



Serial No. N932

NAFO/FC Doc 84/IX/6

SIXTH ANNUAL MEETING - SEPTEMBER 1984

(Revised)

Report of the Fisheries Commission

Tuesday, 11 September - 1120 hrs
Wednesday, 12 September - 0950 and 1525 hrs
Thursday, 13 September - 1000 and 1425 hrs
Friday, 14 September - 1020 hrs

1. The Sixth Annual Meeting of NAFO was called to order by the Chairman, Dr. W. M. Murphy (Canada), at 1120 hrs, 11 September, in the Lord Nelson Hotel, Halifax, N. S., with the presence of representatives from all Commission members, with the exception of Bulgaria and Romania. (See Appendix I)
2. Under Agenda item 2, Appointment of Rapporteur, C. J. Allen (Canada), was appointed Rapporteur.
3. Under Agenda item 3, Adoption of Agenda, the delegate of the USSR proposed that, under item 18, Other Matters, FC Doc 84/IX/5, which had just been distributed, be discussed. That document entitled "Soviet Proposal on Actions Which Could be Taken by the Fisheries Commission in Relation to International Regulation of the Fisheries", would be for discussion purposes and no decision would be forthcoming at the meeting.

The Agenda was thus adopted. (See Appendix II)
4. Under Agenda item 4, Admission of Observers, the Chairman was pleased to welcome observers from the Republic of Korea, Mexico and the United States of America.
5. Under Agenda item 5, Publicity, it was agreed that the usual practice be followed whereby the Chairmen of the Fisheries Commission, the General Council, the Scientific Council and the Executive Secretary would agree upon a Press Release for issuance at the close of the meeting. (See Appendix III)
6. Under Agenda item 6, Approval of the Report of the 5th Annual Meeting (FC Doc 83/IX/4, Revised), no errors or omissions were noted and the Report was approved.
7. Under Agenda item 7, Review of Commission Membership, the Chairman noted that there were no changes in the membership and that 11 members were present.
8. Under Agenda item 8, Status of Proposals, the delegate of Portugal proposed that the Executive Secretary be asked to prepare a detailed synopsis, perhaps in booklet form, of all the proposals and resolutions presently in force as found in Circular Letter 84/53. He further noted that such a chronology of proposals and resolutions, in detail, would be useful for fishing captains, inspectors and others in their understanding of what proposals and resolutions have been accepted by NAFO. No further comment on that item was forthcoming and the Commission agreed that the Executive Secretary be asked to carry out such a task.
9. Under Agenda item 9(a), Conservation and Enforcement Measures-approval of Part II, the Chairman noted that he had asked the Executive Secretary to provide a verbal synopsis of the item later on in the meeting.
10. Under Agenda item 9(b), Conservation and Enforcement Measures-Canadian proposal of amendment, the delegate of Canada, referring to FC Doc 84/IX/1, noted that Canada had been considering raising the issue of an amendment to Regulation 1 of Part I.A of the Conservation and Enforcement Measures. He further pointed out that that regulation could be improved but he had no specific proposal to make at the time, preferring to have the item discussed at the next annual meeting, which was agreed.
11. Under Agenda item 10, Annual Return of Infringements, and Agenda Item 11, Fishing Vessel Registration, the Chairman noted that those two items would be part of the STACTIC Report.
12. Under Agenda item 12, Report of STACTIC, the Chairman of STACTIC pointed out that the Report would be available the following day.

13. Under Agenda item 13, Management Measures for fish stocks in the Regulatory Area, and 14, Management Measures for fish stocks overlapping national fishing limits, the Chairman of STACFIS presented a summary of the scientific advice for those stocks as reported in SCS Doc 84/VI/23.

Regarding Cod in Div. 3M, the Chairman of STACFIS noted that there had been better recruitment but the scientific advice continued to be that there be no exploitation of the stock in 1985. For Redfish in Div. 3M, although there was some evidence of an increase in the biomass, there was not enough evidence available to determine what higher TAC's could be suggested over the existing level. As well, the stock was expected to decline somewhat in the future and the scientific advice was therefore that the 1985 TAC remain at the present level of 20,000 mt. Regarding American plaice in Div. 3M, there had been little new information available on the stock which had been reasonably stable since 1978. There was no evidence to indicate a change in the biomass; scientific advice was therefore that the 1985 TAC should remain at the present level of 2,000 mt. For Cod in Div. 3NO, the Chairman of STACFIS noted that the stock had been somewhat depleted in past years although recent assessments showed that the stock was showing some improvement. Referring to the management caveat put into place by the Fisheries Commission for the stock in 1982, the scientific advice was that the 1985 yield calculated to correspond to fishing at F_{0.1} would be 33,000 mt. Regarding Redfish in Div. 3LN, the stock was considered to be in relatively good condition and although the present TAC might be somewhat conservative, there was not enough data available to quantify any increase and the scientific advice was therefore to maintain the existing TAC in 1985 at 25,000 mt.

For American plaice in Div. 3LNO, the scientific advice was that the yield in 1985, calculated to correspond to fishing at F_{0.1}, was 49,000 mt. Regarding Yellowtail flounder in Div. 3LNO, there was not enough scientific information available to indicate the stability of the stock. The scientific advice, therefore, was that the TAC for 1985 be set at 15,000 mt, which corresponded to the level of the average catch from 1978-82. For Witch in Div. 3NO, the data indicated stability in the stock with perhaps some increases in the future. The scientific advice was that the TAC of 5,000 mt should remain in effect for 1985.

Regarding Capelin in Div. 3LNO, the Chairman of STACFIS reported that in 3L there was a good year-class entering the stock and the advice was that the 10% exploitation rate continue which would give a TAC of 60,000 mt. However, there was no reliable estimate of year-class strength for 3NO and the scientific advice reiterated the 1984 advice that there be no directed fishery in 3NO. Regarding Squid in Subareas 3 and 4, the scientific advice was to continue the management regime proposed at the 1980 meeting in that the TAC remain at 150,000 mt.

The delegate of Canada requested any scientific information regarding the long-term prospects for Cod in Div. 3NO. The Chairman of STACFIS noted that at that time it was difficult to project past 1985. The biomass in 1985 had been estimated at 226,000 mt and there had been no projections of the biomass beyond that point. The delegate of Canada pointed out that the scientific advice did not signal that the improvement for 1985 would necessarily continue in further years for 3NO Cod. Further, in 1986 the biomass could decline; given that assumed recruitment at age 3 accounted for approximately 40% of the age 3+ biomass, there was no guarantee that the rebuilding of the stock would go on. The Fisheries Commission should therefore be cautious in future expectations for the stock.

14. The Chairman then proposed that the meeting be adjourned at 1235 hrs.
15. The meeting reconvened 12 September at 0950 hrs.

