000 tons in 1979, which would suggest that the EEC could reserve a much larger amount of squid. The delegate of the USSR stated that he could not accept the EEC claiming a coastal state allocation under Article XI of the Convention, since they did not exercise their fisheries jurisdiction in the area, had not participated in the Scheme of Joint International Enforcement, and had no communities dependent on squid fisheries. There followed a lengthy debate between the delegates of Canada and the EEC on the appropriateness of the EEC claiming a coastal state allocation, while other delegates commented on the Canadian refusal to discuss the size of the Canadian reserve. The delegate of Japan noted that the Canadian approach had changed since the previous year when they had been prepared to discuss the allocation of the full TAC. The delegate of Canada noted that various previously unsuspected problems were now apparent. He stated that Canada might, following consultations, be able to accommodate special needs by restraining her own fisheries and sub-allocating additional amounts of squid. The delegate of Japan proposed that 33,500 tons be allocated to NAFO members other than Canada, as in 1979.

18. The Commission deferred further discussion and recessed at 2010 hrs. The meeting reconvened at 1140 hrs, Friday, 7 March.
19. Further consideration of Agenda Item 5, Conservation measures for fish stocks outside national fishing limits in Subarea 3, Cod in Div. 3NO. Following informal intergovernmental consultations convened by Canada, the Commission agreed to a TAC of 26,000 tons and allocations as shown in Table 1, on the understanding that the allocations would not be used as a basis for allocations in future years.
20. Further consideration of Agenda Item 6, Conservation measures for fish stocks partly inside and partly outside national fishing limits in Subareas 3 and 4, Squid (Illex) in Subareas 3 and 4. Following informal intergovernmental consultations convened by Canada, the Commission agreed to a TAC of 150,000 tons and allocations as shown in Table 1.
21. Further consideration of Agenda Item 7, Adaptation of ICNAF conservation and enforcement measures for NAFO. Referring to the report of the Working Group (NAFO/FC Doc. 80/III/6) on the topic, the delegate of the EEC noted a need for consistency in the treatment of the chartered and contracted vessels flying different flags in provisions requiring Contracting Parties to control fisheries against their individual quotas. The Commission agreed to refer the report of the Working Group to STACTIC for consideration at the time of the 1980 Annual Meeting of NAFO, while delegates should, in preparation for the

meeting of STACTIC, send any comments on the draft to the Executive Secretary.

22. Agenda Item 9, Transferability of catch quotas between Contracting Parties. Referring to a letter of 16 August 1979 to Heads of Delegations to ICNAF and NAFO from Dr. A. W. May, Head of the Canadian Delegation, which was published in the Proceedings of the June 1979 Meeting of the Fisheries Commission, the Commission agreed that Canada should prepare draft regulations covering quota transfers for consideration by STACTIC.

23. Agenda Item 10, Other Matters. Canadian proposal regarding the separate reporting of catches by flag vessels and by vessels under charter or contract. The delegate of Canada made the following statement on behalf of his Government:

"The Canadian delegation has noted the recommendation of the Scientific Council 'that commercial catch and effort statistics of national fleets, classified by tonnage class, gear type and NAFO division (and subdivision, where applicable), be reported in provisional and final form to the NAFO Secretariat, distinguishing statistics relating to catches from national quotas and those sub-allocated from the Canadian quota.'

"Canada undertakes to report accordingly, distinguishing statistics relating to catches by foreign flag vessels fishing under charter to Canadian companies or to the Government of Canada. In the case of sub-allocations from Canadian quotas, the Party to which the sub-allocation has been made should be responsible for reporting appropriately to the NAFO Secretariat."

The delegate of Canada recommended that catches by vessels flying flags of other countries when fishing part of the quota of another country, should be reported to the NAFO Secretariat by the quota country separately from the catches by vessels flying its own flag. This would not apply if the portion of the quota involved was in fact a quota transfer. The Commission agreed that provisions covering these reporting requirements should be incorporated in the Commission's regulations.

