

Northwest Atlantic



Fisheries Organization

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(Revised)

ELEVENTH ANNUAL MEETING - SEPTEMBER 1989

Report of the Fisheries Commission

Tuesday, 12 September - 1600-1730  
Wednesday, 13 September - 1030-1230  
  1615-1730  
Thursday, 14 September - 1045-1100  
  1200-1300  
  1530-1600  
  1630-1735  
Friday, 15 September - 1050-1200

1. The Eleventh Annual Meeting of the Fisheries Commission was called to order by the Chairman, Mr. K. Yonezawa (Japan) at 1600, 12 September 1989, at the Albert Borschette Conference Centre, Brussels, Belgium. All members were present. (See Appendix 1)
2. Under Agenda item 2, W. J. Bruce (Canada) was appointed Rapporteur.
3. Under Agenda item 3, Adoption of Agenda, the Agenda was adopted as circulated. (See Appendix 2)
4. Under Agenda item 4, Admission of Observers, the Chairman welcomed observers from Mexico and the United States of America.
5. Under Agenda item 5, Publicity, the Chairman proposed to follow the usual practice of issuing a simple and factual statement of events at the end of the meeting following consultations with the Executive Secretary. That was agreed. (See Appendix 3)
6. Under Agenda item 6, Approval of the Report of the Tenth Annual Meeting, September 1988, FC Doc. 88/8 (Revised) was adopted as circulated.
7. Under Agenda item 7, Review of Commission Membership, the Chairman noted that ten Contracting Parties were members of the Fisheries Commission, the same as in 1988. There was no further discussion.
8. Under Agenda item 8, Election of Officers - Chairman and Vice Chairman, the Chairman proposed to postpone the item until the final meeting of the Fisheries Commission and that was agreed.
9. Under Agenda item 9, Status of Proposals, the Chairman noted that the document had been updated and, at the request of Canada, it was agreed that it would be updated annually.
10. Under Agenda item 10, Conservation and Enforcement Measures, the Chairman indicated that the three subitems had already been referred to STACTIC, and proposed that Fisheries Commission deliberations on them would be deferred. That was agreed.
11. It was agreed that consideration of Agenda items 11 to 14 inclusive would be deferred until after review by STACTIC.
12. Under agenda item 15, Summary of Scientific Advice Proffered by the Scientific Council, the Chairman of the Scientific Council, referring to SCS Doc. 89/17 and its corrigendum, summarized the scientific advice for the stocks covered by the request by the Fisheries Commission (FC Doc. 88/5).

The Chairman of the Scientific Council drew the attention of delegates to the summary tables for each stock which had been requested by the Fisheries Commission in 1988.

13. In response to the Fisheries Commission request in 1988 for further information on the proportion of biomass of the cod stock in Div. 3L in the Regulatory Area, the Chairman of the Scientific Council stated that the Scientific Council advised that the maximum proportion of the entire 2J3KL cod stock estimated to occur in the Regulatory Area was less than 10% in winter and less than 5% on average throughout the year. He indicated that tagging studies to commence in the near future should provide valuable data on the question of the 2J3KL cod stock complex. On the question of age structure, it was advised that the age composition of the stock was similar in the winter time both inside and outside the Canadian fisheries zone, but in the summertime there was a higher proportion of young fish outside the zone in the Regulatory Area.
14. For Cod in Div. 3M, the Chairman of the Scientific Council noted that the stock was still at a very low level although the 1986 year-class appeared strong. The Scientific Council recommended that the moratorium be maintained for 1990.
15. For Cod in Div. 3NO, the Chairman of the Scientific Council informed that it had been observed that recent levels of fishing mortality had been higher than previously thought. The Council had indicated that there existed reasonably complete data on the stock and that an analytical assessment was therefore possible. It was also pointed out that the 1983 and 1984 year-classes were very small and that the biomass would not increase very much. In fact, it could fall depending on the rate of harvest.
16. For Redfish in Div. 3M, the Scientific Council had advised that a good assessment for that stock was not possible, due to the many year-classes in the population and the data requirements of the analytical model used. Given the uncertainties regarding the stock, the Council urged caution in establishing the 1990 catch level. The Council considered that whichever exploitation target was chosen, the TAC should be set well below the values calculated from the survey data, i.e., either the  $F_{0.1}$  (50,000t) or  $F_{max}$  (85,000t) values.
17. For Redfish in Div. 3LN, the Scientific Council had noted that there was a certain amount of contradiction in the assessment of the stock. It was therefore impossible to achieve an accurate assessment, except in very general terms. As there were no significant trends in catch rates, the Council advised that there was no basis for a change in the TAC from the present level of 25,000t.
18. For American plaice in Div. 3M, the Scientific Council highlighted the lack of commercial catch rate data as that was mostly a by-catch fishery. The Council had noted, however, that the biomass appeared stable and that there were no grounds to advise a change in the TAC from the current level of 2,000t.
19. For American plaice in Div. 3LNO, the Scientific Council had noted that the nature of the fishery was changing in that a much higher proportion of small fish were being taken in the Regulatory Area.  
  
The Chairman of the Scientific Council stressed the concern of the Council that increased catches by member countries and the unregulated fishery by non-NAFO member states in the Regulatory Area could take large numbers of young fish before they reached their growth potential and before they entered the spawning stock. The Council's advice for 1990 was that the  $F_{0.1}$  catch would be 24,900t if the catch in 1989 did not exceed the TAC of 30,300t, or 23,100t if the 1989 catch were 40,000t. Projections could not be provided on  $F_{max}$  because the Council considered that the value was not an appropriate reference point.
20. For Witch flounder in Div. 3NO, the Scientific Council had noted that it was largely a by-catch fishery and indicated that catch rates had declined to lowest levels on record. The Council concluded that there was no basis to advise a change in the TAC from the present level of 5,000t.
21. For Yellowtail flounder in Div. 3LNO, the Scientific Council had emphasized the problems inherent in the high proportion of juveniles taken in the Regulatory Area and the impact that might have on future yield from the fishery. Given the available information, the Council advised a TAC of 5,000t for 1990.
22. For Capelin in Div. 3NO, the Scientific Council had noted that the stock could be safely managed at 10% of the biomass averaged for the period 1981-88, which was estimated to be 300,000t. That indicated a catch in 1990 of 30,000t.
23. For Squid in Subareas 3 and 4, the Scientific Council had observed that given the lack of any new data, it preferred not to give any advice on a TAC, since no forecast on abundance could be made. It noted that there were some inshore landings in Canada for 1989.