Under Agenda item 13, Management Measures for fish stocks in the Regulatory Area and item 14, Management Measures for fish stocks overlapping national fishing limits, the Chairman suggested that the Commission first approve the various TAC's following which the question of national allocations would be discussed. The delegate of Spain suggested that it would be useful to discuss the TAC's individually, which was agreed.

Regarding Cod in Div. 3M, the Chairman noted that the scientific advice was for no exploitation of the stock in 1985. The delegate of the Faroe Islands proposed adoption of the same TAC as in 1984 at 12,965 mt with the existing management caveat remaining. The delegate of Spain pointed out that catches by the Spanish fleet had been stable over the last few years (4500 mt. in 1982 and 4000 mt in 1983) when in those two years there had been no quota allocated to Spain. He also noted that in those two years, the TAC had not been overfished and therefore proposed for 1985 a TAC of 17,000 mt. The delegate of Portugal supported the Spanish proposal. The delegate of Canada reminded members of the Fisheries Commission that the scientific advice for the last few years had been that there be no exploitation of the fishery and also that the Fisheries Commission had imposed a management regime on the subsequent TAC for the stock in the

last few years. The scientific advice was that the biomass was around 35,000 mt at that time whereas the existing caveat, placed on the stock, referred that the TAC should not be increased until a certain level of biomass had been reached, and that level was then identified as 85,000 mt. The scientific advice further noted that the projected biomass for 1985 would be 35,000 mt which was nowhere close to the management constraint which had been imposed on the stock previously. He pointed out that the Spanish proposal would set a TAC close to 50% of the estimated biomass. Further, the prospects of the biomass reaching the target referred to in the present management constraint was remote even if fishing continued at the existing 12,965 mt level. The delegate of Canada further reminded Commission Members that Canada had abandoned any significant claim to 3M Cod in past years as the fishery had not been economically feasible for Canadian vessels. The delegate of the EEC stated that the EEC normally attached great importance to scientific advice and their delegation had previously expressed concern with the state of the stock and believed that caution was still advisable. On the other hand, the EEC delegation was aware of the previous TAC decision and the reasons surrounding that decision for a TAC at the 12,965 mt level and was prepared to continue support of that level for 1985. The delegate of Norway, while understanding the Spanish concerns, agreed that the Commission should continue with the present management regime as well as the existing quotas. The delegate of Canada suggested that before a formal vote be taken on the matter other countries be given a chance to indicate their position on the subject. The delegate of Cuba suggested that the decision on the TAC for the stock be delayed in order to give members time to discuss the issue bilaterally. The delegate of Japan, while sympathizing with the position of Spain and Portugal, pointed out that Japan had supported the existing management regime in the past and could find no reason to change that position. The Chairman agreed that a decision on the item be left until later on in the session.

16. Based on the scientific advice, TAC's were then agreed for the following stocks:
 - Redfish in Div. 3M - 20,000 mt
 - American plaice in Div. 3M - 2,000 mt
 - Cod in Div. 3NO - 33,000 mt
 - Redfish in Div. 3LN - 25,000 mt
 - Witch in Div. 3NO - 5,000 mt
 - Squid in Subareas 3+4 - 150,000 mt
17. Regarding American plaice in Div. 3LNO, the Chairman pointed out that the scientific advice was for a decrease in the existing TAC to 49,000 mt for 1985. The delegate of Canada observed that such a decrease of 6,000 mt would be borne almost entirely by Canada and proposed that the scientific advice be accepted putting the TAC at 49,000 mt. The proposal was accepted.
18. Regarding Yellowtail flounder in Div. 3LNO, the Chairman noted that the scientific advice was for a decrease in the TAC of 2,000 mt to 15,000 mt. The delegate of Canada, noting that a decrease in the TAC of the stock would affect mainly Canada, proposed that the scientific advice be followed and the TAC be set at 15,000 mt, which was accepted.
19. For Capelin, the Chairman reiterated the scientific advice that there be no directed fishery in Div. 3NO, and that the TAC in 3L be set at 60,000 mt. The delegate of Canada pointed out that in previous years the decision had been made to follow the scientific advice in Div. 3NO and that no directed fishery should take place. Also, as the 3L Capelin was found within Canadian jurisdiction, the management of Capelin in 3L had, in the past, been left to Canada. The delegate of Canada therefore proposed that the same pattern be followed as in 1983 and 1984, which was agreed.
20. Under Agenda item 12, the Chairman of STACTIC presented the STACTIC Report. The Chairman of the Fisheries Commission noted that item 9 of the STACTIC Report referred to three issues that had been carried out for the last few years without resolution and requested the Executive Secretary to elaborate on the status of those three issues. The Executive Secretary pointed out that those three issues were actually items 1, 2 and 9 of FC Doc 82/VI/2, Revised, and had been referred back to the Fisheries Commission at the last annual meeting. After a brief explanation of those issues, the Executive Secretary suggested that if the Fisheries Commission was not ready to deal with them immediately in the manner suggested by STACTIC, then it should be prepared to do so at the next annual meeting. Further, the document referred to contained in total, 14 items, 2 of which had been approved at the last annual meeting. There were therefore still 9 pending items in that document which had already been recommended by STACTIC. If the Fisheries Commission was not yet ready to approve them, then it should be prepared to take a decision on them at the next annual meeting. The delegate of Cuba pointed out that Cuba was ready to approve those 9 pending points. However, a decision was reached to have FC Doc 82/VI/2, Revised, circulated to all Commission Members for discussion and the items would be considered at a later session.

Returning to the STACTIC Report, the delegate of Canada, referring to item 6, Enforcement in the Regulatory Area, made reference to the 13 occasions that inspectors had been refused permission to inspect the fishholds of vessels of non-member countries in 1983, and asked which non-member vessels had withheld such permission. As the answer to that question was not readily available, it was agreed to return to the subject later on in the session. The delegate of Spain noted that item 8, Other Matters, of the STACTIC Report made reference to a Canadian report on overfishing in the NAFO Area (FC Doc 84/IX/3) which mentioned the presence of 26 Spanish pair trawlers. In reality there were only 24 Spanish pair trawlers. Further, the delegate of Spain stressed that Spanish vessels did not overfish Cod in Div. 3M as Spain had lodged an objection to the quota allocated to Spain for 1984.

A short discussion took place between the delegate of Spain and the delegate of Canada regarding the interpretation of the term "overfishing". The delegate of Spain noted that in the opinion of Spain, the Spanish vessels were not overfishing as an objection had been lodged. The delegate of Canada, while not questioning the legality of the Spanish fishery, merely wished to note the effects of exceeding the catch levels as agreed to by NAFO.

The meeting adjourned at 1210 hrs and reconvened at 1525 hrs.