24. Report of ad hoc Working Group on Enforcement in Div. 3M. The Chairman of the Working Group, Mr. S. W. Bartlett (Canada), presented his report (Appendix IV). Discussions had taken place on coordinating surveillance activities on the Flemish Cap but since the participants in the meeting, other than from Canada, were unable to be definite about resources available to them and pending consultations with their authorities, the Working Group planned to meet again once information had been submitted by Contracting Parties concerning such resources. The Commission accepted, with slight modification, the Report of the ad hoc Working Group and adopted its recommendations.

25. Canadian proposal for standard minimum mesh size for groundfish in the Regulatory Area. The delegate of Canada presented a Canadian proposal (Appendix V) which noted that the Canadian authorities would require, as of 1 January 1981, a mesh size of 130 mm, irrespective of the material used, in all towed gear used in the groundfish fishery other than for redfish in Subarea 3 and for silver hake in Div. 4VWX. It proposed that a similar regulation be adopted for the NAFO Regulatory Area. The delegate of the Faroe Islands indicated his support for the proposal but the delegates of Cuba, the GDR, Portugal, and the USSR indicated that implementation as of 1 January 1981 would create problems for their fishing industries since supplies of netting were already ordered to present standards. The delegate of Canada agreed to present the proposal to the Annual Meeting of the Commission and stated that the implementation date in both the NAFO proposal and the Canadian regulations would be changed to 1 July 1981.

26. The Commission adjourned at 1240 hrs, Friday, 7 March.

Table 1. TACs and national allocations (in metric tons) proposed for fish stocks outside and overlapping national fishing limits in Subarea 3 in 1980.

	COD		CAPELIN
	3M	3NO	3LNO
Bulgaria	-	-	-
Canada	100	9,800	16,000 ¹
Cuba	480	850	-
European Economic Community	2,405	210	-
Faroe Islands	2,900	-	-
German Democratic Republic	-	-	-
Iceland	-	-	-
Japan	-	-	-
Norway	1,200	-	-
Poland	500	-	-
Portugal	3,500	1,100	-
Romania	-	-	-
USSR	1,270	4,340	-
Others	85	700	-
Special Reservation ²	560	9,000	-
Total	13,000	26,000	16,000

¹ Reserved for the Canadian inshore fishery in Div. 3L.

² Reserved for Spain.

Table 2. TAC and national allocations (in metric tons) proposed for squid (*Illex*) in Subareas 3 and 4 in 1980.

	Squid (<i>Illex</i>) 3 + 4 ^{1,2}	(Total Allowable Catch -150,000 metric tons)
Bulgaria	500	
Cuba	2,250	
Faroe Islands	-	
German Democratic Republic	-	
Iceland	-	
Japan	2,250	
Norway	-	
Poland	1,000	
Portugal	500	
Romania	500	
USSR	5,000	
Special Reservation ³	2,250	

¹ Any quota listed above may be increased by a transfer from any other quota listed above, or by a transfer from any "coastal state" as defined in Article I, paragraph 3, of the NAFO Convention, provided that the TAC is not exceeded. Such transfers shall be reported promptly to the Executive Secretary.

² The opening date for the squid (*Illex*) fishery is 1 July 1980.