24. The Chairman of the Scientific Council drew particular attention to the concerns of the Scientific Council about the failure of many Contracting Parties to meet deadlines for the submission of catch and effort data. The Council had also emphasized the difficulties caused by not having catch information from most non-NAFO members fishing in the Regulatory Area.
25. The delegate of the EEC congratulated the Chairman of the Scientific Council and the Council for its work and clearer presentation of data using summary tables. The EEC scientists which had participated in the work of the Council had also participated in the consensus which had made the report possible, even though those scientists could not agree with all the contents of the report. The EEC agreed in general with the main ideas outlined, even though it still had reservations. The EEC delegate noted concern that there was no scientific evidence for a lot of recommendations in the report and cited the 3M cod moratorium as an example. Although there had been no directed fishery for the past two years, the stock situation was not improving, and scientists were unable to predict the stock situation for the next several years.
- He did not blame the scientists and stated that collectively everyone had to accept some of the blame.
26. The delegate of Canada acknowledged the 3M redfish advice as the one bright spot of the report and noted that all other stocks were either stable or declining. He stated that declining flounder and cod stocks were having a negative impact on the Newfoundland fishery in particular.
- He requested that the Chairman follow the same procedure as in previous years whereby the TACs would be first discussed on a stock by stock basis, and then individual country quotas be debated.
27. The delegate of Denmark (in respect of the Faroes and Greenland) congratulated the Scientific Council for the presentation of a much more readable report.
- He expressed concern with the estimate of total catch based on actual landings since very little information was received from non-members. He raised as a second point for later consideration the fact that, if the 3M Redfish TAC increased, it could have a serious impact on the 3M cod moratorium.
- The meeting adjourned at 1730 and reconvened at 1030 on 13 September 1989.
28. Under Agenda item 16(a), Cod in Div. 3M, the delegate of Denmark questioned the Chairman of the Scientific Council on the STACFIS recommendation that available maturity data be analyzed for the next assessment. The Chairman of the Scientific Council stated that the age of maturity (assumed to be age 6 years) might have changed since the growth rate of that stock had increased.
- The delegate of the USSR asked the Chairman of the Scientific Council (1) whether he believed that scientific information was sufficient for that stock and (2) what had to be done, if the advice was insufficient. The Chairman of the Scientific Council responded that one problem with the moratorium was that it eliminated catch rate data, although he indicated that catch rate data had not been useful for that stock. He hoped that results from USSR and EEC research surveys could assist in that regard.
- The delegate of Denmark (in respect of the Faroes and Greenland) indicated that he might have to ask for a postponement on establishing the 1990 TAC for that stock because of ongoing deliberations.
29. Under agenda item 16(b) Redfish in Div. 3M, the delegate of Cuba, supported by the USSR, proposed that the 1990 TAC be established at 50,000t using the  $F_{0.1}$  reference level.
30. The delegate of Canada sought clarification from the Chairman of Scientific Council on the recommendation of the Scientific Council that the TAC should be set well below 50,000t. The Chairman of the Scientific Council presented the review by the Scientific Council of results of survey estimates using both bottom trawls and hydroacoustics. The Scientific Council concluded that it was prudent to set TAC below the absolute value calculated from survey biomass estimates.
31. The delegate of the USSR expressed disappointment with the explanation by the Chairman of the Scientific Council and felt there were no scientific grounds for a lower number.
32. The delegate of Canada proposed a 40,000t TAC in agreement with Scientific Council advice acknowledging that it was an arbitrary proposal. He stated that when establishing the TAC for 3M redfish, the by-catch of 3M cod should be taken into consideration.

33. The delegates of Denmark and the USSR agreed that the cod by-catch should be considered. By-catch figures had been given by the Scientific Council and by a number of Contracting Parties for different 1988 fisheries.
34. The delegate of Denmark (in respect of the Faroes and Greenland) pointed out that cod by-catches in 1990 could be higher as a result of the strong 1986 year-class. The delegate of Japan, supported by Norway, proposed that deliberations be postponed to allow discussion between Contracting Parties. That was agreed.
35. Under Agenda item 16(c), American plaice in Div. 3M, the delegate of the USSR, supported by Canada and Bulgaria, proposed that the recommendation of the Scientific Council for a TAC in 1990 of 2,000t, approximating the  $F_{0.1}$  level, be adopted. The delegate of the USSR stated that TACs had been constantly overfished for the past three years, and asked the Scientific Council to consider what effect that might have had on the stock. The delegate of Canada supported that question to the Scientific Council and asked the Chairman of the Scientific Council what type of work was necessary to do such an assessment. The Chairman of the Scientific Council responded that he doubted if the question from the USSR could be answered. Upon request from the delegate of the EEC, the Chairman put the proposal to a vote. The USSR proposal was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC.
36. Under Agenda item 17(a), Cod in Div. 3NO, the delegate of Canada noted that the stock was decreasing and that the matter should be of concern to NAFO. He indicated that Canada had earlier written NAFO requesting a consistent management approach of  $F_{0.1}$  for the stock both inside the Canadian zone and in the Regulatory Area. That translated into a TAC for 1990 of 18,600t which was supported by the USSR. The delegate of the EEC noted that he was not able to participate in consensus and suggested taking a vote on every stock. The Canadian proposal was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC.
37. Under Agenda item 17(b), Redfish in Div. 3LN, the delegate of the USSR, supported by Canada and the GDR, proposed a TAC of 25,000t in conformity with the scientific advice. The USSR proposal was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC. The delegate of Canada drew attention to the words in the Scientific Council Report (p. 15) to the effect that "research survey results from the USSR suggest a decline in biomass of 50-70% from 1983 to 1988". The delegate of the USSR stated that TACs had been considerably overfished from 1986-88, and requested that the Scientific Council consider the impact of that factor on the stock.
38. Under Agenda item 17(c), American plaice in Div. 3LNO, the delegate of Canada questioned whether the Scientific Council had more recent information on 1989 catches. The Chairman of the Scientific Council reported that the catch to the end of June was 6,300t compared to 8,000t for the same period in 1988.
39. The delegate of Canada noted that recruitment to that stock was at a low level and that significant catches of young fish were occurring in the fishery. He stated Canada had enormous difficulties with that Grand Bank fishery, as well as with other stocks. He then asked the Chairman of the Scientific Council if there were any special measures, such as mesh size or closed areas, which could be considered to protect the remainder of the stock, and possibly rebuild the stock. The Chairman of the Scientific Council responded that current mesh sizes in use should theoretically allow the release of small fish, but there were other factors (i.e. length of tow, material in codend) that affected the retention of small fish. On the question of closure of areas on a seasonal basis, the Chairman of the Scientific Council stated that the Council did not have sufficient commercial catch rate data on sufficiently fine a scale on a year round basis to make such recommendations.
40. The delegate of the EEC noted that there were significant discards in that fishery that were not being reported to NAFO. He asked Contracting Parties to look into that matter and enforce regulations on those fisheries. He thought that all catches, retained and discarded, should be reported to NAFO.
41. The delegate of Canada requested that the Scientific Council if possible develop a recommendation to ask Contracting Parties to report precise areas of catches on a finer scale.
42. The delegate of the EEC stated that, although he was not against such a request, reporting requirements were already a part of Conservation and Enforcement Measures.