21. In the continuation of Agenda item 9(a), Conservation and Enforcement Measures-approval of Part II, FC Doc 82/VI/2, Revised, was further discussed and it was agreed to refer item 1 of that document to the Scientific Council and item 2 to a working group. Regarding item 9, the Chairman suggested that that was a legal matter and perhaps a legal interpretation would be required. The delegate of Canada suggested that all the remaining pending items in that document be adopted. However he called the attention of the Commission to item 6 which involved top-side chafers; specifically whether or not the modified Polish-type chafer should cover solely the codend or also in addition any lengthening pieces. The delegate of Canada pointed out that FC Doc 82/IX/13 defined "lengthening piece" as a piece of net to be inserted between the belly (or belly extensions) and the codend. Consequently the length of the codend could not include the lengthening pieces and as such the chafer could only cover the codend. The Chairman of the Working Group agreed with the Canadian interpretation and gave the story of the facts which led to the inclusion of the item in FC Doc 82/VI/2, Revised. A short discussion took place on the interpretation of those definitions. The Commission agreed with the Canadian interpretation. Finally, the proposal was accepted that all pending items in FC Doc 82/VI/2, Revised (excluding items 1, 2 and 9) be approved, under the proviso that item 6 be revised following the Canadian interpretation just adopted.
22. The delegate of Portugal, referring to two papers presented at the last STACTIC meeting by the Canadian delegation, FC Doc 84/IX/2 and FC Doc 84/IX/3, stated that those two documents dealt with two types of alleged infringements. As far as the alleged gear infractions were concerned, the Portuguese delegation had verified that some of those corresponded to true violations and the Portuguese authorities intended to start or continue the necessary and adequate proceedings against the vessels. Some others, however, in the understanding of the Portuguese delegation, did not correspond to violations, under the rules of the Fisheries Commission as stated in FC Doc 82/IX/13, Revised. One of those was the case of the vessel "Luis Ferreira de Carvalho" in which the average mesh size found in the polyethylene net was 129.65 mm; that was above the legal minimum mesh size of 120 mm required for that type of fishery. The other case referred to the vessel "Adelia Maria" where the Polish-type chafer used, in his opinion, was not in contravention to the regulations in force. Regarding the reported catches, as mentioned in the referred documents, the verification of those catches had not yet been finalized. When finalized they would be reported as soon as possible to the Executive Secretary.
23. The delegate of Canada, referring to an earlier question regarding inspectors not being granted permission to inspect fishholds of certain non-member countries' fishing vessels, informed that in two of the cases the vessels were Panamanian and in 11 cases the vessels were Spanish. He further noted that Canada might wish at a later stage of the meeting to speak on FC Doc 84/IX/2 and FC Doc 84/IX/3 and agreed with the Chairman's suggestion that the item could be dealt with under item 18, Other Business.
24. Under Agenda item 13, Management Measures for fish stocks in the Regulatory Area, the Chairman noted that there were presently two proposals on the table regarding the TAC for Cod in Div. 3M and suggested that a vote be held. The delegate of Canada noted that the existing management regime for the stock established that the TAC could go no higher than the present level unless the Scientific Council had advised that the biomass had reached a certain level; consequently the Fisheries Commission could not approve a higher TAC until that constraint had been removed from the existing regulation. The delegate of Spain stated that the Fisheries Commission had the authority to change its own regulations and in the Spanish proposal for a TAC of 17,000 mt the existing constraint would of course be dropped by implication. The delegate of Canada

asked whether the Commission wished to reverse its position on a previous decision without discussing the implications of that reversal. He further pointed out that the original constraint was agreed to by the Commission after much discussion and taking into account the existing scientific advice. The Chairman pointed out that in order to vote on the Spanish proposal the existing constraint would have to be removed first. The delegate of Spain then proposed that the constraint be removed. The Chairman stated that the Spanish proposal was to remove the caveat which appeared as footnote number 5 of Schedule I appended to GC Doc 83/IX/6, Revised, which stated "the TAC will not be increased beyond 12,965 mt until the Scientific Council advises that the age 3+ mean biomass has reached a level approximately equal to one-half the mean age 3+ equilibrium biomass associated with fishing at F_{max} , and assuming long-term average recruitment levels". The delegate of Canada noted that the Spanish proposal did not take into account scientific advice when it proposed to remove the caveat that had been put into place several years ago while the reasons for that caveat had not changed in the preceding years. Canada would be unable to support such a proposal. The delegate of Spain asked that a formal vote be taken. Ten Parties (Canada, Cuba, EEC, Faroe Islands, GDR, Japan, Norway, Poland, Portugal, USSR) voted against the proposal and one Party (Spain) voted for the proposal. The proposal was not adopted.

The Chairman pointed out that since it was necessary to withdraw the constraint prior to entertaining any proposal that would see an increase in the TAC, then the original Spanish proposal for an increase in the TAC could not be entertained. Therefore the Faroese proposal, which had already received the support of three other members, was the only proposal on the table and, if there would be no opposition, it would be adopted. The delegate of Spain stated his opposition to the Faroese proposal and requested that the report of the meeting would contain the record of such opposition. The delegate of Canada noted that Canada was also against the proposal, but for different reasons. He declared that it took little account of the scientific advice provided for the 3M Cod stock and he felt that a TAC of 12,965 mt would simply delay the stock rebuilding process. Further, the potential for that stock was high but could not be achieved in the medium term under the present situation. The delegate of Canada further noted that in fact, had the proposal gone to a vote, Canada would have abstained. With the record of these two interventions, the Faroese proposal was adopted.

25. Under Agenda item 15, Minimum mesh size for groundfish in the Regulatory Area, the delegate of Canada reminded the Commission that Canada had changed the minimum mesh size to 130 mm within the Canadian zone for species that were regulated by mesh size and brought attention to paragraph 3 of Article XI of the NAFO Convention which referred to the need for consistency between measures or decisions relating to the same stock or group of stocks taken by a coastal state for management or conservation purposes within its area of fisheries jurisdiction. Further, Canada expressed the wish that the agenda item continue to appear on the agenda for the next annual meeting. This was agreed.
26. Under Agenda item 16, Review of the International Scientific Observer Program, the delegate of Canada reported that Canada had a number of bilateral agreements with other Contracting Parties although the activity resulting from those agreements was relatively small in 1983. Canadian observers were present for 59 days on vessels of other member Parties, namely, Cuba and Spain. It was noted that Canada and Spain had not yet agreed bilaterally to the International Scientific Observer Program and observer days on Spanish vessels were under a special arrangement.
27. After a brief discussion on Agenda item 9(a), Conservation and Enforcement Measures-approval of Part II, and noting that the item had been discussed under item 12, Report of STACTIC (see Appendix IV), it was agreed that both these agenda items had been dealt with and approved.