³ Reserved for Spain.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

FIRST SPECIAL MEETINGS OF THE GENERAL COUNCIL AND FISHERIES COMMISSION - MARCH 1980

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NORTHWEST ATLANTIC FISHERIES ORGANIZATION

FIRST SPECIAL MEETINGS OF THE GENERAL COUNCIL AND FISHERIES COMMISSION - MARCH 1980

Fisheries Commission

Agenda

1. Opening by the Chairman, Captain J. C. E. Cardoso (Portugal)
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Commission membership
5. Conservation measures for fish stocks outside national fishing limits in Subarea 3
(Report of the Fisheries Commission of NAFO, June 1979, Appendix III)
(Report of the Special Meeting of the Scientific Council of NAFO, February 1980).
(a) Cod in Div. 3M (TAC and allocations for 1 May-31 December 1980)
6. Conservation measures for fish stocks partly inside and partly outside national fishing limits in Subareas 3 and 4
(Report of the Fisheries Commission of NAFO, June 1979, paragraph 10)
(Report of the Special Meeting of the Scientific Council of NAFO, February 1980).
(a) Capelin in Div. 3LNO
(b) Cod in Div. 3NO
(c) Squid (*Illex*) in Subareas 3 and 4
7. Adaptation of ICNAF conservation and enforcement measures for NAFO
(Report of the Fisheries Commission of NAFO, June 1979, paragraph 4)
(Report of the Working Group on Adaptation of ICNAF Conservation and Enforcement Measures for NAFO, September 1979)
8. Reporting of national catches separately by EEC to NAFO
(Report of the Fisheries Commission of NAFO, June 1979, paragraph 10)
9. Transferability of catch quotas between Contracting Parties
(Report of the Fisheries Commission of NAFO, June 1979, paragraph 10)
10. Other Matters
11. Adjournment

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

FIRST SPECIAL MEETINGS OF THE GENERAL COUNCIL AND FISHERIES COMMISSION - MARCH 1980

Canadian request for action by Members to
improve enforcement operations in Division 3M

Having noted the recent Scientific Council conclusions (NAFO SCS Doc. 80/II/1) relating to the seriously depressed status of the cod stock in Division 3M (Flemish Cap), and having noted the report by the Executive Secretary on fishing activity and enforcement in 1978 as contained in ICNAF Com. Doc. 79/VI/17 which highlights the disregard of the Commission's conservation measures in some cases, Canada requests the Commission to take appropriate action to improve the effectiveness of the Scheme of Joint International Enforcement in the area as a step toward restoration of the stock.

Canada has been, and will continue to play a role in carrying out its commitment to the Scheme in Division 3M and requests other Members to participate more fully in implementing patrols and inspections of vessels of all nations operating in that Division.

To give better effect to the Scheme, Canada suggests that the Commission undertake a program toward coordination of surveillance activities to establish more extensive coverage of fishing operations through scheduling of patrols by inspection vessels of all nations. To plan a program of mutual participation, the Commission is requested to establish a working group to consider this proposal and to report back to the Commission by Friday, 7 March 1980.

NORTHWEST ATLANTIC FISHERIES ORGANIZATIONFIRST SPECIAL MEETINGS OF THE GENERAL COUNCIL AND FISHERIES COMMISSION - MARCH 1980Report of ad hoc Working Group on Enforcement in Division 3M

Thursday, 6 March, 0920 hrs

1. In accordance with the requirements of the Fisheries Commission, a meeting of representatives from Canada, the European Economic Community (EEC), the Faroe Islands, Norway, Portugal, and the USSR (Appendix II) was convened by Canada to prepare a preliminary plan of mutual participation for appropriate action to improve the effectiveness of the Scheme of Joint International Enforcement as a step toward restoration of the stocks in Div. 3M.
2. Mr. S. W. Bartlett (Canada) was elected Chairman and the Executive Secretary was appointed Rapporteur.
3. Statements were made by each representative regarding the availability of surveillance resources. All representatives could not make commitments but would have to refer back to their Governments for decision. The representative of Portugal agreed to find out if his Government could make a fishing vessel available which might carry a foreign inspector. He pointed out that fishing operations would most likely be a priority. The representative of USSR agreed to request of his Ministry if a vessel or vessels and inspectors could be made available. The representative of the Faroe Islands indicated that Faroese patrol vessels were very much in demand in the eastern Atlantic but promised to make inquiries. He thought that there might be a possibility of an inspector for three to four months on a fishing vessel during the May-September period. The representative of Norway stated that his Government would be unable to provide any resources. The representative of the EEC could make no firm commitment for 1980. The transporting of a foreign inspector on a fishing vessel would be explored further, but could cause legal difficulties. For 1981, two Member States of the EEC might be able to send resources to Div. 3M. Possibilities for both years would be explored. The representative of Canada reported that Canada has and will continue to carry out surveillance in Div. 3M. In 1979, Canada spent 70 days on surveillance in Div. 3M; in 1980, 20 days to the present.
4. The *ad hoc* Working Group
recommended
 - a) that the Executive Secretary circulate a letter to all Contracting Parties immediately after the Commission Meeting, requesting them to submit information by mid-April 1980 on availability of surveillance resources during 1980;
 - b) that Contracting Parties be reminded that an inspection vessel should be equipped with a suitable boarding craft (the Canadians have found a "Zodiac" most useful); and
 - c) that a meeting of available members of the Working Group be convened after mid-April to coordinate a program of surveillance activities for 1980 in Div. 3M.
5. The meeting of the *ad hoc* Working Group adjourned at 1000 hrs, Thursday, 6 March.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