43. The Chairman concluded that no decision was being taken immediately on any modification of the Conservation and Enforcement Measures but, on the other hand, there was no objection to the Canadian request for the Scientific Council to prepare a one page document outlining useful methods of dealing with finer areas of reporting and the problem of discards for the Commission to consider later, as proposed by the delegate of the EEC. That was agreed.
44. Under Agenda item 17(e), Witch flounder in Div. 3NO, the Chairman noted that the Scientific Council had not recommended any change in the TAC, and that a 5,000t TAC had been maintained for the last several years.
45. The delegate of Canada, supported by the USSR, proposed a TAC of 5,000t. The delegate of the USSR noted that the TACs had been overfished for the years 1986-88, and requested that the Scientific Council assess the impacts of that overfishing.
46. The Chairman of the Scientific Council indicated that, if the data were amenable to Virtual Population Analysis (VPA), the Scientific Council could provide a quantitative statement of what the TAC should be. However he indicated that there were several factors which made it practically impossible that a reliable analysis could be available next year.
47. The Canadian proposal for a 5,000t TAC was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC.
48. Under Agenda item 16(d), Yellowtail flounder in Div. 3LNO, the delegate of Canada, supported by Cuba, proposed acceptance of the Scientific Council's recommendation of a 5,000t TAC. That proposal was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC.
49. The delegate of Canada drew attention of Contracting Parties to the sharp decline in that stock.
50. Under Agenda item 17(f), Capelin in Div. 3NO, the delegate of Norway, supported by Japan, proposed acceptance of the 30,000t TAC recommended by the Scientific Council.
51. The delegate of the USSR posed two questions to the Scientific Council: (1) to what extent was the 10% exploitation rate scientifically founded and (2) what would be the catch level associated with  $F_{0.1}$ .
52. The Chairman of the Scientific Council indicated that there was no more basis for the 10% exploitation rate now than in earlier years. It was a conservative exploitation rate for such an important prey species in the total ecosystem. He undertook to provide a  $F_{0.1}$  figure after consultation within the Scientific Council. The Chairman then postponed the discussion of the stock.
53. Under Agenda item 17(g), Squid (Illex) in Subareas 3 and 4, the Chairman stated that the information was very scanty on that stock and the catch was almost nothing. The Chairman assumed a consensus to maintain the TAC at 150,000t as before. That was agreed.

After it was agreed to resume at 1600 on 13 September 1989, the meeting adjourned at 1230.

The meeting reconvened at 1615 on 13 September 1989.

54. Under Agenda items 17(h), Management measures for the following stocks, if available in the Regulatory Area, in 1990: i) Cod in Div. 3L, the delegate of Canada pointed out that 2J3KL cod stock biomass was significantly lower than previously estimated. The 1989 TAC of 235,000t had decreased from 266,000t in 1988, and would probably decline further in 1990. He indicated that the stock was fully subscribed in the Canadian zone. Some of the factors believed to be contributing to that situation were: poorer recruitment than in the past; slower growth rate; environmental conditions that were not totally understood; fishing by the Canadian fleet inside the Canadian zone and by foreign fleets in the Regulatory Area despite the 3L moratorium. The delegate of Canada proposed that the moratorium remain in effect for 1990.
55. The delegate of the EEC stated that he shared the concern of Canada on the state of that stock. As part of the stock occurred in international waters, the EEC considered that the stock should be managed by NAFO and opened to fishing by Contracting Parties. The EEC believed that the moratorium had been put in place without any scientific justification and suggested that Canada allow international scientists to look at that stock. He thought it was possible that the EEC fishing experience of that stock for some 400 years might be of some value to NAFO and Canada. The delegate of the EEC strongly protested the reference by

Canada at the meeting and in the media that the EEC was overfishing that stock. He stated that the EEC catch in 1988 was at the same level as in 1981, i.e. 19,000t. He stated that the Canadian catch had increased twofold for the same period.

56. The delegate of Canada requested the Chairman not to put to a vote at that time the Canadian proposal on the moratorium.
57. The delegate of the EEC supported that request and made two proposals: (1) the 2J3KL cod stock be considered a NAFO stock and be studied in the NAFO Scientific Council; and (2) that NAFO fix a proportion of the stock found in international waters for allocation to Contracting Parties.
58. The Chairman returned to Agenda item 16(b), Redfish in Div. 3M, which was unresolved from an earlier session. The Cuban proposal, supported by the USSR, for a 50,000t TAC was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC.
59. Upon return to Agenda item 17(f), Capelin in Div. 3NO, the Chairman of the Scientific Council, reported that the calculations of yield per recruit to estimate target mortality corresponding to  $F_{0.1}$  were done in the mid-1970s, and had not been done since. Given the high mortalities at spawning, the target exploitation rates would be very high ( $F_{0.1}$  75% and  $F_{max}$  90%), and the Scientific Council recommended that the 10% exploitation rate be maintained for that very important species in the food chain.
60. The delegate of the USSR thanked the Chairman of the Scientific Council for that explanation but stated that his delegation did not consider that the 10% level had any scientific basis.
61. The delegate of Cuba proposed that the stock be the object of deeper study by the Scientific Council so as to entertain a more detailed discussion at the 1990 meeting.
62. The delegate of Canada supported the Cuban proposal and encouraged the Scientific Council to undertake that task.
63. On return to Agenda Item 17(f), Capelin in Div. 3NO, the original Norwegian proposal, supported by Japan, for a 30,000t TAC was carried by eight votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway and Poland, and two abstentions: the EEC and the USSR.
64. The delegate of the USSR explained that the reason for his abstention was that his delegation did not believe the 10% exploitation level was scientifically founded.
65. On return to Agenda Item 17(c), American plaice in Divisions 3LNO, the delegate of Canada, supported by Denmark, proposed a TAC of 24,900t on the assumption that Canada would catch its 1989 quota and that Contracting Parties would catch their quotas and not more. That proposal was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and one abstention: EEC.
66. The delegate of Canada asked the Chairman of the Fisheries Commission to recognize a working paper prepared by the Scientific Council in response to the request for a recommendation on data requirements on areal and seasonal concentrations of juvenile American plaice and yellowtail flounder.
67. The delegate of the EEC expressed gratitude to the Scientific Council for preparing that paper, but cautioned that the EEC was not in a position to react to it immediately. The EEC delegate requested time to review the paper.
68. The delegate of Denmark (in respect of the Faroes and Greenland) thought that the Fisheries Commission should endorse the recommendation from the Scientific Council.
69. The Chairman advised that it was up to the Commission to decide what action should be taken on the recommendation.
70. The delegate of Canada suggested that it was appropriate for the Fisheries Commission to put the recommendation to a vote.
71. The Chairman deferred deliberations until a later time. He indicated that he had been requested to delay quota allocations to the next day.

72. The delegate of Canada stated that the Canadian delegation was disappointed in the abstention approach used by the EEC throughout the day on all votes. He was not aware of any Contracting Party that in the past had abstained on all TAC decisions. He stated that Canada had hoped that the EEC would cooperate more fully in the management of NAFO stocks and would not use the objection procedure.
73. The delegate of the EEC responded that it was premature for the delegate of Canada to make such a statement, as voting on all stocks had not been completed. He stated that abstention did not mean any lack of interest in cooperation. The EEC just could not be associated with F<sub>0.1</sub>, as F<sub>max</sub> was the EEC preferred management approach because of social and economic reasons. He said that the EEC, as a sovereign state, could not accept to have to be bound by majority decisions in an international organization such as NAFO, or in any other international organization, unless the EEC freely agreed to be bound.

After it was agreed to resume at 1000 next day, the meeting adjourned at 1730 on 13 September 1989.