The meeting adjourned at 1755 hrs.

28. The meeting reconvened 13 September at 1000 hrs.

Under Agenda item 17, Time and Place of Next Meeting, the Chairman noted that the next meeting would be held in conjunction with the General Council meeting and the details would be decided upon at the General Council session.

29. Under Agenda item 18, Other Business, the delegate of the USSR, referring to FC Doc 84/IX/5, explained that the rationale contained in that document was that if a Contracting Party was unable to catch a portion or all of an existing quota then it would be fair to reallocate that quota to another Party. Further, the USSR Delegation did not wish to propose immediately a recommendation but would like to have the item placed on the agenda for the next annual meeting. The delegate of Canada reminded the Commission that in the past the Commission had contemplated actions when the opposite situation had occurred, i.e. when a quota had been overfished. Further, if a country was not catching a quota then it was a contribution to conservation and any country that did not take its full allocation should be commended. He further noted that Part I.B. of FC Doc 82/IX/13, Conservation and Enforcement Measures, referred to the fact that quota adjustments could be made in the following year to Parties that had overfished a quota in the preceding year, and if the Commission was to discuss the Soviet document at a future meeting

then the consequences of overfishing should be discussed as well. The delegate of Japan was unable to agree with Canada's position that under-utilization of a quota would aid conservation as in reality under-utilizations were a wastage of the resources.

30. The Chairman gave the floor to the observer from Mexico who presented a formal statement. (See Appendix V)
31. Returning to Agenda item 9(a), Conservation and Enforcement Measures-approval of Part II, the Chairman noted that the Commission had earlier adopted the suggestion that item 2 of FC Doc. 82/VI/2, Revised, covered under the agenda item under discussion be referred to a Working Group and requested that each Contracting Party give as soon as possible the name of the nominee for that Working Group to the Executive Secretary. Further, item 9 of the same FC Doc also covered under the same agenda item had been felt to be a legal matter and the Chairman asked that a legal interpretation be tried by the Executive Secretary with the possible collaboration of Canadian experts and passed to all Parties for their consideration.
32. The meeting adjourned at 1045 hrs and reconvened at 1425 hrs.
33. Under Agenda item 13, Management Measures for fish stocks in the Regulatory Area, and 14, Management measures for fish stocks overlapping national fishing limits, the delegate of Canada tabled a proposal that included national allocations for all stocks under consideration. The delegate of Canada explained that in formulating the proposal Canada had tried to take into account the aspirations of other Contracting Parties and pointed out that the overall Canadian shares of the groundfish stocks under consideration had decreased from 101,000 mt in 1983 to 93,820 mt for 1985 as found in the proposal. As well, the proposal meant an overall decrease in 1985 for Canada whereas the allocations to other Parties were either stable or slightly increased. For one stock, however, Cod in Div. 3N0, Canada was asking for more than simply a prorated share of the increased TAC. The Chairman suggested that the stocks be considered individually in the order they appeared in the agenda.
34. Regarding Cod in Div. 3M, the delegate of Canada pointed out that the management caveat would remain in force for the stock. The delegate of Spain proposed that an allocation of 3,000 mt be granted to Spain with a corresponding reduction for other Parties as found in the Canadian proposal. There was no support for the Spanish proposal and the Canadian proposal was adopted. The delegate of Canada stated that Canada was concerned about the overall level of catch in the stock as well as with the level of the TAC at 12,965 mt, but would not have spoken against the Spanish proposal for redistribution of the quotas within that TAC.

The delegate of Canada noted that the proposed allocations of Redfish in Div. 3M and Redfish in Div. 3LN were linked and the decision made on one of those stocks would affect the decision made on the other. He therefore suggested that Redfish in Div. 3LN be discussed first. The delegates of Portugal and Cuba supported that suggestion. The delegate of Spain noted that the 3LN Redfish stock had not been fully utilized in past years and a new Contracting Party should be able to have access to a particular fishery when there was room, and proposed an allocation to Spain of 1,500 mt. The delegate of Cuba stated that, as the Spanish proposal stood, Cuba would be against it. However, if another Party wished to give up its share of the stock to Spain, then Cuba would not be against such a move; otherwise, Cuba would support the Canadian proposal. The delegate of Japan noted that Japan was also interested in the Redfish stock and if other Parties indicated that they did not intend to use their full allocation, then Japan would like to see those portions distributed to Parties that were interested. However, there had been no indication that Parties would be willing to do this and Japan would have difficulty in supporting the Spanish proposal. The delegate of Portugal noted that Portugal used to have an allocation of 850 mt in 3LN and 600 mt in 3M and that at the last annual meeting that 850 mt allocation was given up for an increased allocation of Redfish and American plaice in 3M. Therefore the delegate of Portugal proposed an allocation of 850 mt of 3LN Redfish to Portugal with an adjustment to be made in its 3M allocations. The delegates of the USSR and the GDR supported the Canadian proposal. The delegate of the EEC noted that he had sympathy for the Spanish position but, as EEC had no share in that stock, he would not speak on the matter. The delegate of Portugal pointed out that Portugal could not support the Canadian proposal but such non-support was only because the Portuguese need for 850 mt had not been taken into account. Upon questioning, the delegate of Portugal restated its proposal that Portugal receive 850 mt of Redfish in 3LN and reduce its 3M Redfish to 600 mt. The delegate of Canada pointed out that in recent years Canada had reduced its allocation of 3M Redfish as there was no Canadian expectation of catch in those quotas and that other countries had benefited by increases in their allocations as a consequence. Further, for 3LN Redfish Canada was again reducing its allocation and other Parties were benefiting by the increase. The delegate of Portugal noted that under the Portuguese proposal the following national allocations would exist: Canada-9,800 mt, Cuba-2,450 mt, GDR-850 mt, Portugal-850 mt, USSR-10,900 mt, Others-150 mt.