FIRST SPECIAL MEETINGS OF THE GENERAL COUNCIL AND FISHERIES COMMISSION - MARCH 1980

Canadian proposal for the regulation of minimum mesh size
for the fishing of groundfish in the Regulatory Area

Noting the practical advantages of having a standard minimum mesh size for all gears used in the fishery for groundfish in the Regulatory Area, and noting that the Government of Canada hereby gives notice that effective 1 January 1981 all towed gears used in the fishery for groundfish in Canadian fisheries waters will be subject to a minimum mesh size of 130 mm irrespective of material except when fishing for redfish in Divisions 3NOP and Subarea 4 and for silver hake,

The Commission, therefore, in order to provide consistency of regulation,

recommends

that, effective 1 January 1981, Contracting Parties take appropriate action to prohibit the taking of groundfish other than redfish and silver hake in waters of the Regulatory Area by persons under their jurisdiction with trawl nets (towed gear) having in any part of the net, meshes of dimensions of less than 130 mm or 5-1/8 inches irrespective of material. The mesh size relates to netting when measured wet after use or the equivalent thereof when measured dry before use.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

FIRST SPECIAL MEETINGS OF THE GENERAL COUNCIL AND FISHERIES COMMISSION - MARCH 1980

- (7) Proposal for International Regulation of the Fisheries in Subarea 3 of the Convention Area, adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 7 March 1980

That, in 1980, the Contracting Parties conduct their fisheries in the Regulatory Area in such a manner that catches shall not exceed the total allowable catches and the quotas (metric tons) set out in the following Table:

Contracting Party	COD		CAPELIN
	Div. 3M	Div. 3NO	Div. 3LNO
Bulgaria	-	-	-
Canada	100	9,800	16,000 ¹
Cuba	480	850	-
European Economic Community	2,405	210	-
Faroe Islands	2,900	-	-
German Democratic Republic	-	-	-
Iceland	-	-	-
Japan	-	-	-
Norway	1,200	-	-
Poland	500	-	-
Portugal	3,500	1,100	-
Romania	-	-	-
Union of Soviet Socialist Republics	1,270	4,340	-
Others	85	700	-
Special Reservation ²	560	9,000	-
TOTAL	13,000	26,000	16,000

¹ Reserved for the Canadian inshore fishery in Div. 3L.

² Reserved for Spain.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

FIRST SPECIAL MEETINGS OF THE GENERAL COUNCIL AND FISHERIES COMMISSION - MARCH 1980

- (8) Proposal for International Regulation of the Fisheries for Squid (*Illex*) in Subareas 3 and 4 of the Convention Area, adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 7 March 1980

That, in 1980, the Contracting Parties conduct their fisheries in the Convention Area in such a manner that catches shall not exceed the total allowable catch and the quotas (metric tons) set out in the following Table¹:

Contracting Party	Squid (<i>Illex</i>) 3 + 4 ²	(Total Allowable Catch - 150,000 metric tons)
Bulgaria	500	
Cuba	2,250	
Faroe Islands	-	
German Democratic Republic	-	
Iceland	-	
Japan	2,250	
Norway	-	
Poland	1,000	
Portugal	500	
Romania	500	
Union of Soviet Socialist Republics	5,000	
Special Reservation ³	2,250	

¹ Any quota listed above may be increased by a transfer from any other quota listed above, or by a transfer from any "coastal state" as defined in Article I, paragraph 3, of the NAFO Convention, provided that the TAC is not exceeded. Such transfers shall be reported promptly to the Executive Secretary.

² The opening date for the squid (*Illex*) fishery is 1 July 1980.

³ Reserved for Spain.