The meeting reconvened at 1045 on 14 September 1989.

74. The Chairman reopened the meeting stating there were two outstanding issues: Agenda item 16(a), Cod in Div. 3M and Agenda item 17(h)i), Cod in Div. 3L.

Under Agenda item 17(h)i), the delegate of Canada stated the reasons for Canada proposing the 3L cod moratorium for the past four (4) years: a) the small percentage of the biomass occurring in the Regulatory Area (3-5% as reported by the Scientific Council), signifying that it should not be considered a straddling stock and therefore come under NAFO management; b) the significant interest of that stock to the coastal state which was exerting efforts on the surveillance and management of the stock; c) the TAC being fully allocated in the Canadian zone and the Canadian government having denied requests from Canadian fishermen for access to that stock. The delegate of Canada acknowledged the request of Contracting Parties, particularly the EEC, for the provision of scientific information on 2J3KL cod. He indicated that a Review Panel, including a scientist from the EEC, would be providing a report on 2J3KL cod in the near future. That report would include information on scientific advice, and Canada would provide a copy of the report to Contracting Parties for comment.

75. The delegate of the EEC was grateful to Canada for that information, but felt it was not enough because a portion of the stock was outside the Canadian zone during certain times of the year, and should therefore come under NAFO management.
76. The delegate of Poland supported the proposal of Canada on the grounds that according to scientific advice 2J3KL cod was one stock, and that the major biomass of the stock was entirely inside Canadian waters.
77. The delegate of the USSR stated that his delegation had its own view on the question, and its past voting was indicative of its approach.
78. The delegate of Cuba stated that he was pleased with the Canadian proposal to share scientific information on the 2J3KL cod stock with Contracting Parties.

Before putting the proposal to a vote, the Chairman pointed out that Canada and the EEC had put forth different views but the Fisheries Commission was voting on the proposal for a 3L moratorium.

He indicated that it was not the prerogative of the Fisheries Commission to interpret international law. Therefore the Commission was simply voting on the Canadian proposal, without prejudice to the legal position of the Contracting Parties. The Canadian proposal was carried by seven (7) votes in favour: Bulgaria, Canada, Cuba, GDR, Japan, Poland and the USSR, two abstentions: Denmark (in respect of the Faroes and Greenland) and Norway, and one against: EEC.

79. The delegate of Denmark (in respect of the Faroes and Greenland) requested that the record reflect that his abstention did not mean that they would not respect the moratorium. He did not think that it was a good solution, but at the same time realized that it was a very difficult problem.
80. The delegate of the EEC stated that the EEC would always vote no to any management measure which was not based on scientific advice.
81. The delegate of the GDR acknowledged the difficulty of the situation and felt the Canadian proposal to provide scientific advice on 2J3KL cod was a good one.

82. Under Agenda item 16(a), Cod in Div. 3M, the delegate of Denmark (in respect of the Faroes and Greenland) requested a short break to allow for the typing of its proposal.

The Chairman agreed and adjourned the meeting at 1100, 14 September 1989.

The Chairman reconvened the meeting at 1200.

83. Under Agenda item 16(a), Cod in Div. 3M, the delegate of Denmark (in respect of the Faroes and Greenland) tabled a draft proposal for an exploratory fishery of four long line vessels utilizing 800 fishing days to contribute to the existing time series data on catch rates which could be used by the Scientific Council (FC Doc. 89/6).

84. The delegate of the EEC stated that the moratorium on the 3M cod fishery should continue in 1990. He stated that the 3M cod was the only NAFO cod stock occurring entirely in international waters and the EEC had accepted the fishing ban because of danger of collapse of the stock. He pointed out that members of the EEC delegation in STACTIC were working on a proposal to limit the by-catches of 3M cod.

He asked that the Scientific Council review the Danish proposal and report back to the Fisheries Commission on its merit. He stated that the EEC had research vessels in that area and welcomed scientists from any Contracting Party on board those vessels.

He stated that EEC inspection vessels had approached Faroese vessels fishing cod in Div. 3M in 1989 and were told they were conducting scientific research.

85. The delegate of Denmark (in respect of the Faroes and Greenland) took exception to the statement concerning inspection vessels and stated it was normal practice to report to the flag state and not through the Fisheries Commission. He stated that reference to the matter had already been made in STACTIC.

86. The delegate of the USSR supported the Danish proposal for an exploratory fishery on a scientific basis and felt the moratorium should be retained.

87. The delegate of Cuba supported the proposal on a scientific basis and suggested the fishing plan be worked out in conjunction with the Scientific Council.

88. The delegate of Norway supported the proposal provided that it accommodated the Cuban suggestion with respect to coordination with the Scientific Council.

89. The delegate of the GDR supported the Cuban suggestion.

90. The delegate of Canada questioned the delegate of Denmark on the number of fishing days versus a specified catch tonnage. The delegate of Canada asked that it be recorded in the report his statement with respect to the earlier reference to enforcement which was that the Canadian experience with the Faroes had been very good.

The meeting adjourned at 1300 on 14 September after it was agreed that the Scientific Council would be asked to review the Danish proposal.

The meeting reconvened at 1530 on 14 September 1989.

91. The Chairman stated that, while he was awaiting a response from the Scientific Council, he would like to deal with quota allocations of the five (5) stocks for which there were no changes in TACs for 1990: American plaice in Div. 3M, Redfish in Div. 3LN, Witch flounder in Div. 3NO, Yellowtail in Div. 3LNO and Squid in Subareas 3 and 4.

92. The delegate of Cuba, supported by Canada, proposed that those stocks be allocated as they had been last year.

93. Before the vote, the delegate of Canada reported observations that had been noted over the last several years with respect to quota distribution (FC Doc. 89/4). He noted that the relative shares of all Contracting Parties had been reduced as the result of the unilateral action of one Contracting Party and its inappropriate use of the objection procedure. He stated that only when all Contracting Parties returned to historical shares would stability be returned to NAFO.

94. The delegate of Japan had no objection to the historical sharing pattern in principle, but had concerns with respect to the distribution of a quota that increased significantly from one year to another. He felt that, if one country already had the major portion of the allocation, then a portion of the increase should be distributed more evenly among other Contracting Parties.



95. The delegate of the USSR felt that the distribution of quotas had to be in accordance with Article XI(4) of the NAFO Convention; otherwise, it would bring chaos to the Organization.
96. The delegate of Denmark noted that two rather serious problems had been raised here: (1) in terms of sharing, NAFO members, who abided by their quotas, paid the bill when another Party set its own unilateral quota(s); (2) sharing of quotas based on historical distribution or some other principle as raised by Japan. He felt an option was to raise the "Others" quota and not change historical distribution.
97. The Chairman obtained consensus to vote for the five stocks listed above as a single vote. The Cuban proposal, supported by Canada, was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC.
98. After the introduction by the Chairman of three stocks showing a slight difference in TAC from 1989 to 1990, the delegate of Canada, supported by the USSR, proposed that there be a proportionate increase or reduction in Contracting Party quotas for the three stocks: Cod in Div. 3NO, American plaice in Div. 3LNO and Capelin in Div. 3NO. The motion was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and 1 abstention: EEC.