35. The delegate of the EEC noted that the Chairman had earlier indicated that the Commission would deal with the stocks in the order they appeared on the agenda. However, the Commission seemed to have jumped over a few stocks and the EEC would then like to discuss 3NO Cod. Recognizing that there were clearly some links between allocations to some of the stocks, the EEC had problems with the EEC allocation of 3NO Cod contained in the Canadian proposal for 240 mt which, although an increase from the 1984 level of 210 mt, fell short of the pro-rated amount--some 30 tons. While the problem might seem to involve a trivial amount, it was of great concern for the EEC as the quota would be given to St. Pierre and Miquelon and was very important to its fishing industry. Further, the fisheries were important to the livelihood of those Islands and the cod fishery was a traditional component of that livelihood. Also, the catch figures for the EEC showed that in recent years the quota had been fully utilized and on occasions had even been exceeded. Also, because of the location of those Islands, the EEC was a coastal state. The delegate of the EEC suggested that if there was a possibility of increasing quotas, then perhaps the small quotas should be increased first as those Islands had sacrificed catches in the past in order to allow for rebuilding of the stocks and now that the 3NO Cod TAC was increasing by 7,000 mt the EEC was only getting 30 mt of the increase. The delegate of Spain noted that 3NO cod stock was the only stock in which Spain would obtain a substantial allocation and was very important to Spain. Spain was one of the main participants in the fishery and the Canadian proposal did not give proportionate shares of the increased TAC to the main participants.
36. Returning to Redfish in Div. 3LN, the Chairman noted that there were presently two (2) proposals for allocation of the stock, one by Portugal and one by Canada. The delegate of Canada stated that Canada would be unable to support the Portuguese proposal and noted that Canada had reduced its overall total allocation for the current year and last year in favour of other Contracting Parties. Last year Canada had reduced its allocation of 3M Redfish partly to benefit Portugal in that the latter's allocation went from 600 mt to 1900 mt. Portugal now wanted all its proposed 3LN Redfish of 850 mt to come from the existing Canadian share and was willing to reduce its 3M Redfish quota. However, such a reduction would be only to the benefit of other Parties as the Canadian industry did not wish to receive in 1985 any greater amount of 3M Redfish. Summing up, the delegate of Canada stated that in 1984 Canada had reduced its 3M Redfish allocation for the benefit of Portugal and in 1985 Portugal was there asking Canada to reduce its share of 3LN Redfish again for the benefit of Portugal although Canada would obtain no benefit in return. The delegate of Portugal noted that all Portugal wished was a return to its level of allocation in 1984, i.e. 850 mt of Redfish in Div. 3LN while Canada would take back 1,300 mt of Redfish in Div. 3M. The Portuguese proposal received no support and the Canadian proposal was adopted. The delegate of Portugal requested that the record include his statement on the fact that the adoption of the Canadian proposal would be a source of great difficulty to the Portuguese fishing fleet and the Portuguese government would most likely be obliged to lodge an objection.
37. Regarding Redfish in Div. 3M, the Chairman noted the existing Canadian proposal. The delegate of Spain proposed an allocation of 1,500 mt to Spain with a proportional reduction for the other Contracting Parties. The delegate of Cuba stated that if the increase of a quota for any country would reduce the quotas to Cuba then Cuba would be against such a proposal. Therefore Cuba supported the Canadian proposal and by implication did not support the Spanish proposal. The delegate of the USSR supported the Canadian proposal. The Spanish proposal received no support. The delegate of Portugal stated that if the Canadian proposal was put to a vote, Portugal would abstain. The Canadian proposal was adopted.
38. Regarding American plaice in Div. 3M, the Chairman noted the existing Canadian proposal and the delegate of Spain proposed that an allocation of 250 mt be given to Spain with a proportional decrease in the "Others" category from 500 mt to 250 mt. A discussion took place as to which countries fished the stock in the "Others" category and it was noted that Japan and Spain had done so since 1981. The delegate of the EEC noted that although EEC vessels had no catches of the stock in 1982 or 1983, there was a catch of 208 mt in 1984. The delegate of Portugal referred to a precedent set at the last annual meeting (item 24 of FC Doc 83/IX/4, Revised) and wished that the precedent not be forgotten. The delegate of the EEC suggested that perhaps the Commission should accommodate the Spanish request and the EEC could support Spain if the EEC could have a 200 mt allocation from the "Others" category. The Chairman noted that there was now a third proposal to be considered and the 500 mt found in the existing "Others" category would be broken down as follows: EEC-200 mt, Spain-250 mt, Others-50 mt. The delegate of Japan stated that Japan would find it difficult to agree with the EEC proposal and would like to see the "Others" category remain unchanged. Further, if the three countries presently fishing out to the "Others" category did not change their fishing patterns, then there should be no problems with the stock. Japan was opposed to further division of the "Others" category into smaller amounts. The delegate of Spain supported the EEC proposal. The delegate of Japan was unable to understand the basis for claims of 250 mt by Spain and 200 mt by the EEC as the Spanish catch for 1982 was only 17 mt and the EEC had had no catch of the stock before 1984. Japan might also like to propose an allocation of the stock to Japan; however it would make more sense to keep the entire 500 mt in the "Others" category. The delegate of Canada stated his belief that the traditionally small quotas allocated in the stock represented by-catches. Further, if the scientific advice was for a TAC of only 2,000 mt and most of that was allocated, remembering that countries could catch 10% by-catch of the stock when fishing

stocks, then two scenarios could develop: (1) Not enough would be provided for by-catch for other fisheries and the 2,000 mt TAC would therefore be exceeded; (2) If a Party had a quota in the stock, it would be obliged to stop fishing when the quota was reached when it could perhaps have caught more of the stock as a by-catch in other fisheries. Therefore, it would be wise to leave the existing allocations as they were. The delegate of the EEC, noting that there would not be a unanimous decision, withdrew its proposal. The delegates of Poland and the USSR supported the Canadian proposal. The Spanish proposal received no support. The Canadian proposal was adopted.

39. The Chairman returned to the Canadian proposal for Cod in Div. 3NO noting that statements from the EEC and Spain had already been provided. The delegate of Spain reiterated the position that 3NO Cod was the only substantive quota that Spain had in the NAFO Regulatory Area and, in a case where a stock had been rebuilt, the Commission had the duty to allocate any new increases to the traditional Parties whereas the Canadian proposal allocated the bulk of the increase to Canada. The delegate of Spain proposed that the increased TAC of 7,000 mt be shared proportionately based on the existing 1984 quotas as follows: Canada-14,786 mt, EEC-267 mt, Portugal-1,396 mt, Spain-11,424 mt, USSR-4,239 mt, Others-888 mt. The delegate of the EEC underlined that his expectation was that the EEC would have a substantial increase in the quota. The delegate of Spain requested that a formal vote be taken on the Spanish proposal. The delegate of Canada remarked that other delegations should not be surprised at the Canadian position. Canada was a cod fishing nation and cod formed the greatest volume of Canadian catches. Further, some years ago Canada temporarily abandoned its allocation of 3M Cod in the hopes that the stock would be rebuilt. As well, like others, Canada had restrained itself on 3NO Cod and had always argued for a conservative management regime to allow the rebuilding of the stock. Canada had decreased its overall allocation of groundfish in the Regulatory Area and would have difficulty contemplating Canada's position in an organization where Canada's participation in a fishery continued to decline. He further reiterated that in total Canada was the only Party to receive an overall decrease in groundfish allocations in 1985. Further, Canada hoped to have support for a level of allocation to Canada at least close to the proposed 16,500 mt if not at that precise number. The delegate of the EEC could not support a proposal whereby one Party would increase its quota more than proportionately and the others would increase theirs less than proportionately. Further, the Spanish proposal would be the very least that the EEC could accept and supported such a proposal. Also, the delegate of the EEC noted that the same principle of proportionality applied in other stocks whose TAC decreased along with proportionate decreases in allocations and it would only be fair that the concept be used for proportionately increasing allocations of any increases in TAC's.