The meeting adjourned at 1600 and reconvened at 1630.

99. The Chairman of STACTIC, in tabling the Report of STACTIC (Appendix 4), addressed Agenda items 10 to 14. He stated that the STACTIC meeting had been very productive, with good cooperation from all Contracting Party representatives. The report was adopted by the Commission.
100. The delegate of the EEC asked the Commission to accept the recommendation of the Scientific Council on the monitoring and sampling of the by-catch of cod on the Flemish Cap (FC Doc 89/8) because of the importance of that stock to the EEC fleet.
101. The delegate of Canada stated that the recommendation should be adopted as written, which was accepted by the Commission.
102. The delegate of the EEC noted that wording in the STACTIC report referring to the EEC obtaining information from St. Pierre-Miquelon on transshipments by non-member vessels was not correct. He undertook to provide the Rapporteur with the correct wording.
103. Upon the recommendation of STACTIC, the Fisheries Commission confirmed and underlined the adoption of the EEC proposal for changes to incidental catch limits (FC Doc. 89/5).
104. The delegate of Canada requested that the proposal be changed to make it a Canada/EEC proposal and that the Report of STACTIC (item 20) be changed to reflect that change. The delegate of the EEC supported that request. That was agreed.

The meeting was adjourned then at 1735 of 14 September and reconvened at 1050 on 15 September.

105. Under Agenda item 16(a), Cod in Div. 3M, the Chairman asked the Chairman of the Scientific Council to report on its review of the Danish proposal for an exploratory 3M cod fishery. The Chairman of the Scientific Council tabled the scientific review (FC Doc. 89/7) which stated that it was premature to start fishing 3M cod on a commercial basis and that the 1986 year-class should be allowed to mature and contribute to the biomass. In order for the exploratory fishery to be useful, it would need to take about 2,000t throughout the seasons as fished in the past, for consistency in data analysis. The Scientific Council would continue to review research survey data from the USSR and the EEC, together with catch rate data from the past Faroes longline fishery, if it were applicable.
106. The delegate of Denmark (in respect of the Faroes and Greenland) responded that the Scientific Council had done a very fair assessment of the proposal but he still had concerns about when the Scientific Council would be able to recommend an exploratory fishery. He pointed out there were fisheries for 3M cod now: 1) by-catch in the 3M redfish and flatfish fisheries and 2) fisheries by non-NAFO members. He indicated that the only three (3) countries excluded from a 3M cod fishery were Norway, Denmark, and Poland. Accepting the report from the Scientific Council, and after conversations with other delegations, the delegate of Denmark (in respect of the Faroes and Greenland) withdrew the proposal for an exploratory 3M cod fishery.

The delegate of Denmark (in respect of the Faroes and Greenland) stated that he wished to set the record straight with respect to earlier comments from the delegate of the EEC concerning Danish involvement in the Scientific Council. He stated that Denmark, the Faroes and Greenland were involved with the Scientific Council before the EEC joined NAFO. He stated that they had placed the exploratory fishery proposal before the Fisheries Commission within the NAFO framework rather than set its own autonomous quotas like the Contracting Party which had ridiculed their proposal. He stated that he would have difficulty in explaining the denial of his proposal at home, when some NAFO partners fished whatever they wished and when the ongoing fishery by non-NAFO members would not be stopped.

107. The delegate of the EEC congratulated the delegate of Denmark (in respect of the Faroes and Greenland) for basing his decision on scientific advice recognizing that he was caught in an economic, political, and a biological problem. He stated that his delegation accepted criticism where warranted, and would withhold opinion when not warranted. He reiterated that his delegation had put forward the resolution on reducing cod by-catches in other 3M fisheries and initiatives for improving reporting of statistics in those fisheries. He stated that the EEC was prepared to go to 0% by-catch if it were recommended by the Scientific Council.
108. The delegate of the USSR stated that he had supported the original Danish proposal because he considered that any Contracting Party was free to carry out fisheries research within the NAFO framework with the means at its disposal and under the advice of the Scientific Council. He did not share the views of some delegations which did not support the proposal and saw a hidden objective behind it. He said that it was the first time in the history of the Fisheries Commission that one Party was stopped from doing research. He considered that it was the lack of scientific data that maintained the TAC at low and stagnant levels.
109. When the Chairman asked whether he could have consensus on the EEC proposal for a continued ban on a directed 3M cod fishery, the delegate of Denmark (in respect of the Faroes and Greenland) stated that he hated to ask for a vote, but that he had to in order to keep options open for his political authorities. The EEC proposal was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, EEC, GDR, Japan, Norway, Poland, and the USSR, and one abstention: Denmark (in respect of the Faroes and Greenland).
110. The Chairman asked if there were any proposals for the quota allocation of 3M redfish.
111. The delegate of the USSR, supported by Canada, proposed proportionate sharing in accordance to the 1989 sharing.
112. The delegate of Denmark (in respect of the Faroes and Greenland) asked that the record reflect their preference for increasing the "Others" quota.
113. The delegate of GDR asked that the Rapporteur include the following written statement on 3M redfish: "In principle the GDR had no objection to the distribution of quotas in accordance with historical performance. When fixing quotas for a species with a drastic increase in the TAC, we are of the view that all countries must be given an opportunity, also those which in the past had a fishery on this species and which on the basis of decisions taken in our Organization have stopped the fishery. So a higher quota for "Others" should be established."
114. The USSR proposal, supported by Canada, for a proportionate sharing of 3M redfish in 1990 as in 1989 was carried by seven (7) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), Japan, Norway and the USSR, and three (3) abstentions: EEC, the GDR and Poland.
115. The Commission adopted the recommendation received from the Scientific Council concerning the reporting of data on juvenile American plaice and yellowtail flounder (FC Doc. 89/10).
116. The delegate of Cuba requested, and the Commission agreed, that the Scientific Council advise Contracting Parties through the Secretariat on a uniform approach to reporting the information requested by the Scientific Council.
117. Under Agenda item 19, Annual Scientific Program for 1990, the Chairman of the Scientific Council noted that the only difference in 1988 was the EEC research cruise on the Flemish Cap. He reiterated the concerns of the Scientific Council regarding the delays experienced in receiving catch and effort statistics.
118. The delegate of Canada tabled a proposal for the request of scientific advice on management of certain stocks in 1991 and recommended that it be adopted as presented. (FC Doc. 89/9)

119. The delegate of the EEC stated that he agreed with the Fisheries Commission requesting the Scientific Council to provide advice on management, but said he would not vote yes on the Canadian proposal since it did not contain any reference to 3L cod, of which a certain percentage occurred in international waters.
120. The delegate of Denmark (in respect of the Faroes and Greenland) noted that the Canadian proposal had requested the Scientific Council to continue to provide information on the proportion of the biomass of the cod stock in Div. 3L in the Regulatory Area. He thought that the Scientific Council should determine whether they needed information on the total stock to provide that, and that the Fisheries Commission should not tell scientists what they needed to do their work.
121. The delegate of the EEC stated that the Fisheries Commission would never attempt to tell scientists what to do, but only tell them what job was required of them.
122. The delegate of Canada reiterated that Canada would provide scientific information on northern cod to all Contracting Parties as it became available in Canada.
123. The delegate of the USSR, supported by Canada, requested that the Scientific Council provide advice on mesopelagic fishes and Atlantic saury in the Regulatory Area. (FC Doc. 89/9)
124. The delegate of the EEC questioned whether the Atlantic saury was covered in the NAFO Convention. The delegate of Canada stated that the request was within the Convention as Atlantic saury was not listed as an exception under the Convention.
125. The Chairman of the Scientific Council stated that he could see no difficulty for the Council to add those species to its agenda and study them but for that Contracting Parties should ensure that their laboratories provide relevant information and interpretation on those species to the Scientific Council.
126. The Canadian proposal for the provision of scientific advice was carried by nine (9) votes in favour: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroes and Greenland), GDR, Japan, Norway, Poland and the USSR, and one (1) abstention: EEC.
127. Under Agenda item 20, Time and Place of Next Meeting, the Chairman noted that those had already been decided on by the General Council for September 10-14, in Halifax, Nova Scotia, Canada.
128. Under Agenda item 8, Election of Officers - Chairman and Vice-Chairman, Canada, supported by the USSR and Japan, nominated Mr. J. Zygmanski of Poland for Chairman. The delegate of Canada advised that he had checked with the Polish delegation and it was thought that approval from the Polish Government would be forthcoming.
- The delegate of Denmark (in respect of the Faroes and Greenland), seconded by Japan, nominated Mr. G. Etchegary (Canada) for Vice-Chairman.
- The Commission elected, for Chairman and Vice-Chairman, the respective delegates as nominated.
129. Before the meeting adjourned, the delegate of the USSR, thanked the Chairman for the leadership he had provided to the Fisheries Commission during the last two years.
130. The meeting adjourned at 1200 hours, September 15.

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APPENDIX 2

Eleventh Annual Meeting  
Northwest Atlantic Fisheries Organization (NAFO)  
Albert Borschette Conference Centre, Brussels, 6-15 September 1989

Fisheries Commission Agenda

OPENING PROCEDURES

1. Opening by the Chairman, Mr. K. Yonezawa (Japan)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

ADMINISTRATION

6. Approval of the Report of the Tenth Annual Meeting, September 1988 (FC Doc. 88/8, Revised)
7. Review of Commission Membership
8. Election of Officers - Chairman and Vice-Chairman

COMMISSION PROPOSALS

9. Status of Proposals (Circular 89/48)
10. Conservation and Enforcement Measures already opened for study and/or discussion:
  - a) Ropes and reinforcements in trawls
  - b) Changes to NAFO Measures regarding by-catch limits
  - c) Types of chafers and measurement of their meshes

INTERNATIONAL CONTROL

11. Preparation of Revision of the Scheme of Joint International Inspection
12. Annual Return of Infringements
13. Fishing Vessel Registration
14. Report of STACTIC

CONSERVATION

15. Summary of scientific advice proffered by the Scientific Council
16. 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
17. 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 in Div. 3NO
  - g) Squid (*Illex*) in Subareas 3 and 4
  - h) Management measures for the following stocks, if available in the Regulatory Area, in 1990:
    - i) Cod in Div. 3L

18. Fishing Activities by vessels of Non-Member States in the Regulatory Area

OTHER MATTERS

19. Annual Scientific Program for 1990

ADJOURNMENT

20. Time and Place of Next Meeting

21. Other Business

22. Adjournment

APPENDIX 3NORTHWEST ATLANTIC FISHERIES ORGANIZATIONELEVENTH ANNUAL MEETING - SEPTEMBER 1989Press Release

1. The Eleventh Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Brussels, Belgium, during 6-16 September 1989, under the chairmanship of Mr. F. Hartung (German Democratic Republic), President of NAFO. The sessions of the Scientific Council, the General Council and the Fisheries Commission and their Committees were all held at the Albert Borschette Centre.
2. Attending the meeting were delegates from the following Contracting Parties: Bulgaria, Canada, Cuba, Denmark (in respect of Faroes Islands and Greenland), European Economic Community (EEC), German Democratic Republic (GDR), Japan, Norway, Poland and the Union of Soviet Socialist Republic (USSR). Observers from Mexico and the United States of America were present at the meeting.
3. The Scientific Council, under the chairmanship of J. S. Beckett (Canada), presented scientific advice on the management of the stocks and advised on a number of questions referred to it by the Fisheries Commission. It also completed work which it had not had the possibility of finalizing at the June Meeting in Dartmouth, Nova Scotia, Canada.
4. During 6 to 8 September 1989, there was a Special Session of the Scientific Council on "Changes in Biomass, Production and Species Composition of the Fish Populations in the Northwest Atlantic Over the Last 30 Years, and Their Possible Causes", which involved 16 scientific contributions and was discussed among some 50 scientists.
5. On the basis of the scientific advice provided by the Scientific Council from its meeting in June 1989 and at the present meeting, agreement was reached by the Fisheries Commission, under the chairmanship of Mr. K. Yonezawa (Japan), on conservation and management measures for 1990, regarding total allowable catches (TACs) and allocations for certain stocks, which are either entirely outside the 200-mile fishing zones or occur both within the zones and in the Regulatory Area. The TACs and national allocations for stocks in Division 3M and those overlapping the 200-mile boundary lines are given in the attached Quota Table.
6. The Fisheries Commission agreed to continue the moratorium for 1990 on cod fishing by Contracting Parties in Division 3L outside the Canadian zone, in the continuation of the restrictive measures of the past years in favour of the recuperation of the stock.
7. The General Council reviewed and approved the Organization's budget and accounts which had to provide for the extraordinary expenses resulting from the retirement of the present Executive Secretary, Capt. J. C. Esteves Cardoso and the selection, election and entitlement of a new Executive Secretary.
8. The General Council passed a Resolution proposed by Canada addressed to all Contracting Parties and approved by a large majority without any votes against, in which compliance with the NAFO management framework and NAFO decisions is called for.
9. The General Council decided to re-organize efficiently a Working Group which, under the chairmanship of Mr. Orlando Muniz (Cuba) and with the support of the Executive Secretary, should concert the efforts of all Contracting Parties into attracting into the Convention by suitable measures all non-Contracting Parties already active in fishing in the Regulatory Area. Such a Working Group is expected to be able to report to the General Council by the middle of 1990.
10. Several elections took place for Chairmen and Vice-Chairmen of the different bodies of the Organization and some subsidiary bodies, as follows:

Chairman of the General Council  
President of the Organization

Vice-Chairman of the General Council

Chairman of the Fisheries Commission  
Vice-Chairman of the Fisheries Commission

K. Hoydal (Denmark  
in respect of the  
Faroes and Greenland)  
E. Oltuski (Cuba)

J. Zygmanski (Poland)  
G. Etchegarry (Canada)

Chairman of the Scientific Council  
Vice-Chairman of the Scientific Council

B. Jones (EEC)  
V. P. Serebryakov (USSR)

Chairman of the Standing Committee on  
International Control (STACTIC)

O. Muniz (Cuba)

Chairman of the Standing Committee on  
Research Coordination (STACREC)