The delegate of Canada pointed out that the question was very serious for the coastal state whose fisheries jurisdiction encompassed the vast majority of the stock. The delegate of the USSR noted that a reasonable compromise was necessary and stated that the quota for the USSR proposed by Canada was too small. The USSR would like to receive around 4,000 mt and believed that other Parties should be increased as well. The delegate of Canada reiterated its earlier statement that he hoped the Fisheries Commission could support an allocation to Canada somewhere close to 16,500 mt.

He stressed that the debates on the stock in previous years within NAFO and ICNAF had been long and involved and Canada had made many compromises. The stock was found almost entirely within the Canadian 200-mile limit and had been in a depressed condition since around 1970 and practically collapsed in 1974. The Canadian contribution to the rebuilding of the stock had meant that Canadian fishing had been significantly reduced from the levels that Canada would have expected given the location of the stock and the history of the Canadian participation. Further, over many years Canada had been the major contributor to the research on the stock and to the management in terms of surveillance and enforcement, and Canada felt that its proposal was a reasonable one. However, Canada was prepared to compromise.

The delegate of Canada also noted that if the Contracting Parties, following in part what had been proposed by the USSR, were to receive a proportionate increase in the stock based on the proportionate increase to the Soviet Union from the level found in the Canadian proposal to 4,000 mt then the allocations would be as follows: Canada-15,955 mt, EEC-250 mt, Portugal-1,315 mt, Spain-10,780 mt, USSR-4,000 mt, Others-700 mt. These allocations were based on the "Others" category remaining at the present level of 700 mt. The delegate of the USSR accepted those figures as part of the USSR proposal. The delegate of the EEC suggested that time be given to study the proposal and a decision reached at a later stage of the meeting. This was agreed.

40. Under 3LNO American plaice, the Chairman noted the Canadian proposal. The delegate of Spain stated that the stock was under-utilized and believed that there was room for new entrants and proposed a 1,000 mt allocation for Spain, to be taken from the Canadian allocation. The delegate of Portugal agreed with Spain in that the stock was under-utilized and noted that the Canadian proposal allocated 98.5% of the 49,000 mt TAC to Canada despite the fact that about 17% of the 3LNO area was found in international waters. Therefore, the delegate of Portugal proposed that Portugal receive a quota of 1,000 mt, such a proposal being an amendment to the Spanish proposal. The delegate of Canada expressed difficulty in understanding the rationale behind the proposals of Spain and Portugal. Canada's proposal was for a quota to Canada of 48,290 mt. Further,

Canadian catches in recent years had been as follows: 1978-49,000 mt, 1979-47,000 mt, 1980-48,000 mt, 1981-48,000 mt, 1982-49,000 mt, and in 1983 a lower level of catch due to some difficulty in the Canadian industry.

Also, Canada did not see much room for additional entrants in the fishery unless the Commission wished to reduce the Canadian allocation to a level below that accepted in previous years. The delegate of Spain supported the Portuguese amendment. As only three delegations had spoken on the subject, the delegate of Canada requested that an informal indicative vote be taken to determine the level of support for the amended Spanish proposal. Such an indicative vote showed there was not sufficient support for the amended Spanish proposal and the Canadian proposal was accepted.

41. The Chairman noted the Canadian proposal for allocations of Yellowtail flounder in Div. 3LNO. The delegate of Spain proposed an allocation of 250 mt to Spain based on the existing under-utilization of the stock. The delegate of Portugal proposed that Portugal also receive 250 mt. He further noted that almost 100% of the existing TAC was given to one Party, yet a large part of the fishing grounds were in the NAFO Regulatory Area. The delegate of Canada called everyone's attention to the fact that although the previous TAC's had not been fully utilized, the stock had declined. That raised the question of the adequacy of the earlier scientific advice. As of 5 September 1984 the Canadian catch was 12,082 mt and with more than three months left in the fishing season, there was no doubt that the catch would be at the level that Canada was asking for as a quota for 1985. The delegate of Spain supported the Portuguese amendment. The delegate of the EEC stated his belief that the scientific advice was well-founded and supported the combined Portuguese/Spanish proposal. The delegate of Canada pointed out that in the last two years the TAC had been reduced by 25% yet the scientists referred to the stability of the stock. He would therefore question the definition of stability. An informal indicative vote on the Portuguese/Spanish proposal indicated that there would not be sufficient support for the proposal. A similar vote on the Canadian proposal indicated sufficient support and the Canadian proposal was accepted.
42. Regarding Witch flounder in Div. 3NO, the Chairman noted the Canadian proposal. The delegate of Spain pointed out that the Commission had there another stock that was under-utilized and proposed that Spain receive an allocation of 250 mt with a corresponding reduction of Canada's share. The delegate of Portugal proposed an amendment to Spain's proposal to allocate 250 mt to Portugal to be taken from the Canadian or USSR quota. Also, the "Others" quota would increase to 150 mt. The delegate of Canada stated that 3NO Witch was similar to 3M American plaice in that both were minor stocks and difficult to fish as a directed fishery. Therefore 3NO Witch was essentially a by-catch fishery. The delegate of the USSR noted that USSR fully utilized its quota and supported the Canadian proposal. An informal indicative vote of the Portuguese/Spanish proposal showed insufficient support for the proposal. A similar vote on the Canadian proposal showed sufficient support and the Canadian proposal was accepted.
43. The Chairman presented the Canadian proposal regarding allocations of Squid in Subareas 3+4. The delegate of Spain stated that he would make a similar proposal as at the last annual meeting in that 8,000 mt be allocated to Spain. The delegate of Portugal proposed an allocation of 8,000 mt to Portugal as an amendment to the Spanish proposal. An informal indicative vote showed insufficient support for the Portuguese/Spanish proposal. A similar vote on the Canadian proposal indicated sufficient support and the Canadian proposal was adopted.
44. Returning to Cod in Div. 3NO, the Chairman noted that there were three proposals on the table. Due to the lateness of the hour and the importance of the issue it was decided to adjourn the meeting and reconvene at 0900 hrs the next day.