W. Brodie (Canada)

Chairman of the Standing Committee on  
Publications (STACPUB)

V. P. Serebryakov (USSR)

NAFO Secretariat  
15 September 1989

J. C. Esteves Cardoso (Capt.)  
Executive Secretary

SCHEDULE I  
Quota Table<sup>1</sup> for 1990

Column I Contracting Party	II		III		IV		V		VI		VII		VIII		IX		X		XI	
	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)	Subaregs 3+4 3 <sup>4</sup>
1. Bulgaria	-	-	-	-	750	-	-	-	-	-	-	-	-	-	-	-	-	-	500	-
2. Canada	-	-	8868	-	1250	10650	-	150	24538	-	-	4875	3000	-	800	-	-	800	N.S. <sup>5</sup>	-
3. Cuba	-	-	-	-	4375	2450	-	-	-	-	-	-	-	-	750	-	-	750	2250	-
4. Denmark (Faroes & Greenland)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
5. European Economic Community	-	-	6860	-	7750	-	350	-	317	-	-	100	-	-	750	-	-	750	N.S. <sup>5</sup>	-
6. German Democratic Republic	-	-	-	-	-	850	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7. Iceland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
8. Japan	-	-	-	-	1000	-	-	-	-	-	-	-	-	-	2800	-	-	2800	2250	-
9. Norway	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9000	-	-	9000	-	-
10. Poland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	900	-	-	900	1000	-
11. USSR	-	-	2221	-	34625	10900	-	1000	-	-	-	-	-	1950	15000	-	-	15000	5000.	-
12. Others	-	-	651	-	250	150	-	500	45	-	-	25	50	-	-	-	-	-	5000	-
13. Special Reservation <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
14. Total Allowable Catch	0	0	18,600	50,000	25,000	2,000	24,900	5,000	150,000 <sup>6</sup>											

<sup>1</sup>Quotas are in metric tons.

<sup>2</sup>There are no Special Reservations for 1990.

<sup>3</sup>The opening date for the squid (Illex) fishery is 1 July.

<sup>4</sup>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.

<sup>5</sup>Not specified because the allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC.

<sup>6</sup>The TAC would remain at 150,000 tons subject to adjustment where warranted by scientific advice.

APPENDIX 4Eleventh Annual Meeting - September 1989Draft Report of the Standing Committee on  
International Control (STACTIC)

The Standing Committee on International Control (STACTIC) met on 4 occasions during the week of 11-15 September 1989. The initial meeting convened at 1030 on 11 September 1989.

1. Introduction by Chairman

The Chairman of STACTIC, Mr. R. J. Prier (Canada), welcomed all delegations to the Eleventh Annual Meeting of NAFO. STACTIC delegations included: Canada, Cuba, Denmark (in respect of Faroes and Greenland), EEC, Japan, Norway, and the USSR. Mexico attended as observers.

2. Appointment of Rapporteur

Mr. D. J. Dunkley (EEC) was appointed Rapporteur.

3. Adoption of Agenda

Following a proposal by the EEC delegation, Item 8; Enforcement in the Regulatory Area, of the Provisional STACTIC Agenda was amended by changing the word "Enforcement" to "Inspection". The agenda, as amended, was adopted. (See attachment 1)

4. Review of Annual Return of Infringements

The EEC delegation and the Canadian delegation stated that amended versions of their returns of STACTIC form 1 would be introduced following which it was agreed to defer discussion of Agenda item 4 until the amended Annual Return was tabled.

5. Review of Registration of Vessels fishing in the Regulatory Area

At the suggestion of the EEC delegation it was agreed appropriate to discuss that point under Agenda item 8b.

6. Conservation and Enforcement Measures

At the request of the EEC delegation, the Chairman agreed to defer item 6 of the Agenda until the EEC delegation expert, currently participating in the Scientific Council Meeting, was available.

7. Revision of the Scheme of Joint International Inspection

The Chairman referred to FC Doc. 89/11 containing suggestions for a revision of Part IV of the Joint International Inspection Scheme, drawn up by the Executive Secretary.

The delegate of the EEC stated that it was still too early to consider changing the Scheme which was still in its infancy. Further time and experience in operating the existing Scheme was felt necessary to avoid the practical difficulties which would be encountered at a later date. In response to a question put by the Chairman, the EEC delegation stated that at least 3 years experience operating the existing Scheme was felt necessary before deciding what changes would be required.

The Executive Secretary reiterated that his proposal was to establish a working group which would recommend modifications to the Scheme to be put before the 1990 Fisheries Commission Meeting.

The Canadian delegation suggested that the opportunity be taken to discuss possible modifications to the Scheme. That was supported by the USSR delegation.

Following certain modifications to the drafting outlined by the Executive Secretary, the Chairman proposed that the delegates of all Contracting Parties should study the papers, (FC Docs. 89/11 and 89/12), and that item 7 be returned to for discussion later during the week.

8. Inspection in the Regulatory Area

Both the Canadian and EEC delegations stated they would be introducing further contributions at a later stage, following which the Chairman agreed to defer item 8 until the next meeting of STACTIC later in the week.

9. Election of Chairman

The Chairman proposed deferral of the item to a subsequent meeting.

10. Time and Place of Next Meeting

The Chairman stated that details of the place and time of the next meeting would be posted on the notice board when known.

11. Other Matters

There were no other matters to be considered.

STACTIC adjourned at 1125 on 11 September 1989.

## 12. The meeting reconvened at 0915 on 13 September 1989.

Review of Annual Return of Infringements, Item 4

The Chairman introduced the document (FC Doc. 89/1, Rev.) congratulating Contracting Parties for their complete and timely returns. The EEC delegation noted that the skipper of an EEC fishing vessel had apparently refused to allow a USSR inspection party to board his vessel, but noted that no inspection report, and no notification of an apparent infringement in respect of that incident had been received to date. Furthermore the fishing vessel concerned was not on the notified list of fishing vessels expected to fish in the Regulatory Area. The EEC delegation urged Contracting Parties to follow the procedures laid down in the Scheme to enable follow up action to be taken.

The USSR delegation outlined details of the case in point and undertook to provide further information to enable follow-up. With no further interventions the Review of Annual Return of Infringements was accepted as presented.

13. Review of Registration of Vessels Fishing in the Regulatory Area. Item 5

Referring to Attachment 2 to the Fisheries Commission Agenda, the Chairman remarked that several nations were missing from the list but added that, whilst the Canadian list had already been submitted, it did not yet appear in it. The Chairman requested that other Contracting Parties submit their lists to the Executive Secretary as soon as possible.

14. Review of Scheme of Joint International Inspection: Item 7

The Chairman referred to FC Documents 89/11 and 89/12, and requested comments from the floor.

The delegation of the EEC reiterated its view that it was still too early to consider amending the Scheme and stated that, whilst there was no objection to the proposals put forward in the working papers, many of which were sound, it would be premature to consider making editorial changes without considering the Scheme as a whole, including if necessary, more substantive changes. In the view of the EEC delegation, Contracting Parties should for the present concentrate on implementing the existing Scheme and allow it to build up its authority. Tinkering with the Scheme at such an early stage could undermine its value.