The meeting adjourned at 2015 hrs.
45. The meeting reconvened 14 September at 1020 hrs.
46. The delegate of the EEC noted that the EEC would support the USSR proposal on 3NO Cod allocations but proposed an amendment to the proposal whereby the EEC share would increase by 20 mt to 270 mt to be taken from the "Others" category. Further, as it was essential that the EEC obtain the extra 20 mt, without such an allocation he could not support the USSR proposal. The delegate of Canada noted that normally Canada would not be against an extra allocation of only 20 mt if such an issue were all that were holding up a decision. However, the addition of 20 mt to the EEC raised an important issue of principle and could be precedent-setting. Therefore, Canada was opposed to the EEC amendment and supported the original USSR proposal. Cuba and Japan were also opposed to the amendment. The delegate of Spain expressed sympathy with the EEC but as the amendment was to the USSR proposal, which Spain could not support, then Spain could also not support the amendment. There was no support for the EEC proposed amendment and it was not adopted.

Regarding the USSR proposal, the delegate of the EEC stated that as a general rule the EEC was able to support compromise solutions. However, if the USSR proposal was put to a vote without the EEC amendment, the EEC would oppose it and would make a reservation on whether the EEC would feel bound by the decision of the Commission.

47. The delegate of Spain requested a formal vote on the USSR proposal for 3NO Cod allocations. The proposal was adopted with seven Parties supporting (Canada, Cuba, Faroe Islands, GDR, Japan, Poland, USSR) two opposing (EEC, Spain) and two abstentions (Norway, Portugal). The delegate of Spain reserved the position of Spain on the matter.
48. Under Agenda item 19, Adjournment, the Chairman thanked all members of the Commission and adjourned the meeting at 1050 hrs, 14 September 1984.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

SIXTH ANNUAL MEETING - SEPTEMBER 1984

Fisheries Commission

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6th Annual Meeting of NAFO
Halifax, Nova Scotia, 5-14 September 1984

Fisheries Commission

Agenda

OPENING PROCEDURES

1. Opening by the Chairman, Dr. W. M. Murphy (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

ADMINISTRATION

6. Approval of the Report of the Fifth Annual Meeting, September 1983 (FC Doc 83/IX/4, Revised)
7. Review of Commission Membership

COMMISSION PROPOSALS

8. Status of Proposals (Circular Letter 84/53)
9. a) Conservation and Enforcement Measures - Latest edition and approval of Part II (FC Doc 82/IX/13)
b) Conservation and Enforcement Measures - Canadian proposal of amendment to Regulation 1 of Part I.A. (FC Doc 84/IX/1)

INTERNATIONAL CONTROL

10. Annual Return of Infringements
11. Fishing Vessel Registration
12. Report of STACTIC

CONSERVATION

13. Management Measures for fish stocks in the Regulatory Area
 - (a) Cod in Div. 3M
 - (b) Redfish in Div. 3M
 - (c) American plaice in Div. 3M
14. Management Measures for fish stocks overlapping national fishing limits
 - (a) Cod in Div. 3NO
 - (b) Redfish in Div. 3LN
 - (c) American plaice in Div. 3LNO
 - (d) Yellowtail flounder in Div. 3LNO
 - (e) Witch flounder in Div. 3NO
 - (f) Capelin
 - (g) Squid (*Illex*) in Subareas 3 and 4
15. Minimum mesh size for groundfish in the Regulatory Area

OTHER MATTERS

16. Review of the International Scientific Observer Program

ADJOURNMENT

17. Time and Place of Next Meeting
18. Other Business
19. Adjournment

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

SIXTH ANNUAL MEETING - SEPTEMBER 1984

PRESS NOTICE

1. The Sixth Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Halifax, Nova Scotia, Canada, during 5-14 September 1984, under the chairmanship of Mr. H. Schmiegelow (EEC) in the absence of Dr. V. K. Zilanov (USSR), President of NAFO. The sessions of the General Council and Fisheries Commission were held 11-14 September and the sessions of the Scientific Council 5-14 September.
2. Attending the meeting were delegates from the following Contracting Parties: Canada, Cuba, European Economic Community (EEC), Denmark for the Faroe Islands, German Democratic Republic, Japan, Norway, Poland, Portugal, Spain and the Union of Soviet Socialist Republics.

Observers from Mexico, Republic of Korea and the United States of America were present at the meeting.
3. The Scientific Council met to consider matters of scientific interest including a Special Session on the biology and ecology of squids in the Northwest Atlantic, further review of the Subdivision 3Ps cod stock, evaluation of the guidelines for conducting assessments, matters regarding editorial policy and publications and details of future scientific meetings.
4. The Scientific Council noted the joint Canada/EEC request for advice on seals and agreed to undertake this task at a special meeting in Copenhagen, Denmark, during 16-22 January 1985.
5. Scientific advice for stocks in the Regulatory Area and in areas overlapping coastal states' fishing zones was provided to the Fisheries Commission.
6. The Fisheries Commission met under the chairmanship of Dr. W. M. Murphy (Canada).
7. The Fisheries Commission proceeded further with the revision of details of forms and schedules related to the NAFO Conservation and Enforcement Measures.
8. The Quota Table for stocks in Division 3M and those occurring in and out of the Regulatory Area, during the year 1985, was discussed and agreed and it is attached to this Notice.
9. The General Council studied the amendment of Rules of Procedure and tabled a proposal for approval by the Contracting Parties.
10. The General Council elected Mr. H. Schmiegelow (EEC) as Vice-Chairman of the Council who chaired the meeting.
11. The General Council reviewed and approved the Organization's budget and accounts.

14 September 1984

Office of the NAFO Secretariat
Lord Nelson Hotel, Halifax,
Nova Scotia, Canada

SCHEDULE I
Quota Table¹ for Year 1985⁵

Column I	II	III	IV	V	VI	VII	VIII	IX	X	XI
Contracting Party	Cod Div. 3M	Cod Div. 3NO	Redfish Div. 3M	Redfish Div. 3LN	American plaice Div. 3M	American plaice Div. 3LNO	Yellowtail Div. 3LNO	Witch Div. 3NO	Capelin Div. 3NO	Squid (Illex) Subareas 3 + 4 ^{2,4}
1. Bulgaria	-	-	300	-	-	-	-	-	-	500
2. Canada	100	15,955	500	10,650	150	48,290	14,630	3,000	-	N.S. ⁶
3. Cuba	480	-	1,750	2,450	-	-	-	-	-	2,250
4. European Economic Community	2,405	250	1,200	-	-	625	300	-	-	N.S. ⁶
5. Faroe Islands (Denmark)	2,900	-	-	-	-	-	-	-	-	-
6. German Democratic Republic	-	-	-	850	-	-	-	-	-	-
7. Iceland	-	-	-	-	-	-	-	-	-	-
8. Japan	-	-	400	-	-	-	-	-	-	2,250
9. Norway	1,200	-	-	-	-	-	-	-	-	-
10. Poland	500	-	-	-	-	-	-	-	-	1,000
11. Portugal	3,500	1,315	1,900	-	350	-	-	-	-	500
12. Romania	-	-	-	-	-	-	-	-	-	500
13. Spain	560	10,780	-	-	-	-	-	-	-	2,250
14. USSR	1,270	4,000	13,850	10,900	1,000	-	-	1,950	-	5,000
15. Others	50	700	100	150	500	85	70	50	-	-
16. Special Reservation ²	-	-	-	-	-	-	-	-	-	-
17. Total Allowable Catch	12,965 ⁵	33,000	20,000	25,000	2,000	49,000	15,000	5,000	0	150,000