The Japanese delegation remarked that, after its careful examination of FC Document 89/11, the intention appeared to be to clarify the Scheme without altering the substance. There were however matters of substance raised which should be given further thought and consideration.

The USSR delegation agreed that the proposals required further scrutiny before changes to the Scheme were considered.

The Cuban delegation endorsed that approach.



The Canadian delegation, in general agreement with the approach, raised the question of reformulating the inspection report form in order to allow a definitive print run to be made in a revised format. After consultations between the Chairman and Executive Secretary, it was agreed that the inspection report forms as currently printed would be used for the time being.

Reviewing the comments made by the delegations, the Chairman suggested that Contracting Parties should study further FC Documents 89/11 and 89/12, and forward any proposals for changes to the Scheme to the Executive Secretary before the 1990 NAFO meeting. At that future meeting and in the light of comments from Contracting Parties, STACTIC would decide on the possibility of establishing a Working Group to consider the matter further.

15. Inspection in the Regulatory Area. Item 8

The Chairman remarked that it was gratifying to note the number of Contracting Parties which were planning to send inspection vessels to the Area in 1989-1990.

Referring to Agenda item 8(b) and a note drawn up by the Executive Secretary, a discussion ensued concerning the handling of those isolated cases where an inspected vessel did not appear on the list of vessels intending to fish in the Regulatory Area. One case in point related to a vessel of the USSR which was not apparently on the list, inspected by a vessel of the EEC.

The delegate of the USSR stated that the matter had been investigated and the vessel was omitted from the list because of a problem in message communication.

It was agreed by all delegations that, in future, incidents of that nature should not be entered in part 16 of the inspection report form as an apparent infringement, but instead entered as a remark in section 20. That would allow the flag state authorities to take into account all the circumstances of the case in order to determine whether the omission was a genuine mistake or otherwise and for the matter to be treated accordingly.

The Chairman invited the EEC and Canadian delegations to introduce their respective Reports of Inspection in the Regulatory Area.

Both the EEC and Canadian delegations highlighted the growing concern felt over the increasing level of activity in the Regulatory Area by fishing vessels of non-Contracting Parties. It was estimated that 20% of all fishing effort in the Regulatory Area had been conducted by vessels of non-Contracting Parties. It was agreed that STACTIC, the Commission and the Council needed to address the problem urgently.

Outlining its report, the EEC delegation drew attention to the follow-up action already taken in respect of apparent infringements by EEC vessels.

That and the EEC's determination to maintain a high level of inspection activity demonstrated that the EEC commitment was total concerning inspections in the Area.

Concerning Appendix 4 to its Report, the Canadian delegation drew attention to the very large number of sightings of vessels fishing in 3M during 1988, and stressed that even small by-catches of cod taken by those vessels would have a serious negative impact on the cod moratorium in the area.

The USSR delegation stated that the USSR would continue to maintain its inspection intensity with an inspection vessel in the area for 3 to 4 months a year.

Concerning the activities of vessels of non-Contracting Parties the USSR delegation shared the concern expressed by others but noted that diplomatic approaches had so far met with no response.

Regarding by-catches of cod in 3M, the USSR delegate stated that in 1988 the USSR fleet caught 13,800 metric tons of Redfish in 3M, but the by-catch of cod was limited to only 35, a small amount, accomplished by means of the fishing methods employed.

It was agreed that although the only solution to ensure respect of the cod moratorium in 3M was through the effective deployment of inspection vessels in the area, that applied only to vessels of Contracting Parties. Such presence had no deterrent effect on non-Contracting Parties fishing activities.

The meeting adjourned at 1020 on 13 September 1989.

STACTIC reconvened the same day at 1535.

16. Changes to NAFO Measures - By-catch Limits

The Chairman stated that item 6(a) on the Canadian by-catch proposal would be delayed until the next meeting to allow the EEC further time to discuss the matter. In addition the election of a new Chairman for STACTIC was delayed until the next meeting.

17. Types of chafers and Measurement of their meshes

The Chairman addressed item 6(b) which referred to the use of chafers within NAFO. He indicated that the item had been on the agenda for some time and that no progress had been made to resolve the issue. The item was basically one of a clerical matter: to remove reference to those chafers which were not being used. Since no progress had been made in that matter and there were no technical problems with the chafers as described in the Enforcement Measures, it was the recommendation to close the item and remove it from future agendas. All Contracting Parties agreed.

18. Activities of Non-Contracting Parties in Regulatory Area

Under item 11, the Chairman referred to the request from the General Council to provide catch statistics on non-member nations fishing within the Regulatory Area. The Chairman reiterated the strong concern voiced by the EEC, Canada, and the USSR regarding the escalation in the number of vessels operating within the Regulatory Area. The number of non-member vessels had increased from 11 vessels in 1984 to 41 vessels in 1988 which represented 20% of the number of total vessels in the Area. However, while some Contracting Parties might have access to estimates (and it must be emphasized that those were rough estimates) of non-member nations catches within the Regulatory Area, it was recommended that the Fisheries Commission should address that request.

It was also recommended by STACTIC that the Executive Secretary continue to communicate with every non-member nation fishing within the Regulatory Area to request catch statistics and solicit its cooperation in preventing its vessels from fishing within the Regulatory Area. Canada enquired as to whether the EEC could undertake to obtain transshipment data on non-member nations vessels which transhipped through St. Pierre-Miquelon. The EEC agreed to look into the possibility.

The meeting adjourned at 1600 hrs.

STACTIC reconvened at 1436, 14 September 1989.

19. Inspection in the Regulatory Area, Item 8

Following a request by the Canadian delegation, the Chairman sought consensus on the period for which informal reports of inspection activity by Contracting Parties should be presented.

All delegates agreed to report in future for the preceding calendar year plus the first seven months of the current year, i.e. up to 31 July.

20. By-catch limits. Item 6(a)

NAFO/FC Doc. 89/5, a Canada/EEC proposal concerning the establishment of by-catch limits in the Regulatory Area was introduced by the Chairman.

That proposal was supported unanimously by Contracting Parties with the recommendation for its adoption by the Fisheries Commission.

21. Election of Chairman. Item 9

The USSR delegation proposed Mr. O. Muniz (Cuba) in succession to Mr. R. Prier (Canada) as Chairman of STACTIC.

The proposal received unanimous support from Contracting Parties.

Mr. Prier thanked the delegations of Contracting Parties for their support during his term of office and, as there was no further business, declared the meeting adjourned at 1450, 14 September 1989.

ATTACHMENT 1  
(APPENDIX 4)

Eleventh Annual Meeting  
Northwest Atlantic Fisheries Organization (NAFO)  
Albert Borschette Conference Centre, Brussels, 6-15 September 1989

Standing Committee on International Control (STACTIC)

Agenda

1. Opening by Chairman, R. J. Prier (Canada) \*
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. Conservation and Enforcement Measures already opened for study and/or discussion
7. Revision of the Scheme of Joint International Inspection
8. Inspection in the Regulatory Area
  - a) Review
  - b) Consideration of certain types of apparent infringements
9. Election of Chairman
10. Time and Place of Next Meeting
11. Other Matters
12. Adjournment