¹ Quotas are in metric tons.
² There are no Special Reservations for 1985.
³ The opening date for the squid (*Illex*) fishery is 1 July.
⁴ Any quota listed for squid may be increased by a transfer from any "coastal state" as defined in Article 1, para. 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.
⁵ The TAC for Cod in Div. 3M will not be increased beyond 12,965 m.t until the Scientific Council advises that the age 3+ mean biomass has reached a level approximately equal to one-half the mean age 3+ equilibrium biomass associated with fishing at F_{max} and assuming long term average recruitment levels.
⁶ Not Specified because the allocations 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.

6th Annual Meeting of NAFO
Halifax, Nova Scotia, 5-14 September 1984

Standing Committee on International Control (STACTIG)

Agenda

1. Opening by the Chairman, Mr. A. A. Volkov (USSR)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Return of Infringements
5. Review of Registration of Vessels fishing in the Regulatory Area
6. Enforcement in the Regulatory Area
7. Time and Place of Next Meeting
8. Other Matters
9. Adjournment

INFORMAL TRANSLATION

Statement of the Mexican Delegation
to the 6th Annual Meeting of the
Northwest Atlantic Fisheries Organization

Members of NAFO

Mr Chairman

We attend this meeting as observers in accordance with specific instructions received from the Government of the United States of Mexico with regard to our international obligations authorized by our Political Constitution as well as those emerged from the United Nations Law of the Sea Convention.

I would like to express my gratitude to NAFO's Executive Secretary for inviting us to this 6th Annual Meeting as well as to the friendly suggestion received from the Officials of the Department of Fisheries and Oceans of the Government of Canada.

Mexico is very sensitive to fulfill its solidary obligations with the international community and, in this opportunity, with the recommendations derived from the Law of the Sea Convention on which our Country actively participated and later signed on December 10th, 1982. In addition, my Country has historically had to defend its sovereign rights over its living and non-living resources found within its Exclusive Economic Zone and, up to this date, suffers from commercial sanctions which have now been censored by the World Conference on Fisheries Management and Development recently convened by FAO.

As a consequence, we abide by the provisions of the Convention and in particular, we are interested in addressing our particular support for the provisions set forth in Article 61, paragraph 2 concerning regional organizations which aim at ensuring the conservation and management of living marine resources found within the waters of one or several coastal states, including those provisions set forth on paragraph 3 of this same Article as they relate to those measures aimed at rebuilding the populations of harvestable species, which are in concurrence with NAFO's aspirations.

We are also conscious that within the adjacent areas to the Exclusive Economic Zone and in accordance with Article 63(2), necessary conservation measures may be adopted for these populations.

At the same time, we are certain that NAFO ensures that there is no violation of the Freedoms of Fishing in the High Seas, as established in Section 2; Article 87(e) of the Law of the Sea Convention and, we are sure that the measures taken by its Member States take due account of the interests of other states.

With respect to the provisions established in Article 61, paragraph 3 of Part V, pertaining to the Exclusive Economic Zone, and the provisions set forth in such paragraph with regard to regional organizations taking into account the special requirements of developing states, in conjunction with Article 119 of Part VII (High Seas), we do not have sufficient information on agreements reached by NAFO and will request the Executive Secretary's additional clarification.

To fulfill the provisions of Article 117, regarding necessary measures to be taken by our nationals relative to the conservation of living marine resources on the High Seas, the Mexican Delegation wishes to call NAFO's attention to the following:

- 1) That it has become aware at this meeting, through the review of the 1st Draft (Revised) of the Standing Committee on International Control (STACTIC), that some vessels, not identified in the referred document but flying the Mexican flag, are being considered to be vessels which "threaten" the conservation of resources, not duly identified either in the document.

Canadian authorities in charge of fisheries surveillance informed NAFO that, since 1980 they have sighted, on numerous occasions, from 5 to 7 vessels flying the Mexican flag, without specifying the places in which these vessels have been sighted.

- 2) That NAFO Document FC 84/IX/4 stated that four (4) inspections were conducted on some Mexican vessels in 1983, without identifying the vessel, its location, nor the basis of three (3) of the inspections.
- 3) That my Delegation, assuming without conceding on the previous issues, wishes to declare that, not being a member of NAFO, it finds it difficult to accept that on the high seas Mexican flag vessels should be subject to the inspections or supervisions which have not been conveyed or voluntarily accepted by their Government.

- 4) That, in order to compile the necessary information on national flag vessels, my Delegation requires more details from NAFO, and to that effect, it would see with utmost interest, that the Executive Secretary of NAFO could establish a dialogue with representatives of our Government in order to specify NAFO's objectives, procedures and scope.

My Government, on the other hand, offers to establish bilateral contacts with different member Governments of NAFO, and in particular, with those which have special considerations to the resources found in the area in order to adopt the international position judged to be appropriate to its national as well as international interests.

- 5) My Government declares that Mexico, as a developing nation, is undertaking efforts conducive to increase its fleet fishing capacity and for that purpose it has developed a fleet which is engaged in fishing activities within its national jurisdiction as well as in the Exclusive Economic Zones of those friendly nations which authorize those activities, and on the High Seas, such as in the North Atlantic where there is evidence that Mexican vessels have been harvesting for more than five years.
- 6) At the same time, Mexico has joined international and regional organizations to solidarily cooperate for the conservation of living marine resources, as is the case of FAO, the International Whaling Commission and the Latin American Economic System (SELA), which are organizations devoted to reaching equitable solutions for its members.

For the purpose of achieving a greater development, Mexico too has requested from developed nations, transfer of technology and has accepted joint ventures which are aimed at obtaining mutual benefits. In some of these ventures Mexico has obtained gains, while in others, it has not been successful. However, Mexico continues to be interested in promoting cooperation with other countries.

- 7) It is very important to the Mexican Delegation that, in the future conversations at bilateral, as well as multilateral levels, the provisions of Article 119 of the Law of the Sea Convention, which refer to the measures taken on the High Seas for the conservation of living marine resources and their application, do not discriminate in form or in fact, against the fishermen of any state so that, the provisions of Article 300 of the Convention are fulfilled in a way that the rights, jurisdiction and freedoms recognized in the Convention are exercised by the States in a manner which would not constitute an abuse of rights.